

**H.R. 4219, H.R. 5770, H.R. 6107,
AND H.R. 6127**

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON WATER, WILDLIFE AND
FISHERIES

OF THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

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CONTENTS

	Page
Hearing held on Tuesday, November 14, 2023	1
Statement of Members:	
Bentz, Hon. Cliff, a Representative in Congress from the State of Oregon	2
Panel I:	
Simpson, Hon. Mike, a Representative in Congress from the State of Idaho	3
Moore, Hon. Blake, a Representative in Congress from the State of Utah .	4
Neguse, Hon. Joe, a Representative in Congress from the State of Colorado	8
Graves, Hon. Sam, a Representative in Congress from the State of Missouri	9
Statement of Witnesses:	
Panel II:	
Wech, Mike, Administrator, Southwestern Power Administration, Tulsa, Oklahoma	6
Prepared statement of	7
Fuller, Nicki, Executive Director, Southwestern Power Resources Association, Tulsa, Oklahoma	10
Prepared statement of	12
Shallcross, Amy L., P.E., Board Member and Chair of the Water Data and Science Committee for the Interstate Council on Water Policy, West Trenton, New Jersey	14
Prepared statement of	16
Platt, Ron, Chair of the Long-Range Planning Committee, Boise Project Board of Control, Caldwell, Idaho	17
Prepared statement of	19
Schmitz, Taylor, Director of Government Relations, Congressional Sportsmen's Foundation, Washington, DC	22
Prepared statement of	24
Questions submitted for the record	26
Additional Materials Submitted for the Record:	
Bureau of Reclamation, Statement for the Record on H.R. 6107	41
Department of the Interior, Statement for the Record on H.R. 6127	42
U.S. Geological Survey, Statement for the Record on H.R. 5770	44
Submissions for the Record by Representative Bentz	
Letters of Support for H.R. 4219	
Northeast Louisiana Power Co-op	32
City Water and Light Plant, City of Jonesboro	33
American Public Power Assoc./National Rural Electric Co-op Assoc. ...	34
Paragould Municipal Utilities	36
Sikeston Board of Municipal Utilities	37
Nixa Utilities & Public Works	38
Kansas Electric Power Co-op, Inc.	39
Association of Missouri Electric Cooperatives	40
Submissions for the Record by Representative Neguse	
FY2024 USGS Streamgage Program	46

LEGISLATIVE HEARING ON H.R. 4219, TO ESTABLISH THE SOUTHWESTERN POWER ADMINISTRATION FUND, AND FOR OTHER PURPOSES, “ SOUTHWESTERN POWER ADMINISTRATION FUND ESTABLISHMENT ACT”; H.R. 5770, TO REAUTHORIZE CERTAIN UNITED STATES GEOLOGICAL SURVEY WATER DATA ENHANCEMENT PROGRAMS, “WATER DATA IMPROVEMENT ACT”; H.R. 6107, TO AMEND THE OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009 TO AUTHORIZE CERTAIN EXTRAORDINARY OPERATION AND MAINTENANCE WORK FOR URBAN CANALS OF CONCERN, “URBAN CANAL MODERNIZATION ACT”; AND H.R. 6127, TO PROVIDE FOR THE STANDARDIZATION, CONSOLIDATION, AND PUBLICATION OF DATA RELATING TO PUBLIC OUTDOOR RECREATIONAL USE OF FEDERAL WATERWAYS AMONG FEDERAL LAND AND WATER MANAGEMENT AGENCIES, AND FOR OTHER PURPOSES, “MODERNIZING ACCESS TO OUR PUBLIC WATERS ACT”, OR “MAPWATERS ACT”

**Tuesday, November 14, 2023
U.S. House of Representatives
Subcommittee on Water, Wildlife and Fisheries
Committee on Natural Resources
Washington, DC**

The Subcommittee met, pursuant to notice, at 11:19 a.m. in Room 1334, Longworth House Office Building, Hon. Cliff Bentz [Chairman of the Subcommittee] presiding.

Present: Representatives Bentz, LaMalfa, Hageman; and Neguse.

Also present: Representatives Graves of Missouri, Simpson, and Moore of Utah.

Mr. BENTZ. The Subcommittee on Water, Wildlife and Fisheries will come to order.

Good morning, everyone. I want to welcome Members, witnesses, and our guests in the audience to today’s hearing.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Member. I therefore ask unanimous consent that all other Members' opening statements may be made part of the hearing record if they are submitted in accordance with Committee Rule 3(o).

Without objection, so ordered.

I also ask unanimous consent the gentleman from Missouri, Mr. Graves; the gentleman from Idaho, Mr. Simpson; and the gentleman from Utah, Mr. Moore be allowed to participate in today's hearing.

Without objection, so ordered.

We are here today to consider four legislative measures: H.R. 4219, the Southwestern Power Administration Fund Establishment Act, sponsored by Representative Graves of Missouri; H.R. 5770, the Water Data Improvement Act, sponsored by Representative Neguse of Colorado; H.R. 6107, the Urban Canal Modernization Act, sponsored by Representative Simpson of Idaho; and H.R. 6127, the Modernizing Access to Our Public Waters Act, or MAP Waters Act, sponsored by Representative Moore of Utah.

I now recognize myself for a 5 minute opening statement.

**STATEMENT OF THE HON. CLIFF BENTZ, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF OREGON**

Mr. BENTZ. Today, we are meeting to discuss four bills addressing regional and national issues.

H.R. 6127, introduced by Congressman Blake Moore of Utah, builds upon the investments made in previous Congresses to help ensure that Americans can more easily find information and resources to help facilitate access to our waters.

Unsurprisingly, there are multiple Federal agencies that have some degree of jurisdiction and regulatory authority over what hunters, anglers, and boaters can or cannot do on navigable waters. The MAP Waters Act will direct Federal agencies to digitize and make available to the public any access or recreational use restrictions on Federal waterways.

H.R. 5770, introduced by Congressman Neguse, reauthorizes two U.S. Geological Survey programs. The first, the Federal Priority Stream Gauge Program, helps meet a multitude of Federal priorities and responsibilities. These include forecasting floods and droughts, supporting water quality assessments of major rivers and estuaries, supporting interstate and international compacts, court decrees, treaties, and other border water agreements. The second program is the National Groundwater Resources Monitoring Program. There USGS works in collaboration with Federal, state, and local agency data providers to monitor groundwater levels.

H.R. 4219, introduced by Congressman Graves of Missouri, would establish the Southwestern Power Administration Fund, a permanent, self-financed revolving fund supplied through Southwestern's power sales receipts with no annual appropriations.

Lastly, H.R. 6107, introduced by Congressman Simpson of Idaho, would help irrigation districts needing to pay for extraordinary

maintenance needs of Bureau of Reclamation canals that pose a potential risk to urban areas.

I thank the Members for their work on these bills and to the witnesses for testifying today.

I will now introduce our first panel. As is typical with legislative hearings, the bills' sponsors are recognized for 5 minutes each to discuss their bills. With us today are a number of Congressmen, and I will begin with Chairman Simpson.

I recognize Chairman Simpson for his testimony. You have 5 minutes.

**STATEMENT OF THE HON. MIKE SIMPSON, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO**

Mr. SIMPSON. Thank you, Mr. Chairman. It has been a long time since I have been over here. I forgot my passport. I am sorry I am late. It is good to be with you. Thank you, Chairman Bentz and members of the Subcommittee, for consideration of this bill today.

I am here to introduce H.R. 6107, the Urban Canal Modernization Act. This bill authorizes the Bureau of Reclamation to provide a 35 percent non-reimbursable cost share for certain extraordinary operations and maintenance work on urban canals of concern. The Bureau may also provide more funds than a 35 percent cost share, though any funds over the 35 percent would be reimbursable.

It is important to note that the Urban Canal Modernization Act does not appropriate any new money. Rather, it frees up existing aging infrastructure funds for work on these canals.

Many canals in the West were originally built across large tracts of undeveloped or agricultural land. However, rapid urbanization over the years has built up the areas surrounding the canals. This new infrastructure has raised the cost of operations and maintenance of these canals, as well as the risks of property damage or loss of life in the event of a canal failure.

The Bureau of Reclamation has designated these canals "urban canals of concern". One such canal is the New York Canal in Boise. How it got the name New York Canal in Boise, I don't know, but I guess someone here will be able to explain that. On part of the New York Canal's run you can stand at an elevated edge of the canal and look directly down into someone's backyard.

The operations and maintenance responsibilities for many of these canals were previously transferred from the Bureau of Reclamation to local project managers made up of irrigation districts or other such organizations. The Boise Project Board of Control manages the New York Canal. These project managers usually have budgets that reflect what operations and maintenance costs were before the surrounding area was urbanized, not what they are now. Obviously, that has put these managers in a tough position when needing to fund repairs to these canals, some of which are over 100 years old at this point. Access to existing aging infrastructure funds through a 35 percent non-reimbursable cost share for these repairs will go a long way in helping these local managers afford the repairs these canals need.

This legislation also specifies that any reimbursable funds provided for these purposes, that funding over 35 percent of the

project's cost, to be considered a non-Federal source when considering cost sharing requirements for other Federal grants.

The non-reimbursable and reimbursable funds this bill authorizes will allow those responsible for the maintenance of these canals through what are now urban areas in the West to do their job, helping to maintain essential water deliveries, as well as protecting the communities that have been built near these canals.

A little later you will hear from Ron Platt, member of the Boise Project Board of Control and incoming President of the Idaho Water Users Association, to discuss this bill further and answer any questions members of the Subcommittee may have.

Thank you again, Chairman Bentz and the Subcommittee. I encourage a favorable report of this bill, and I yield back.

Mr. BENTZ. Thank you, Chairman Simpson, and thank you for visiting our humble little hearing room.

The Chair now recognizes Congressman Blake Moore for 5 minutes.

**STATEMENT OF THE HON. BLAKE MOORE, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH**

Mr. MOORE. Thank you, Chairman Bentz, Ranking Member Huffman, as well, for the opportunity to join you today. It is always great to be back in such a productive environment here. Natural Resources cares about solving problems, and I appreciate the work that you do, Chairman.

I am grateful to testify on behalf of my bipartisan legislation, the Modernizing Access to Public Waters Act, or the MAP Waters Act, which I have introduced alongside Representatives Fulcher, Dingell, and Panetta, who are co-leading this important legislation with me.

Last Congress, as a member of this Committee, I was thrilled to work with you and the other colleagues in Congress to pass and enact the MAPLand Act with overwhelming bipartisan support. That law directed Federal land management agencies to digitize and standardize mapping records so that Americans can use standard technology to access critically important information about how to access our public lands.

Today, we are working to build on that momentum from MAPLand by considering the MAP Waters Act, which will similarly digitize critical data to help anglers, boaters, and hunters make better sense of the rules and regulations that they must abide by while enjoying our Federal waterways.

Those who live in or have visited my home state of Utah know that some of life's best moments can be spent in our incredible outdoors, some of Idaho's incredible outdoors, but particularly Utah. And across the nation, outdoor recreation brings us together. These hobbies, passions, and jobs motivate and inspire us while keeping us healthy and happy.

According to the Utah Office of Outdoor Recreation, the outdoor economy contributes more than \$6.1 billion to our economy and employs more than 66,000 people.

Our role here in Washington is to promote sound policies that enhance the way our government manages these resources so they

better meet our shared goals that promote access, stewardship, and coordination.

My constituents have made it clear to me that there is a dearth of accessible information regarding which waterways are available to the public, locations of best access points, and other relevant information that would make it so much easier to enjoy our public waters.

Furthermore, thousands of files concerning America's waterways exist only in paper form, making would-be excursions needlessly difficult. No one wants to make this more difficult, and we have these barriers that exist. That was part of the success with MAPLand last Congress, and why we are trying to build on that.

The MAP Waters Act, similar to MAPLand, addresses these challenges by standardizing publishing data and information online so Americans can use standard technology to access critical information about public waters. Our aim is to help tourists and families understand which waterways are open, where propulsion restrictions might be imposed, the types of watercraft allowed, the location of fishing restrictions, and much more.

Not only will this information help support our nation's nearly \$800 billion recreation economy, but it will also promote principles of good management and stewardship by promoting cooperation and coordination between the Federal Government and state natural resource agencies, the technology companies that exist in this space, geospatial data companies, experts in the fields of data, data science, analytics, research, and more.

Thank you again, Chairman Bentz and Ranking Member Huffman, for holding this hearing. I appreciate the opportunity to join you today, and I yield back.

Mr. BENTZ. Thank you, Congressman. I thank the Members for their testimony.

I will now introduce our second panel: Mr. Mike Wech, Administrator at Southwestern Power Administration in Tulsa, Oklahoma; Ms. Nicki Fuller, Executive Director with the Southwestern Power Resources Association in Tulsa, Oklahoma; Ms. Amy Shallcross, Board Member and Chair of the Water Data and Science Committee for the Interstate Council on Water Policy in West Trenton, New Jersey; Mr. Ron Platt, Chair of the Long-Range Planning Committee with the Boise Project Board of Control in Boise, Idaho; and Mr. Taylor Schmitz, Director of Government Relations with the Congressional Sportsmen's Foundation in Washington, DC.

Let me remind the witnesses that under Committee Rules, they must limit their oral statements to 5 minutes, but their entire statement will appear in the hearing record.

To begin your testimony, please press the "on" button on the microphone.

We use timing lights. When you begin, the light will turn green. When you have 1 minute remaining, the light will turn yellow. At the end of the 5 minutes, the light will turn red, and I will ask you to please complete your statement.

We will also allow all witnesses to testify before Member questioning.

And before we get started, the microphones in this room are notoriously bad, so please get within 1 inch of them. Otherwise, I will be consistently asking you to speak louder.

I now recognize Mr. Wech for 5 minutes.

STATEMENT OF MIKE WECH, ADMINISTRATOR, SOUTHWESTERN POWER ADMINISTRATION, TULSA, OKLAHOMA

Mr. WECH. Chairman Bentz, Ranking Member Huffman, and distinguished members of the Subcommittee, thank you for the opportunity to appear before you today to represent Southwestern Power Administration and the Department of Energy regarding legislation to establish the Southwestern Power Administration Fund currently under consideration as H.R. 4219 by your Subcommittee. I am Mike Wech, Administrator and CEO of the Southwestern Power Administration.

Southwestern is a power marketing administration that serves over 10 million end use customers in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas. As a Federal utility we have a statutory mission to market and deliver electricity from 24 hydroelectric generating plants operated by the U.S. Army Corps of Engineers. This year, 2023, marks 80 years of service for Southwestern. We now have eight decades of experience in providing cost-based, clean, renewable energy to our customers. This hydropower keeps farms, factories, and homes that are powered by Southwestern's customers running smoothly.

Southwestern also provides voltage support and grid stability during times of high electrical demand and weather-related outages. Hydroelectric projects have the ability to ramp up or down very quickly and respond rapidly to changing conditions. And Southwestern has a well-established history of responding to energy emergencies to keep the lights on.

While we take considerable pride in providing a clean, cost-based product to our customers and providing reliable support to the region, we periodically need to purchase replacement power to meet all of the contractual obligations Southwestern has entered into. In some cases, due to drought conditions, downstream flooding, operational restrictions, or other contributing factors, Southwestern's contractual obligations to provide power exceed the amount of hydropower that may be available. Southwestern is continually balancing Federal hydropower needs against the needs of other water users and current market conditions when determining whether to purchase power to meet our contractual obligations.

H.R. 4219 authorizes Southwestern Power Administration Fund, a permanent, self-financed revolving fund supplied through Southwestern's power sales receipts. All receipts, collections, and recoveries, including balances, transfers, and appropriations, would be deposited into this Fund. These funds would be available for operation and maintenance of power transmission facilities, marketing, electric power and energy, construction and acquisition of transmission lines, substations, appurtenant facilities, and administrative expenses of the Secretary in carrying out section 5 of the Flood Control Act of 1944 and Section 1232 of the Energy Policy Act of 2005.

H.R. 4219 would authorize the Secretary to incur obligations for these authorized purposes in advance of appropriations to be liquidated by the fund.

The Administration is continuing to review this bill and does not have a position at this time. However, we do note H.R. 4219 would likely have a budgetary score.

Mr. Chairman, this concludes my testimony. I would be pleased to address any questions that you or members of the Subcommittee may have.

[The prepared statement of Mr. Wech follows:]

PREPARED STATEMENT OF MIKE WECH, ADMINISTRATOR, SOUTHWESTERN POWER
ADMINISTRATION
ON H.R. 4219

Chairman Bentz, Vice Chair Kiggans, Ranking Member Huffman, and distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today to represent Southwestern Power Administration (Southwestern) and the Department of Energy (DOE) regarding legislation to establish the “Southwestern Power Administration Fund,” currently under consideration as H.R. 4219 by your Subcommittee. The Administration has not taken a position on this bill.

Southwestern is a Power Marketing Administration that serves over ten million end-use customers in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas. As a Federal utility, we have a statutory mission to market and deliver electricity from 24 Federal hydroelectric generating plants operated by the U.S. Army Corps of Engineers.

This year—2023—marks 80 years of service for Southwestern. We now have eight decades of experience providing cost-based, clean, and renewable energy to our customers. This hydropower helps keep the farms, factories, and homes powered by Southwestern’s customers running smoothly.

Southwestern also provides voltage support and grid stability during times of high electrical demand and weather-related outages. Hydroelectric projects have the ability to ramp up or down very quickly and respond to rapidly changing conditions, and Southwestern has a well-established history of responding to energy emergencies to help keep the lights on.

While we take considerable pride in providing a clean and cost-based product to our customers and providing reliable support to the region, we periodically need to purchase replacement power to meet all of the contractual obligations Southwestern has entered into. In some cases, due to drought conditions, downstream flooding, operational restrictions, or other contributing factors, Southwestern’s contractual obligations to provide power exceed the amount of hydropower that is available. Southwestern continually balances Federal hydropower needs against the needs of other water users and current market conditions when determining whether to purchase power to meet contractual obligations.

H.R. 4219 authorizes the Southwestern Power Administration Fund, a permanent, self-financed revolving fund supplied through Southwestern’s power sales receipts. All receipts, collections, and recoveries, including balances, transfers, and appropriations would be deposited into this fund. These funds would be available for operation and maintenance of power transmission facilities, marketing electric power and energy, construction and acquisition of transmission lines, substations, and appurtenant facilities, and administrative expenses of the Secretary in carrying out section 5 of the Flood Control Act of 1944 and Section 1232 of the Energy Policy Act of 2005. H.R. 4219 would authorize the Secretary to incur obligations for these authorized purposes in advance of appropriations to be liquidated by the Fund.

The Administration is continuing to review this bill and does not have a position at this time. However, we do note that H.R. 4219 would likely have a budgetary score.

Mr. Chairman, this concludes my testimony. I would be pleased to address any questions that you or the Members of the Subcommittee may have.

Mr. BENTZ. Thank you for your testimony. We are going to return now to Congressman Neguse, who will provide an opening statement, and then we will introduce his bill.

**STATEMENT OF THE HON. JOE NEGUSE, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF COLORADO**

Mr. NEGUSE. Thank you, Mr. Chairman, and good morning. Thank you to all the witnesses for being here today and to my colleagues on the Committee to participate in this important legislative hearing.

I want to just, on behalf of Ranking Member Huffman, say that I am certainly looking forward to discussing the bills on today's docket. I would be remiss if I didn't just take a moment to speak on the recently-passed Fiscal Year 2024 Interior, Environment, and related agencies appropriations bill and, of course, the incoming threat of a potential government shutdown.

With respect to the Fiscal Year 2024 Interior, Environment, and related agencies appropriation bill, I think it is important to note that the bill, unfortunately, contains draconian cuts that would imperil endangered species, impede our climate readiness, and repeal critical funding under the Inflation Reduction Act.

Just by way of background, the bill would cut the National Park Service budget by nearly a half billion dollars. It would require annual oil and gas lease sales on public lands, and would remove Endangered Species Act protections to give away more of our public lands and our waters. That, to me, is not the approach that Congress should be taking.

We need to promote climate resilience, restoration, and conservation across our public lands and waters. And certainly, Democrats remain ready and willing to work with our Republican colleagues to find bipartisan solutions to advance legislation. And I would certainly hope that we could step back from the cliff of these draconian cuts.

I am encouraged by the plan today to take up legislation to fund the government later this afternoon. I hope we can work together to avoid a government shutdown.

And I also want to say that I am very pleased that we are considering a number of different bipartisan bills, and I want to credit Chairman Bentz for enabling us to consider these bills. Of course, one of them includes a bill of my own, H.R. 5770, the Water Data Improvement Act, as the Chairman referenced. And I really want to thank the Chairman for his partnership and the swift consideration of this bill, which we passed through the Committee last week.

As I have talked about before in the Subcommittee, the Colorado River is at a crisis point. And the Federal Government, the states, tribes, and water users are currently engaging, as we all know, in negotiations on the future of the Colorado River, including the draft proposals recently released by the Bureau of Reclamation.

As we continue to look for ways to support our communities and to address the drought crisis both in the West and across the nation, it is critical that we provide agencies with the resources they need, and that is exactly what the Water Data Improvement Act is all about. It would reauthorize three water data programs

administered by the U.S. Geological Survey for an additional 5 years, and that includes the National Groundwater Resources Monitoring Network; the Federal Priority Streamgange Network, and Improved Water Estimation, Measurement, and Monitoring Technologies.

Each of those programs support efforts by the USGS to monitor and assess water resources available across the country. They are relied on by state governments, by local governments in my state of Colorado, and water users across the country, in addition to the Federal Government. I believe these programs are integral, they are critical, they are valuable, and it is important we get them reauthorized.

And to that end, I know the USGS has provided a statement for the record on H.R. 5770 noting several additional provisions of the Secure Water Act, the statute that we are reauthorizing provisions of, that they would like to consider as amendments to this legislation. And certainly, my staff and I are happy to work with the USGS on amendments to the bill.

Again, I want to thank the Chairman for being willing to consider this bill in addition to other bills that I know the Committee is considering, including Representative Moore's MAP Waters Act, which is, of course, important in terms of appropriately addressing and identifying opportunities to improve outdoor recreation services, protecting existing natural, cultural, and recreational values, something that we frequently discuss in the Federal Lands Subcommittee of which I serve as Ranking Member. And I certainly look forward to hearing more about how this legislation will provide clarity on Federal waterway access, navigation, and restrictions through increased collaboration across Federal management agencies.

Finally, I know we just heard testimony on the Southwestern Power Administration Fund and will hear testimony on the Urban Canal Modernization Act. I know the Department of the Interior could not be here this morning. I also understand that they have submitted a statement that includes some of their thoughts and potential concerns, so I hope that we, as a Subcommittee, working across the aisle, Democrats and Republicans together, can find a way to address any concerns they may have and, of course, be responsive to the needs that our constituents have expressed.

With that, I want to say thank you, Chairman, for the indulgence, and I will yield back the balance of my time.

Mr. BENTZ. Thank you, Congresswoman Neguse, and I now recognize Chairman Sam Graves for 5 minutes.

**STATEMENT OF THE HON. SAM GRAVES, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MISSOURI**

Mr. GRAVES OF MISSOURI. Thank you, Mr. Chairman, and thank you for holding this hearing and allowing me to speak today.

The Southwestern Power Administration, or SWPA, has played an important role in delivering affordable hydropower generated by Federal dams to rural electric cooperatives and municipal utilities.

Across Arkansas, Missouri, Kansas, Louisiana, Oklahoma, and Texas there are nearly 10 million Americans that depend on the success of SWPA's partnership with the U.S. Army Corps of

Engineers and the Bureau of Land Reclamation. While this partnership has been highly successful for more than 80 years, it is not without its problems. But these are problems that we can fix.

All of SWPA's operations are paid for by ratepayers, not by taxpayers. That is a very important distinction, because it is the people that benefit from these hydro projects that are footing the bill to operate these dams and reservoirs. This user fee model, which is similar to how many projects are funded under the jurisdiction of the Transportation and Infrastructure Committee, is fair and effective.

But there are also some differences between building roads and bridges and marketing electricity. While our states' DOT can plan on Highway Trust Fund formula dollars to be available for projects well into the future, there is no such certainty for SWPA. When SWPA fails to meet contractual obligations for power generation, they have to buy electricity on the open market, and often at much higher prices.

Because of the way they are subject to annual appropriations, those increased costs for buying electricity have to be recouped by the end of the fiscal year. SWPA does that through increased fees charged to municipal utilities and rural electric co-ops. These aren't for-profit companies, they can't just take a hit on the bottom line and move on. They have to pass those increased costs along to the ratepayers. That creates headaches and heartache for families already struggling with high energy bills, especially when hydro-power operations are disrupted by drought or excessive rainfall.

My bill, the Southwestern Power Administration Fund Establishment Act, seeks to fix these problems. It would create a fund at the U.S. Treasury to allow the Southwestern Power Administration to retain and spend receipts from power sales across multiple years. While adding flexibility, this fund would still retain the core principle that the people benefiting from these projects are the ones that are going to support these projects.

At the same time, it allows SWPA the authority necessary to plan for future projects on a long-term basis and, more importantly, avoid unnecessary rate hikes that are going to hurt families. Ultimately, this is what this bill is all about, is making sure that families in northern Missouri and throughout the region have continued access to reliable and affordable electricity.

Again, thank you, Chairman Bentz, for hosting this hearing today and for considering my legislation.

Mr. BENTZ. Thank you, Mr. Chairman, and I now return to our witness panel. I recognize Ms. Fuller for 5 minutes.

**STATEMENT OF NICKI FULLER, EXECUTIVE DIRECTOR,
SOUTHWESTERN POWER RESOURCES ASSOCIATION, TULSA,
OKLAHOMA**

Ms. FULLER. Chairman Bentz and members of the Subcommittee, thank you for the opportunity to provide my input on H.R. 4219, the Southwestern Power Administration Fund Establishment Act. My name is Nicki Fuller, and I serve as the Executive Director of the Southwestern Power Resources Association, or SPRA.

SPRA is a voluntary, not-for-profit organization of rural electric cooperatives and public power systems in Arkansas, Kansas,

Louisiana, Missouri, Oklahoma, and Texas, representing the interests of low-cost Federal hydropower for nearly 10 million people. I represent not-for-profit utilities that are customers of the Southwestern Power Administration.

Southwestern markets hydroelectric power generated at 24 multi-purpose U.S. Army Corps of Engineers dams, and SPRA members then distribute this environmentally friendly, renewable, and reliable hydropower to its end users.

SPRA is fortunate to have a partner in Southwestern. Our mutual success must be attributed to the intentional transparency and collaboration between our organizations.

SPRA is also fortunate to help facilitate the delivery of hydro-power in our region. While not touted as loudly as many renewable energy resources, hydropower has long served this country, and its attributes are even more important today. Unlike most resources, hydropower can energize the grid quickly after an outage and address wildly fluctuating peak demands. This capability is not dependent on the sun shining or the wind blowing.

Additionally, Federal hydropower is often the most economical resource for SPRA's members.

It is of critical importance to note that the Federal hydropower program, unlike many Federal programs, pay its way with absolutely no expenses borne to the taxpayer. Every dollar spent on the Federal hydropower program is repaid through the rates charged to its customers. We are a rare Federal program that pays our own way with interest.

Unlike the giant reservoirs that are familiar sites in other regions, the Southwestern system depends on the inflow of water. Corps-owned dams in SPRA's region do not have the storage capabilities to sustain a long-term drought. Despite varying water conditions, Southwestern has a contractual obligation to SPRA's members to deliver the power it guarantees. For this reason, when the area is in a drought, Southwestern must purchase the power necessary to fulfill these contractual obligations. As mentioned, Southwestern's customers pay all of the costs, and these costs are passed on to them through their power rates.

Additionally, replacement energy may also need to be purchased based on hydrology, changing weather patterns, and plan outages due to infrastructure investment. To prevent rate spikes due to these purchases, Southwestern would need a particular type of account at the U.S. Treasury. This type of fund is the need that H.R. 4219 seeks to address.

H.R. 4219 best serves the needs of Southwestern because the budget cycle of Congress isn't attuned to prudent utility practices. The ratepayers themselves would fund the power program directly through retained receipts. This would allow Southwestern to hold the reserves and plan for water disruptions or extreme weather events. By providing this funding mechanism, Southwestern has the needed funds, customers avoid sudden surcharges, and, as always, the taxpayers pay nothing.

Financial flexibility tools are essential to Southwestern's continued success. As energy and capacity markets become more evolved, Southwestern must have the ability to act consistent with sound business principles as it is statutorily obligated. This financial

flexibility not only makes good sense, but is also highly desired by SPRA's members, who carry the actual burden of expense.

I want to also inform the Subcommittee about our region's successful infrastructure investment program that helped ensure the reliability of Federal hydropower in our nation's grid. Beginning in the 1990s, Federal power customers noticed increased unscheduled outages at core hydropower plants. These outages were rising costs to SPRA members due to purchased power.

Further, because of Federal budget cycles, waiting for appropriated funding for a crippled plant to be returned to service might extend the outage and the cost over multiple years, all while the customers pay the bill. By paying up front, before the equipment failed, we could save millions of dollars and sustain the critical Federal infrastructure.

With this in mind, SPRA partnered with the Corps and Southwestern to develop a formal process where the parties meet to determine the needs of infrastructure for the following fiscal years. We have already committed to the Corps over \$1 billion, and will continue to work to make sure this Federal hydropower program is sustainable.

Additional financial flexibility for Southwestern through H.R. 4219 would help ensure the continued success of this program. These dams benefit so many purposes in my region including navigation, flood control, water supply, environmental programs, and recreation. Without the Federal hydropower customers paying the bill, the taxpayer would bear more cost of these joint activities.

I am grateful to the Committee and the sponsor of this legislation, Congressman Sam Graves. A revolving fund will help continue infrastructure investments and sufficient public purchase power.

Thank you for your efforts, and we look forward to your feedback today. Thank you.

[The prepared statement of Ms. Fuller follows:]

PREPARED STATEMENT OF NICKI FULLER, EXECUTIVE DIRECTOR, SOUTHWESTERN
POWER RESOURCES ASSOCIATION
ON H.R. 4219

Chairman Bentz and Members of the Subcommittee, thank you for the opportunity to provide input on H.R. 4219, The Southwestern Power Administration Fund Establishment Act. My name is Nicki Fuller, and I serve as the Executive Director of the Southwestern Power Resources Association (SPRA).

SPRA is a voluntary, not-for-profit organization of rural electric cooperatives and public power systems in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas, serving low-cost federal hydropower to nearly 10 million people. The utilities I represent are all not-for-profit utilities that are customers of the Southwestern Power Administration (SWPA or Southwestern), a Power Marketing Administration (PMA) which is part of the Department of Energy (DOE).

Southwestern markets hydroelectric power generated at 24 multi-purpose U.S. Army Corps of Engineers federal dams in the region. SPRA members then distribute this environmentally friendly, renewable, and reliable hydropower to end users within our six-state footprint.

SPRA is fortunate to have a federal partner in Southwestern. Our mutual success must be attributed to the intentional transparency and collaboration between our organizations. Hydropower, the original and most reliable renewable energy, has benefited our region for 80 years. Through these continued efforts we all look forward to providing this vital resource for many years to come.

SPRA is also fortunate to help facilitate the delivery of hydropower to our six-state foot print. While not touted as loudly as many renewable energy resources,

hydropower has long served this Country and its attributes are even more valuable today. Unlike most power resources, hydropower can energize the grid quickly after an outage because of its black start capabilities. With its quick ramping speed, it can address wildly fluctuating peak demands, and maintain proper voltage levels and frequencies across the grid. This capability is not dependent upon the sun shining or the wind blowing. Additionally, federal hydropower is often the resource for SPRA's members. In short, federal hydropower marketed by Southwestern is a carbon-free energy source that is essential for grid operation support with dispatchable generation. Hydropower's flexibility is crucial for developing and integrating future energy sources, particularly within our six-state footprint. Ensuring hydropower's unique attributes as part of a diverse energy portfolio is essential to ensuring our nation's grid reliability and affordability.

It is of critical importance to note that the federal hydropower program, unlike many federal programs, pays its way, with absolutely no expenses borne by the taxpayer. Every dollar spent on the federal hydropower program is repaid through rates charged to customers. This includes the construction, operation, maintenance, and transmission costs of generating and marketing the hydroelectric energy and capacity incurred by the Corps and the PMA, plus interest. In past years, Southwestern has received a diminishing amount of appropriations from Congress. The direct appropriations plus all other expenses for Southwestern and the Corps costs for hydropower, and a percentage of joint use expenses are included in the rates that customers pay.

Unlike the giant reservoirs that are familiar sights along the northern Missouri River and across the Pacific Northwest, the Southwestern system depends on the flow of water. Most Corps-owned dams in SPRA's region do not have the storage capabilities to sustain a long-term drought. Despite varying water conditions, Southwestern has a contractual obligation to SPRA's members to deliver the power it guarantees. For this reason, when the area is in a drought Southwestern must purchase the power necessary to fulfill these contractual obligations. As mentioned above, because Southwestern's customers pay all of its costs, these costs are passed on to them through the power rates. Additional replacement energy may need to be purchased and is dependent heavily on hydrology, changing weather patterns, planned outages due to infrastructure investment, and unplanned outages.

To prevent an unexpected rate spike, SPRA wanted to make sure there was a way to prevent this instability, so these costs aren't so onerous when the purchases are needed. To achieve this, Southwestern would need a particular type of account at the US Treasury—one with the authority to hold funds across fiscal years and the ability access them when needed. This type of fund is the need that H.R. 4219 seeks to address: establishing a fund to ensure that money exists for needed purchases. H.R. 4219 best serves the needs of Southwestern because the budget cycle of Congress isn't attuned to prudent utility practices. The ratepayers themselves would fund the power program directly through retained receipts. This would allow Southwestern to hold reserves and plan for water disruptions or extreme weather events. If this legislation is enacted, Southwestern could retain its receipts to be used for unexpected purchase power needs, and other expenses within its statutory mission. By providing this funding mechanism Southwestern has needed funds, customers avoid sudden surcharges, and as always taxpayers pay nothing.

Financial flexibility tools are essential to Southwestern's continued success. As energy and capacity markets become more evolved, Southwestern must have the ability to act "consistent with sound business principles" as it is statutorily obligated. This financial flexibility not only makes good sense, but it is also highly desired by Southwestern's customers—who carry the actual complete burden of expenses.

Hydropower resources are worth protecting, but waiting for the unpredictable budget cycles often causes complications. I want to inform the Subcommittee about our region's long, successful infrastructure investment program that has helped ensure the reliability of federal hydropower and our nation's grid. Beginning in the 1990s, federal power customers began noticing increased unscheduled outages at Corps and Bureau of Reclamation hydropower plants. These outages were increasing costs to the PMA customers because significant outages often make it necessary for PMAs to purchase expensive replacement energy to meet their contractual obligations to their customers. Further, because of federal budget cycles, waiting for appropriated funding for a crippled plant that requires significant equipment repair and/or replacement before returning to service might extend the outage—and the cost—over multiple years, all while the customers pay the bill.

Even though there was an increase in outages due to maintenance issues, SPRA saw significantly decreased appropriations for maintenance of this infrastructure. Reduced appropriations to the federal power program do not represent savings to

the U.S. Treasury. We pay the costs, whether we provide the funding directly to the Corps or indirectly through appropriations that are subsequently returned to the Treasury. By paying up front, before the equipment failed, we could save millions of dollars for our utility customers and sustain this critical federal infrastructure.

With this in mind, SPRA in partnership with the Corps and Southwestern developed a formal process where the customers meet with the Corps and Southwestern to determine the funding needs for the following fiscal year. This cooperative process enables the customers, who pay the expenses, to have input on how their money is spent and it allows the Corps to have a predictable revenue stream to sustain this federal infrastructure. We have already committed to the Corps identified projects for hydropower infrastructure for over \$1 billion and will continue to work to make sure this federal hydropower system is sustainable.

Unlike other federal programs, this program and existing partnership cost the taxpayer nothing yet benefits millions of citizens while investing in federal infrastructure assets. Additional financial flexibility for Southwestern, specifically through H.R. 4219, would help ensure the continued success of this program and partnership. We are proud of the work in our area with Southwestern and the Corps to be good stewards of the federal infrastructure and ensure its viability. These dams benefit so many purposes in my region, including navigation, flood control, water supply, environmental programs, and recreation. Without the federal hydropower customers paying the bills, the taxpayer would bear the cost of more of these joint activities.

In addition to being the top legislative priority of SPRA, H.R. 4219 has been endorsed by all of the region's co-op and public power statewide associations. Several national organizations, including the National Rural Electric Cooperative Association and the American Public Power Association, support H.R. 4219. Kansas Senators Moran and Marshall have also introduced companion legislation in the Senate, S. 1342.

I am grateful to the Committee and the sponsor of this critical legislation. This legislation has been a top legislative priority for nearly a decade, and this is the most substantive progress we've received in the U.S. House of Representatives. A revolving funding will ensure Southwestern will provide improved support for continued infrastructure investments and necessary power replacement funding levels during these uncertain times. Thank you for your tireless efforts to protect the PMAs and ensure this cost-based public power continues serving the needs of millions of homes in the Midwest. We endeavor to take the feedback from the Committee we receive today as we continue to work toward enactment.

Mr. BENTZ. Thank you. The Chair now recognizes Ms. Shallcross for 5 minutes.

**STATEMENT OF AMY L. SHALLCROSS, P.E., BOARD MEMBER
AND CHAIR OF THE WATER DATA AND SCIENCE COMMITTEE
FOR THE INTERSTATE COUNCIL ON WATER POLICY, WEST
TRENTON, NEW JERSEY**

Ms. SHALLCROSS. Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, thank you for the opportunity to testify regarding H.R. 5770, the Water Data Improvement Act.

I am here today representing the Interstate Council on Water Policy, ICWP, established in 1959 to promote integrated water resource management. ICWP is a national organization that provides an opportunity for regional, state, and local water resource agencies to inform and shape Federal water policies and programs. I serve on the Board of Directors and Chair the Water Data and Science Committee. I am also the Manager of Water Resource Operations for the Delaware River Basin Commission, overseeing programs related to droughts, floods, and climate change.

H.R. 5770 authorizes the U.S. Geological Survey, Federal Priority Streamgage Network, the Groundwater Resources

Monitoring Program, and Improved Water Estimation, Measurement, and Monitoring Technologies.

With the information provided by these programs, critical decisions are made every day regarding the protection of public health and safety, design and operation of water infrastructure, navigation, agriculture, wildlife, personal well-being, among others. It is of utmost importance to the nation and our members for the USGS to continue the collection and dissemination of this vital water data and develop the associated science to inform real-time decisions, planning, and policy development.

For more than 25 years, ICWP has advocated for complete Federal funding and full implementation of the streamgaging program, with letters of support to the House and Senate Appropriations Committees and the Administration. Our letter for Fiscal Year 2024 is attached to my testimony, and has 96 signatories representing multiple states, interstates, water agencies, and national stakeholder groups.

While reading the Omnibus Public Land Management Act of 2009, which H.R. 5770 amends, it occurred to me that for many the term “data” implies research and science, and bores them to death. However, information provided by these programs supports so much more. Rather than provide excerpts from our letter or go into the specifics of each program, I thought it would be more informative to explain how water resource professionals and your constituents use and benefit from the data made possible by these programs.

Maybe not, because I am running long.

Anyway, not all flood forecast locations, but real-time information can be used to determine if areas may flood based on the water level or how fast the water is rising. Emergency managers use flood forecasts to determine when and where to mobilize, pre-placing barriers and other equipment prior to a flood event. As flooding is occurring, the real-time streamgaging data are used to determine where to deploy lifesaving emergency services.

For instance, in early summer of 2006, the river forecasts indicated widespread major flooding would occur in 3 days due to large rainfall in the headwaters of the Delaware River. Public officials were able to identify and evacuate a community in the low-lying, flood-prone area of Trenton, potentially saving the lives of the residents.

The recreation community also benefits from the streamgaging program. The ability to check river conditions in real time allows people to make better decisions about activities on the river. People who canoe, tube, and boat along the river check water levels and know if their boat will float or scrape the bottom.

I was able to teach my dad how to use the USGS website, no small task, to check the water level at his favorite fly fishing location so he doesn't drive over there only to find out that the flow is too high to wade in the stream.

I also want to mention that the Ogallala Aquifer serves eight states in the central United States.

As developing drought conditions continue to deplete the aquifer, groundwater monitoring is needed to help determine the impact of

continued droughts. You don't see groundwater, so we need information to address this.

Thank you for inviting me to testify. I appreciate the opportunity to speak with you about H.R. 5770 and the importance of the USGS streamgaging programs for the management and use of the nation's water resources to the benefit of all.

[The prepared statement of Ms. Shallcross follows:]

PREPARED STATEMENT OF AMY L. SHALLCROSS, P.E., REPRESENTING THE
INTERSTATE COUNCIL ON WATER POLICY

ON H.R. 5770

Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee, thank you for the opportunity to testify regarding H.R. 5770 "Water Data Improvement Act". I am here today representing the Interstate Council on Water Policy (ICWP), established in 1959 to promote integrated water resource management. ICWP is a national organization that provides an opportunity for regional, state, and local water resource agencies to share experience and inform and shape federal water policies and programs. I serve on ICWP's Board of Directors and chair of the Water Data and Science Committee. I am also the Manager of Water Resource Operations for the Delaware River Basin Commission, overseeing programs related to droughts, floods, and climate change.

H.R. 5770 Water Data Improvement Act reauthorizes the United States Geological Survey's (USGS) National Streamflow Information (NSIP), the Groundwater Resources Monitoring Program, and Improved Water Estimation, Measurement, and Monitoring Technologies. With the information provided by these programs, critical decisions are made every day regarding the protection of public health and safety, design and operation of water infrastructure, navigation, agriculture, wildlife, personal well-being, among others.

The NSIP was designed by USGS and authorized by Congress in 2009 to be a federal funded network of streamflow gages to provide reliable, accurate, and timely data related to river flows, water levels, velocity, and other information. It is of utmost importance to the nation and our members to continue the collection and dissemination of vital water data and develop the associated science to inform real-time decisions, planning, and policy development. For decades, ICWP has advocated full implementation and sufficient full-federal funding for the streamgaging program with letters of support to the House and Senate Appropriations Committees and the Administration. Our letter for the FY2024 program is attached to my testimony and has 96 signatories representing stakeholders nationwide, representing multiple states, agencies, and stakeholder groups.

While rereading the Omnibus Public Land Management Act of 2009, which H.R. 5770 amends, it occurred to me that for many, the term "data" implies research and science, and the information provided by the national streamflow information program is so much more. Rather than provide excerpts from our letter or go into the specifics of each program, I thought it would be more informative to explain how water resource managers and we the people use and benefit from the data made possible by these programs.

As a water resource manager, one of my responsibilities is to ensure enough freshwater flows into the tidal Delaware River, where intakes for the drinking water supplies of Philadelphia and portions of southwestern New Jersey are located. Much like New Orleans, these water supplies can also be threatened by saltwater moving upstream during droughts and periods of low streamflow. To keep saltwater intrusion to a minimum, reservoir releases are made to meet a minimum flow requirement at Trenton, New Jersey. Higher freshwater flows push the saltwater downstream, protecting the drinking water intakes from saltwater. Information from more than 34 USGS streamgages along the Delaware River Basin is used to determine the amount and timing of reservoir releases. If too much water is released over time, enough may not be available should conditions become worse.

The National Weather Service flood forecast locations are co-located with USGS streamflow gages because decades of data were available to develop and calibrate the river models that predict the timing and peak river levels. These long-term continuous streamflow records are needed to verify that these models, as well as others, such as the National Water Model, remain accurate given changes that occur on land and in the river that affect streamflow.

Not all streamgages are flood forecast locations, but the real-time information can be used to determine if areas may flood based on the water level or how fast the water is rising. Emergency managers use flood forecasts to determine when and where to mobilize, pre-placing barriers and other equipment prior to a flood event. As the flood is occurring, the real-time streamgage data are used to determine where to deploy life-saving emergency services. For instance, on a sunny day in the spring of 2006, portions of the non-tidal Delaware River experienced the worst flooding since 1955, four days after heavy rains occurred in the headwaters of the river. Public officials had enough time to evacuate low-lying flood-prone areas, potentially saving the lives of the residents.

The recreation community also benefits from the streamgage program. The ability to check river conditions in real-time allows people to make better decisions about activities on the river. People who canoe, tube, and boat along the river check water levels and know if their boat will float or scrape the bottom. I was able to teach my dad how to use the USGS website to check the water level at his favorite fly-fishing locations, so he does not drive over only to find that the flow is too high to wade into the stream.

On behalf of the members of ICWP, we support enactment of the "Water Data Improvement Act" to extend and fund these invaluable programs for an additional five years. The information provided by these programs improves the ability of water resource managers to make informed decisions and planning for public safety, land use, and economic development. Unfortunately, the federal funds appropriated have not covered the costs of the networks, although the original intent was for them to be fully funded. The USGS has been able to maintain portions of the network with limited funding from state and interstate agencies, but not always, and some gages have been discontinued due to the lack of alternate funding sources, impacting those who depend on the data to make informed decisions. Please consider revisiting 9507(a)(5) and 9507(b)(5) to prioritize full funding for the national streamgage network.

Thank you again for inviting me to testify. I appreciate the opportunity to speak with you about H.R. 5770 and the importance of the USGS streamgage programs for we the people as we use and manager the nation's water resources.

Mr. BENTZ. Thank you. The Chair now recognizes Mr. Platt for 5 minutes.

STATEMENT OF RON PLATT, CHAIR OF THE LONG-RANGE PLANNING COMMITTEE, BOISE PROJECT BOARD OF CONTROL, CALDWELL, IDAHO

Mr. PLATT. Thank you, Chairman Bentz, Ranking Member Huffman, and distinguished members of the Natural Resources Water, Wildlife and Fisheries Subcommittee.

At this time, I would also like to thank Congressman Simpson, Congressman Fulcher, and Congressman Newhouse for sponsoring this bill.

My name is Ron Platt, and today I represent the Boise Project Board of Control. As the Director, I am also Chairman of the Long-Range Planning Committee for Boise Project, and serve on the Wild Irrigation District Board. I am here to express support for H.R. 6107, a bill that addresses critical issues related to the maintenance and improvement of Urban Canals of Concern, particularly the New York Canal, as well as the use of aging infrastructure loans as a match for Federal grant programs.

The Boise Project Board of Control was founded in 1926 through agreements with the United States, and manages and operates Federal irrigation facilities and water delivery systems in Idaho and eastern Oregon. Our primary mission: to ensure water reaches the landowners responsible for paying assessments on those lands.

At the heart of our operations lies the New York Canal, a vital component that diverts water from the Boise River and delivers 167,000 acres of irrigated land. Over the years, urban development has increasingly encroached on the New York Canal, making timely maintenance and upgrades important for safety of the urban residents and protection of the valuable property in proximity to the canal. In this context, the Boise Project has undertaken the New York Canal Lining Project, a \$50 million effort to upgrade the aging canal liner over 6 miles surrounded by the urban growth.

Our partners and owners of the canal, the Bureau of Reclamation, in a 2021 asset inventory referred to this section of canal as an area of significant risk. I believe that categorization by any agency admits the need for immediate attention and protection from any long-term liability.

The project is not merely about maintenance, but is about a comprehensive rebuilding featuring 21st century technology. The cost, understandably, is significantly higher than traditional projects. Progress has been slow, and with the timeline stretching nearly half a century at the current rate of our construction within our already stretched budgets.

H.R. 6107 offers a much-needed solution to our concerns. It proposes amendments to the Omnibus Public Lands Management Act of 2009 to provide non-reimbursable funds for extraordinary maintenance on Federal Urban Canals of Concern. The funding would be instrumental in addressing the unique and unexpected challenges presented by urban expansion, allowing for timely and efficient repairs and upgrades.

The bill provides only a share of the costs of upgrading these Federal canals, leaving water users to bear most of the cost and all the responsibility.

Moreover, the bill tackles another important issue: WaterSMART grant programs that have been a lifeline for water-related projects offering a Federal cost share by requiring non-Federal matching funds. Unfortunately, Reclamation's current policy prevents aging infrastructure loans from being used as matching funds for these grants, causing funding difficulties for water users like us.

H.R. 6107 takes a significant step in the right direction by allowing aging infrastructure loans to serve as matching funds repaid solely with non-Federal funds for Federal grants. This change would not only expedite critical projects like ours, but also ensure that water delivery entities like Boise Project can leverage Federal grant opportunities effectively.

In conclusion, the Boise Project urges the Subcommittee to support H.R. 6107, recognizing its importance in addressing extraordinary maintenance needs of Urban Canals of Concern, and enabling aging infrastructure loans to serve as matching funds for Federal grants. In doing so, we can ensure the safety and reliability of our water systems, protect valuable irrigated farmland, and secure the well-being of urban residents in a rapidly growing region.

Thank you for your time and consideration. I would stand for any questions.

[The prepared statement of Mr. Platt follows:]

PREPARED STATEMENT OF MR. RON PLATT, BOARD MEMBER,
BOISE PROJECT BOARD OF CONTROL
ON H.R. 6107

Chairman Bentz, Ranking Member Huffman, and Members of the House Natural Resources Water, Wildlife and Fisheries Subcommittee, on behalf of the Boise Project Board of Control (the Boise Project), I am pleased to provide this testimony in support of H.R. 6107 the Urban Canal Modernization Act. My name is Ron Platt, and I am a Boise Project Board member and the current chairman of the Long-Range Planning Committee for the Boise Project. I also serve on the Wilder Irrigation District Board.

H.R. 6107 provides the following important amendments to the Omnibus Public Lands Management Act of 2009:

1. Providing for cost-shared non-reimbursable funding from the federal Bureau of Reclamation (Reclamation) Aging Infrastructure Account for extraordinary maintenance on Reclamation infrastructure to accelerate the repair and improvement by transferred work operators of urban canals of concern; and
2. Allowing reimbursable funds (i.e. loans) provided from the Aging Infrastructure Account for loans financing extraordinary maintenance on Reclamation infrastructure to be used to match federal grants.

This legislation has broad West-wide support in the irrigation community, including support from the Family Farm Alliance and National Water Resources Association (NWRA).

Boise Project

Formed in 1926 by virtue of contracts between the United States and five irrigation districts, the Boise Project is the operating agent for Boise-Kuna Irrigation District, Big Bend Irrigation District, Nampa & Meridian Irrigation District, New York Irrigation District, and Wilder Irrigation District, all of which serve irrigated lands in southwest Idaho and southeastern Oregon. The Boise Project's mission is to operate and maintain (O&M) the irrigation facilities and other works, where such O&M responsibilities (not title) has been transferred by Reclamation to these five irrigation districts, and to deliver water to these districts' landowners responsible for paying assessments on their lands to cover the cost of O&M on the canal. These "transferred works" include the Reclamation-owned facilities beginning at Diversion Dam on the Boise River and include the main delivery canal (the New York Canal), approximately 1500 miles of ancillary canals, laterals, and drains, and all the appurtenant headgates and other structures needed to deliver water to productive irrigated farms and ranches in the valley. Even though the Boise Project manages, operates, and maintains all these features, the title to the water delivery and management facilities remains in the name of the United States. The Boise Project delivers water to approximately 167,000 acres of irrigated land through these transferred works.

When early pioneers and settlers moved into Idaho's Treasure Valley, along the Boise River in Southern Idaho, they quickly recognized the need for infrastructure to carry water from the river to the parched lands throughout the valley. As early as the 1860s, settlers such as Tom Davis began farming the valley and obtaining water rights for their farms. These settlers began constructing canal systems to deliver water into the desert. By 1900, over 110,000 acres were being irrigated in the valley.

The New York Canal

Construction on the New York Canal began in the late 1800s when a group of private developers formed the New York Canal Company and attempted to attract private investors to fund canal construction. These efforts failed. After passage of the 1902 Reclamation Act, in 1906 the New York Canal Company contracted with the United States for Reclamation to take over the New York Canal. With the involvement of the United States, the New York Canal was enlarged and extended to create the Deer Flat Reservoir some 41 miles away from the Diversion Dam. The reservoir and main canal were completed by 1909.

The United States then issued water contracts to individual landowners and assessed liens against their property to recapture Reclamation's costs. Reclamation grew weary of dealing with hundreds of individuals and the Commissioner of Reclamation insisted that the water users form irrigation districts to collect assessments for the construction of the project and operational and maintenance costs of

water delivery. This federal ultimatum led to the formation of the five irrigation districts which then contracted with the United States to assume the repayment obligations and establish the Boise Project for the transferred operation and maintenance of the irrigation works.

The New York Canal is the central focal point of the Boise Project water delivery and is the lifeline of the entire project. All Boise Project water deliveries rely on this one canal. The New York Canal diverts water from the Boise River just below the U.S. Army Corps of Engineers' Lucky Peak Reservoir in southwestern Idaho. From there, the Canal takes a 41-mile journey to Lake Lowell. It is common in the summer months, during the height of the irrigation season, for the New York Canal to carry more water than the flows in the Boise River below its diversion. The canal is vital to water delivery and management in Idaho's Treasure Valley and is recognized by Reclamation for its role in "water conservation, drought resilience and safe and reliable water delivery." (<https://www.usbr.gov/pn/programs/nycanal/index.html>).

When first constructed, the New York Canal crossed through farm fields and desert sagebrush. There was very little urban development around the canal. This was important as much of the first six miles were built perched along an elevated bench 20–60 feet above the valley floor.

In the 1950s, an upstream segment of the New York Canal along the bench breached. Fortunately, at the time, there was very little urban development in the area and damage was limited to a dairy and several farm fields below the breached section. Equally fortunate, the Boise Project was able to act quickly and decisively to restore the canal deliveries in a matter of days.

In the succeeding years, extensive urban development has occurred above and below the New York Canal. In fact, in recent years this region has been one of the fastest growing urban areas in the country. The first six miles of the New York Canal pass through an area that was once dotted with farm fields, but is now packed with homes, parks, schools, hospitals, and industry. This portion of the New York Canal now passes through the heart of urban development in the Treasure Valley. Importantly, notwithstanding this development, the canal remains vital to the delivery of irrigation water to valuable farmland further downstream on the canal.

With the scope of urban development around the upper six miles of the New York Canal, the need to safely and reliably deliver irrigation water has never been greater. Today the canal remains the lifeline of the Treasure Valley, delivering water to grow a wide variety of specialty crops in the Valley. Annual direct crop value is \$228 million, indirect value from business-to-business spending is another \$128 million, and induced value from spending by the farms and their employees adds another \$130 million to the annual economic output for a total of \$486 million each year.

The New York Canal delivers water to farms that collectively provide 2,500 jobs. The indirect and induced employment increases that total to over 4,000 jobs. The total labor value is over \$190 million.

In addition, the Boise Project delivers irrigation (non-potable water) to thousands of acres of gardens, lawns, parks, and other green spaces where the crop land has been converted to other uses. As noted above, the New York Canal also delivers water to the Deer Flat Reservoir, an irrigation storage reservoir that also serves a National Fish and Wildlife Refuge and an important recreation facility.

Depending on the location of a potential canal break, the direct damage to structures below that break ranges from \$1.50 million to \$2.55 billion with an average damage estimate at \$502.31 million. These estimates do not include consequential economic losses associated with the damage to structures or crop losses.

The New York Canal Lining Project

Rapid and extensive urban growth has significantly impacted the time and expense required for the operation and maintenance of water delivery systems which now take more time and money to complete. One example of such a maintenance project requiring more time and money is the lining of the New York Canal. As stated above, this extraordinary maintenance project is part of the Boise Project's ongoing mission to ensure the continued safe and reliable delivery of water in the New York Canal.

The Boise Project is completely removing and replacing the existing 50-year-old canal liner in the areas of the canal that are perched 20–60 feet above urban development. In this area, any canal failure would result in extensive property damage to homes and businesses and possible harm to the health and safety of residents in the area. To provide greater protection than existed before, the Boise Project is lining the canal with a combination of a 6-inch cement liner poured over a synthetic fabric liner.

This lining process would not be necessary in a normal rural agricultural setting, but the extensive urban development near and below the canal have made it prudent for the Boise Project to spend the additional money and time to reduce even further the risk of a potential breach in the canal. More than ordinary or routine maintenance, the lining project is truly a rebuilding of the original 1909 canal using 21st century technological advances in construction materials and processes. The result is a cost that is nearly quadruple (\$1,300/linear foot) that of a traditional irrigation canal lining project (\$335 /linear foot). In total, the anticipated cost for replacing the liner in the 6-miles of most concern is estimated at over \$50 million—though, given the impacts of inflation, this cost is expected to rise.

Although the Boise Project has dedicated a significant portion of its annual budget to this lining project, it is only able to complete 1/8 mile each year. At this rate, it will take nearly 50 years to complete the entire 6-mile project. The Boise Project has been proactive in seeking grants and other financial assistance to help speed up the project. They have received WaterSMART grants, state-based grants and have been approved for a loan under Reclamation's Aging Infrastructure loan program. While the Boise Project is committed to completing this important upgrade to the infrastructure of the New York Canal, our costs are assessed primarily to farmers and ranchers who have limited ability to service large amounts of long-term debt to complete this project on the more urgent timeline it requires, and who were not responsible for the urbanization around the upper canal that has led to this accelerated timeline for replacement of the liner.

Urban Canals of Concern

Congress has recognized that urban development has changed the realities for many canals throughout the West. In the Omnibus Public Lands Management Act of 2009 (P.L. 111-11), Congress charged Reclamation with identifying and inspecting "project facilities which are in proximity to urbanized areas and which could pose a risk to public safety or property damage is such project facilities were to fail." 43 U.S.C. 510b(a)(1) & (2). These "urban canals of concern" include Idaho's New York Canal.

H.R. 6107 Provides an Opportunity to Timely Address Extraordinary Maintenance Needs for Urban Canals of Concern

If enacted, H.R. 6107 would address some of these extraordinary maintenance needs of urban canals of concern by amending the Omnibus Public Lands Management Act of 2009 to provide non-reimbursable funds for 35% of the cost of extraordinary maintenance to rebuild and rehabilitate urban canals of concern, like the New York Canal. As discussed above, there are unique and unexpected challenges that have arisen from urban expansion near irrigation water delivery systems.

Currently, the Omnibus Public Lands Management Act of 2009 authorizes Reclamation to provide up to 35% non-reimbursable funds for "emergency" extraordinary maintenance. Unfortunately, Reclamation to our knowledge has not used this authority for any major extraordinary maintenance on canals unless they have already failed. Urban canals of concern cannot afford to wait until they fail before their non-federal transferred work operators are eligible to receive such funding.

When these extraordinary replacement efforts are needed, as in the case of the New York Canal, it is typically because of urban encroachment and the concomitant need to provide new and more advanced construction and design techniques that were not necessary when the canals were originally constructed. The cost of addressing many of these challenges has quickly outpaced the ability of even the most frugal irrigation entities and their landowners. And the cost of not completing these important repairs would be many times greater if an urban canal should fail. The authority provided in H.R. 6107 would allow these water delivery entities to address the unique and costly challenges they face. For the New York Canal, such an opportunity would allow the lining projects to be completed in five to six years.

The reimbursable and non-reimbursable funds have already been appropriated into the Reclamation Aging Infrastructure Account by Congress through the Infrastructure Investments and Jobs Act.

Using Reimbursable Loan Funds as Non-Federal Match for Federal Grants

Each year, water users throughout Idaho take advantage of the WaterSMART grant programs provided by Reclamation. These programs can provide much needed financial assistance to cover a portion of the cost of water-related projects. Canals have been lined and improved, headgates have been replaced, watershed plans have been developed. This program has been a lifeline to Idaho's and the entire West's water user community.

These programs do not provide 100% of the cost of a particular project. Rather, they provide some “federal share”—up to 50% and sometimes much less—and require that a non-federal “match” be provided. These non-federal matches can be in the form of state grants, private contributions by the water users, or in-kind services. In some instances, loans may be required.

Through the Aging Infrastructure Account established by section 9603(d)(1) of the Omnibus Public Land Management Act of 2009, as amended (43 U.S.C. 510b(d)(1)), and the Infrastructure Investment and Jobs Act of 2021 (IIJA), Congress created and funded an aging water infrastructure loan program. This program provides long-term, low-interest loans to allow water users to address their aging infrastructure needs. It is important to emphasize that these are loans (i.e., reimbursable funding).

Unfortunately, absent express authority, Reclamation asserts that it is unable to treat these loans as a match for federal grant programs. This has created concerns for water users in Idaho and throughout the West as these loans are serviced with non-federal funds that would qualify as matching funds for these grants. Since aging infrastructure loans are repaid with qualifying non-federal funds, we believe funding provided by these loans should be allowed to be used as a non-federal match for federal grants.

H.R. 6107 amends the Omnibus Public Lands Management Act of 2009 to ensure that reimbursable funding (i.e., aging infrastructure loans) can be used to match federal grant programs. This will enable more Western water delivery entities operating Reclamation-owned transferred works to further leverage these reimbursable funding opportunities provided by the Omnibus Public Lands Management Act of 2009 and the IIJA with other federal grants to greatly expand these modernization projects and improve water conservation on aging water infrastructure facilities in the West.

Thank you for the opportunity to provide testimony on H.R. 6107, the Urban Canal Modernization Act. The Boise Project urges the Subcommittee to support this legislation and would be happy to answer any questions Members of the Subcommittee may have.

Mr. BENTZ. Thank you. The Chair now recognizes Mr. Schmitz for 5 minutes.

STATEMENT OF TAYLOR SCHMITZ, DIRECTOR OF GOVERNMENT RELATIONS, CONGRESSIONAL SPORTSMEN’S FOUNDATION, WASHINGTON, DC

Mr. SCHMITZ. Chairman Bentz, Congressman Neguse, and members of the Subcommittee, my name is Taylor Schmitz, and I serve as the Director of Federal Relations for the Congressional Sportsmen’s Foundation, CSF.

First, I would like to thank the Subcommittee for holding a hearing on the Modernizing Access to Our Public Waters Act, or MAP Waters, which is strongly supported by CSF.

I would also like to thank the Subcommittee, as well as the Full Committee, for continuing to prioritize access to our nation’s public lands and waters.

While my testimony will primarily focus on the benefits of the MAP Waters Act for America’s nearly 55 million sportsmen and women, it is important to note that this legislation benefits all individuals who enjoy our Federal public lands and waters.

Sportsmen and women alone spend roughly \$100 billion annually, and support more than 1.6 million jobs. Furthermore, according to the Outdoor Industry Association, outdoor recreation as a whole contributes nearly \$887 billion annually in consumer spending. To support these economic contributions, there needs to be places for sportsmen and women and others to recreate.

Unfortunately, lack of access is often cited as the No. 1 reason why sportsmen and women no longer participate in our time-honored traditions of hunting and fishing. Access is often difficult to define, because access means different things to different people depending on how you utilize and enjoy our public lands and waters. What is certain is that access also means the ability to have certainty on when, where, and how you can enjoy an outdoor pursuit.

Digital mapping and GPS technologies have fundamentally changed how sportsmen and women and others utilize and enjoy our Federal lands and waters. However, inconsistent and outdated record-keeping practices amongst Federal agencies hinders the abilities of sportsmen and women from fully taking advantage of these technologies in their outdoor pursuits.

Put simply, users of public waters should not be required to have a law degree to find information out about boating and fishing regulations. There are many opportunities that exist to leverage technology to modernize the way in which sportsmen and women and others plan and conduct trips on Federal lands and waters to make sure that they are in compliance with existing regulations and rules for specific areas.

For example, this summer I visited Yellowstone National Park for the first time. Leading up to my visit, I explored the Yellowstone Guide on the Park app on my cell phone. Upon opening the app and selecting things to do, there were several activities listed such as hiking, biking, snowmobiling, among others, that included helpful information such as parking locations, restrictions, et cetera. When scanning through the list, I noticed that fishing and boating was not listed. As an avid fisherman that has long desired to fish within Yellowstone Park, arguably the best national park for fly fishing in the country, I was disappointed to see the exclusion of fishing, much less any other information on river access points, open streams and rivers, and other important information to have a safe and enjoyable trip.

Thankfully, I knew that fishing was indeed an allowable activity within the park, but this experience raised the concern in my mind that other visitors may not be aware of the fishing opportunities that do exist if they rely solely on the park app, as many individuals do.

The over-arching purpose of the MAP Waters Act is simply to modernize and improve outdoor recreation by bringing public water mapping information into the 21st century. To accomplish this goal, the MAP Waters Act will require the BLM, Bureau of Reclamation, Fish and Wildlife Service, the Park Service, and the Forest Service to modernize and digitize their respective public water mapping information. This information includes, but is not limited to, access points, watercraft restrictions, decontamination requirements, fishing restrictions, and other information that is critical to have a safe and responsible time on the water.

Last Congress, a very similar bill known as the MAPLand Act, also led by Congressman Blake Moore, passed the House under suspension, passed the Senate under unanimous consent, and was quickly signed into law. The impressive vote in both chambers of Congress demonstrates that opportunities to invest in mapping

information with the goal of enhancing outdoor recreation are a worthy endeavor.

To close, CSF would again like to thank the Subcommittee for holding a hearing on the MAP Waters Act, and I would be happy to answer any questions you may have. Thank you.

[The prepared statement of Mr. Schmitz follows:]

PREPARED STATEMENT OF TAYLOR SCHMITZ, DIRECTOR, FEDERAL RELATIONS,
CONGRESSIONAL SPORTSMEN'S FOUNDATION

ON H.R. 6127

Good morning, Chairman Bentz, Ranking Member Huffman, and members of the Subcommittee. My name is Taylor Schmitz, and I serve as the Director of Federal Relations for the Congressional Sportsmen's Foundation (CSF). First, I would like to thank the Chairman, Ranking Member, and Members of the Subcommittee for holding a hearing on H.R. 6127, the Modernizing Access to Our Public Waters (MAPWaters) Act. This bipartisan legislation is a common-sense effort to bring public water mapping information into the 21st century and is strongly supported by CSF. The Congressional Sportsmen's Foundation would also like to thank the Subcommittee as well as the full Committee for continuing to prioritize access to our public lands and waters.

While my testimony will primarily focus on the benefits of the MAPWaters Act for America's nearly 55 million sportsmen and women, it is important to note that this legislation impacts all individuals who enjoy federal public waters managed by the Department of the Interior (DOI) and the Department of Agriculture (USDA). While states have a significant role in supporting anglers, these two Departments also provide substantial opportunities for sportsmen and women. For example, the U.S. Fish and Wildlife Service alone supports more than 7.1 million annual fishing visits. The agencies under the umbrella of these two Departments belong to the citizens of this country, and there is an expectation that reasonable access to recreate and enjoy the lands and waters under their jurisdiction is a condition that is afforded through public ownership.

Established in 1989, CSF is a non-partisan organization that works with the bipartisan Congressional Sportsmen's Caucus (CSC), the largest, most active caucus on Capitol Hill, and with state legislators and governors across the country. The current House CSC Co-Chairs are Representatives Bruce Westerman (AR) and Jimmy Panetta (CA), and Vice Chairs are Representatives Garret Graves (LA) and Jared Golden (ME). For the past seven years, I have served as a liaison from CSF to the CSC to provide non-partisan information to help guide policies of importance to sportsmen and women. In addition, I currently serve as the Vice Chair of the American Wildlife Conservation Partners (AWCP), and in January, I will assume the role of AWCP Chairman. AWCP is a consortium of 50 organizations that represent the interests of America's millions of hunter-conservationists, professional wildlife and natural resource managers, outdoor recreation users, conservation educators, and wildlife scientists.

At the outset, it is important to provide an overview of the significance of hunting, fishing, and other forms of outdoor recreation for the United States economy. Sportsmen and women alone spend roughly \$100 billion annually on gear, boat fuel, travel, licenses, and other trip-related expenditures, and support more than 1.6 million jobs with salaries and wages approaching \$72 billion. Furthermore, according to the Outdoor Industry Association, outdoor recreation contributes \$887 billion annually in consumer spending. To put that in perspective, the same report notes the outdoor recreation community contributes nearly double that of the pharmaceutical industry (\$468 billion) in annual consumer spending.

In order to maintain these robust contributions to the U.S. economy, there needs to be places for sportsmen and women and other outdoor enthusiasts to recreate. Unfortunately, lack of access is often cited as the No. 1 reason sportsmen and women no longer participate in our time-honored traditions of hunting and fishing. "Access" is often a difficult term to define because "access" means different things to different people, depending on how you hunt, fish, or utilize public lands and waters. What is certain is that "access" also includes the ability to have certainty on when, where, and how you can enjoy an outdoor pursuit. To that end, "access" may be best defined as "you know it when you see it". For example, to some, access may mean you are clearly able to drive your vehicle through a Forest Service road or launch a bass boat directly at a public boat ramp. To others, access may mean

parking at the Forest Service gate and having the ability to hike five miles back to your favorite hunting or fishing location. What is not left up to the discretion of each individual is that entry itself to open units of land or water is not all there is to “access” in many cases, but also includes the ability to easily understand the rules and regulations, including open areas, boat speed and horsepower restrictions, gear limitations, etc., of public lands and waters factors into the degree of certainty and confidence one needs to enjoy those lands and waters.

In the 21st century, digital mapping and GPS technologies have fundamentally changed how sportsmen and women navigate and utilize federal lands and waters. However, inconsistent and outdated record keeping practices amongst federal agencies hinders the ability of sportsmen and women and other recreationists from fully taking advantage of these technologies. Additionally, much of the public water mapping information that is held by federal agencies is still contained in paper format or a format that is not compatible with GPS technologies. Moreover, there are many opportunities that exist to leverage technology to modernize the way in which sportsmen and women plan and conduct trips, as well as ensure they can confidently comply with existing rules and regulations for specific areas. Put simply, users of public lands and water should not have to have a law degree to find information about fishing and boating rules. As an example, the Fish and Wildlife Service alone has 42 pages of National Wildlife Refuge System specific regulations in the code of federal regulations, many of which are tied to waterway navigation, use, and fishing.

For example, this summer I visited Yellowstone National Park for the first time. Leading up to my visit, I explored the Yellowstone guide on the National Park Service app on my phone, as almost all of us who are accustomed to using our smartphones as guides would do when planning a trip to a new area. Upon opening the app and selecting “Things to Do”, there were several activities such as hiking, biking, snowmobiling, etc. that included helpful information such as parking locations, restrictions, etc. When scanning through the list of activities, I noticed that “fishing” or “boating/paddling” was not listed. As an avid trout fisherman that has long desired to fish within Yellowstone Park, arguably the best national park for fly fishing, I was disappointed to see the exclusion of fishing as a thing to do, much less any information on stream access points, which streams or reaches of streams were open to fishing, and which fishing gear types or lures were permissible. Thankfully, I knew that fishing was indeed an allowable activity within the park, but this experience raised the concern in my mind that some visitors to the park may not be aware of the fishing opportunities that exist if they rely solely on the app as many individuals do.

At the risk of singling out America’s first national park, another example of how the MAPWaters Act could benefit recreationists in Yellowstone is an experience that a friend who guides youth in the park for trout encountered this past summer. When leading a guided trip for several youths to a backcountry lake in Yellowstone, he came across a sign posted at a trailhead indicating that over half of the lake they were going to fish was closed to the public to protect nesting trumpeter swans. The area in which he had permits to camp and fish was within the closed area. Not wanting to break the rule set by Yellowstone, or to disturb the nesting swans, he backed out and drove 30 minutes to call the park ranger service for clarification over the closure. When contact with the ranger service was made, the ranger informed him that the area had previously been closed, but the closure had since been lifted and that the signs were outdated, adding that someone was supposed to have taken them down the previous week and that the trip could continue unimpeded.

I highlight these two very recent and real experiences in Yellowstone Park to demonstrate how the MAPWaters Act can benefit and simplify things for not only anglers in this case, but also federal land and water management officials themselves.

To improve digital water mapping and to modernize public access, CSC Member Rep. Blake Moore introduced the bipartisan MAPWaters Act. The overarching purpose of the MAPWaters Act is simply to modernize, improve, and encourage outdoor recreation for anglers, hunters, boaters, and other outdoor enthusiasts by simplifying public water mapping information. To accomplish this goal, the MAPWaters Act will require the Bureau of Land Management (BLM), Bureau of Reclamation (BoR), U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), and the U.S. Forest Service (USFS) to modernize and digitize their respective public water mapping information. The MAPWaters Act will uncover new recreation opportunities and help people have their best days outdoors, while making people aware of the rules and reducing conflict and violations. This legislation does not alter,

enhance, or diminish any authorities, but rather it simply directs agencies to map existing water recreation rules so that they are clear and available to the public.

Specifically, the MAPWaters Act requires these federal agencies to work through their respective Secretaries to jointly develop and adopt consistent standards to ensure interagency compatibility and applicability among Federal databases within 30 months. Once a consistent standard has been agreed upon, the respective Secretaries will have up to four years to digitize and make publicly available online geographic information system (GIS) data that captures important information for those using public lands and waters. This information includes, but is not limited to, access points, watercraft restrictions, decontamination restrictions to prevent the spread of aquatic invasive species, horsepower and engine restrictions, fishing restrictions and closures, and other information that is critical to have a safe and responsible time on the water. In order to help facilitate the successful implementation of the MAPWaters Act, this legislation authorizes a total of \$21 million for the Department of the Interior from Fiscal Year 24 through 27, and a total of \$14 million for the Department of Agriculture from Fiscal Year 24 through 27.

Importantly, CSF appreciates the inclusion of language in Section 5 of the MAPWaters Act that allows for coordination and cooperation with non-federal partners. If this legislation is enacted, CSF would strongly encourage the responsible federal agencies in this bill to take advantage of the flexibility provided under Section 5 to coordinate with non-governmental organizations, state natural resource agencies, geospatial and technology companies, among others, to ensure a digestible and well-functioning system of information that truly addresses the needs of hunters, anglers, boaters, and other recreationists visiting our federally-managed waters.

Last Congress, a very similar bill known as the MAPLand Act, also led by CSC Member Rep. Moore, passed the House under suspension on a vote of 414–9, passed the Senate under unanimous consent, and was quickly signed into law by President Biden. The MAPLand Act sought to improve GIS and digital mapping for certain federal land management agencies. To complement this effort, the MAPWaters Act will apply the same general concept of the MAPLand Act to waterways to benefit anglers, boaters, and other users of public waters. The impressive vote in both Chambers of Congress demonstrates that investments that improve mapping information and enhance outdoor recreation opportunities are a worthy endeavor, and we ask that Congress follow the track record of the MAPLand Act with the MAPWaters Act.

In summary, CSF would again like to thank the Subcommittee for holding a hearing on the MAPWaters Act and would like to thank CSC Member Rep. Moore for his efforts on this common-sense legislation that will bring our public water mapping information into the 21st century. I would be happy to answer any questions you may have. Thank you.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. TAYLOR SCHMITZ, DIRECTOR OF
FEDERAL RELATIONS, CONGRESSIONAL SPORTSMEN'S FOUNDATION

Questions Submitted by Representative Moore

Question 1. Mr. Schmitz, thank you for joining us today. In your testimony, you mentioned the challenges with outdated and inconsistent record-keeping practices among federal agencies. How will the digitization and modernization of public water mapping information through the MAPWaters Act improve the overall experience for those who engage in activities like fishing and boating.

Answer. Access is often thought of only as lines on a map or spatial areas that are open to a particular activity, such as fishing and boating. However, access often includes the ability to have certainty on when, where, and how you can enjoy an activity. Unfortunately, it is often difficult with antiquated record keeping practices to have this degree of certainty. By digitizing not only geospatial data but also any regulatory restrictions within specific boundaries, the MAPWaters Act will alleviate this by facilitating 21st century methods to have more certainty while on the water. The MAPWaters Act will improve pre-trip planning and day-of decision-making, which will make it easier for anglers and boaters to get on the water.

Question 2. Mr. Schmitz, you highlighted the significant economic contribution of outdoor recreation. Could you discuss how the MAPWaters Act could potentially boost this economic impact, especially in terms of encouraging more participation in outdoor activities?

Answer. Access is often cited as the number one reason why sportsmen and women no longer participate in a particular activity. As mentioned in the answer above, access includes the ability to have certainty on when, where, and how you can enjoy an outdoor pursuit. Unfortunately, this information can often be challenging to find. Because of the challenges associated with finding access information, such as closures, restrictions, available outdoor pursuits, etc., the public may be unaware or even deterred from engaging in an activity for the first time or exploring a new activity, which hinders future economic contributions.

For example, as I mentioned in my testimony, during my trip to Yellowstone National Park this past summer, I noticed that fishing was not listed as an activity on the National Park Service (NPS) app on my phone. If visitors to Yellowstone National Park were new or interested in fishing, they may not be aware of the fishing opportunities that exist within the park because of lack of information on the app. If NPS was to incorporate the requirements of the MAPWaters Act, this could lead to increased fishing opportunities, and therefore enhanced economic contributions.

As a regular user of public lands and waters, I can attest to the fact that exploring new areas, especially for hunting and fishing opportunities, can be intimidating. Due to the lack of readily accessible information about our public lands and waters, I find myself hesitant to explore new areas out of fear that I may unknowingly commit a violation simply because the regulations and restrictions were inconsistent, unclear, or outdated. With access information readily available, I and thousands of other hunters and anglers would be more likely to explore new areas in new states or locations, expanding our economic footprint.

Question 3. Mr. Schmitz, given the strong bipartisan support and the success of the similar MAPLand Act, how do you see the MAPWaters Act furthering bipartisan collaboration in Congress, particularly in supporting outdoor recreation and conservation efforts.

Answer. First, the Congressional Sportsmen's Foundation would like to thank Rep. Moore for his leadership on the bipartisan and innovative MAPLand Act, which passed Congress with near unanimous support.

When you examine the track record of Congress for the last five years, you will notice that this period has been one of the most successful and meaningful for sportsmen and women and conservation across the country in terms of seeing legislation signed into law. The MAPWaters Act represents another bill that could and should be added to the list of meaningful victories for sportsmen and women and other conservationists in recent years. Hunting, fishing, and other forms of outdoor recreation have a unique ability to transcend partisan lines. One of the primary reasons for this from the perspective of the Congressional Sportsmen's Foundation is that these activities offer something to everyone regardless of political affiliation. These activities resonate in all areas and Congressional districts across the country, which means that Members of Congress often take pride in efforts to bolster outdoor opportunities for their constituents. With that in mind, this is the reason the Congressional Sportsmen's Caucus is one of the largest, most active bipartisan caucuses on Capitol Hill, which you know as an active member yourself.

Question 4. Mr. Schmitz, can you elaborate on how the MAPWaters Act will directly contribute to increasing outdoor recreational opportunities for America's nearly 55 million sportsmen and women?

Answer. More access, both spatial and informational access, leads to more opportunities for sportsmen and women. As noted in the answer to question 2, lack of access is often the number one deterrent to hunting and fishing. The MAPWaters Act will alleviate this by providing certainty to sportsmen and women while they are on the water.

Furthermore, sportsmen and women are the greatest stewards of conservation across the country. Hunting and fishing are largely self-regulated activities because sportsmen and women inherently seek to find unpressured, out of sight locations. Providing increased certainty to sportsmen and women as to regulations, closures, restrictions, etc. will improve the overall experience of sportsmen and women and enhance the comfort level of sportsmen and women to explore new areas. Increased participation equals increased conservation funding through excise taxes on fishing and hunting equipment through the American System of Conservation Funding.

Question 5. Mr. Schmitz, the MAPWaters Act involves collaboration with non-federal partners. Can you speak to the importance of this aspect in terms of good governance and how it might enhance public engagement and stewardship of our nation's waterways.

Answer. There are a number of non-federal partners that have years and sometimes decades of experience with translating water mapping information into a digestible and usable format for users of our nation's waterways. Sportsmen and women and other recreationists know and trust these partners. Because of this, the Congressional Sportsmen's Foundation believes it is important for our federal agencies to collaborate with non-federal partners to leverage their years of experience and trust with sportsmen and women and other recreationists.

Furthermore, federal waters cross multiple federal agency jurisdictions, making it difficult to collect information for all agencies in one location that is easy for the public to access. Non-federal partners, like smartphone application developers and marine electronic companies, have the expertise, technology, and experience needed to take standardized digital data and incorporate it in a useable format, regardless of the agency responsible for managing any given waters.

Mr. BENTZ. Thank you. The time is now for questions, and the Chair recognizes Ms. Hageman for 5 minutes.

Ms. HAGEMAN. Thank you, Mr. Chairman, and special thanks to each of the witnesses for being here today.

Mr. Platt, given the facts about projects like the New York Canal in your state, I fully support the idea of having the Bureau of Reclamation be more proactive, rather than reactive, when it comes to providing financial support for fixing projects that are either at high risk of failure or put the public at risk if they were to fail. You state in your testimony that if H.R. 6107 were enacted, it would help your district correct deficiencies in the project on an accelerated timeline and lessen the risk of failure through such financial support.

In my home state of Wyoming, we had a tunnel collapse a couple of years ago that cut off water to tens of thousands of acres of productive farms and ranches during the growing season in both Nebraska and Wyoming, and a disaster that possibly could have been prevented if such an approach was used by Reclamation prior to that collapse.

Just last summer, we had a failure of a portion of the Interstate Canal flooding area fields and shutting down the canal during the irrigation season, again affecting farmers and landowners in both Wyoming and Nebraska.

Public law contains similar authority for Reclamation to use in these emergency situations, providing up to 35 percent non-reimbursable funding from the aging infrastructure account to prevent failures. Mr. Platt, do you believe that Reclamation should be more proactive with the emergency extraordinary maintenance provisions that are currently in law to prevent such disasters from happening?

Mr. PLATT. Chairman Bentz, Congressman Hageman, I absolutely agree with that. And what we believe is the bill will offer the opportunity to sort of untie the Bureau's hands on some of this.

We have been visiting with them about it, and what they tell us is the way the law is written, it is extremely hard without some of these amendments to be able to distribute those monies. And in our minds, it is better to get ahead of some of these. We call them extraordinary maintenance, but get ahead of these things in a non-emergency situation so that we don't create the opportunity to have huge liability down the road.

Ms. HAGEMAN. Well, I agree with that. I am a water lawyer, and have been practicing in Wyoming and Nebraska for many years, so understand the importance of the USBR infrastructure, as well as the need to make sure we are getting the water to the right place at the right time.

Has your district talked to Reclamation about using these existing emergency provisions to provide that 35 percent in funding?

Mr. PLATT. We have talked to them all the way from the local level to the national level, and Department of the Interior. We have been going back and forth for a number of years, but we have discussed with them whether or not this was available. We would have to make these amendments in order to make that money available.

Ms. HAGEMAN. So, their position is that right now they are unable to use that money?

Mr. PLATT. Their position right now is that they question whether or not they have the authority to use that money. This would free that up.

Ms. HAGEMAN. Shifting gears a bit, I would like to ask Mr. Schmitz a few questions about H.R. 6127, the MAP Waters Act.

According to a recent study by the Wyoming Office of Outdoor Recreation through the University of Wyoming, more people are visiting and recreating in Wyoming's open spaces than ever before, even though some people say that Wyoming doesn't exist, which is a message I would like to get out there more. Just kidding.

Increased outdoor recreation, including the use of Wyoming waters for rafting, kayaking, and angling has led to major economic benefits and improved quality of life. And in 2021, boating and fishing contributed \$43.7 million to the state's economy. Hunters, anglers, and wildlife watchers bring around \$1 billion into the state each year. All this is to say that converting existing navigation tools into a usable format for visitors is very important to me and my state.

Mr. Schmitz, what limitations do the manufacturers of these navigation tools and marine electronics currently experience in accessing Federal mapping data and regulatory information?

Mr. SCHMITZ. Congresswoman, thank you for the question.

The challenge for the manufacturers of these apps or platforms is that the information simply doesn't exist in a GIS or GPS-compatible platform. For example, much of the mapping information that is controlled by the Federal agencies or managed by the agencies is often held in a paper format. And when it is held in a PDF format, it is often not compatible with GPS or GIS technologies, making it difficult for the manufacturers to incorporate this information.

Ms. HAGEMAN. So, then how would this digitized information translate into a usable format for the average angler, boater, hunter, or visitor?

Mr. SCHMITZ. Congresswoman, the simple answer is being able to have this information at your fingertips and in your palm when you are in the field or in the water, being able to pull up your smart device and leverage this technology and know exactly where you are roughly within 9 feet or so of where you are standing in

a body of water or on your boat. But the important part is just having this information in real time and up-to-date formats.

Ms. HAGEMAN. Thank you, I appreciate that information.

I yield back, and I welcome people coming to Wyoming and recreating. Thank you.

Mr. BENTZ. Thank you. I am happy you set the record straight regarding Wyoming. The Chair recognizes himself for 5 minutes.

I am interested in Chair Simpson's question about the New York Canal and where the name came from, since I live over in Ontario and I have driven by that canal many times. So, perhaps you can put that burning question to rest.

Mr. PLATT. Congressman Bentz, I want to add this. Actually, the water from the New York Canal ends up with some of your constituents in eastern Oregon, so down in the Big Bend area.

The reason it is the New York Canal in Boise, Idaho is because they felt like, if they had a name like that, they could get investors out of New York to be involved in the project when it was first built back right after the turn of the century. And it was taken over after that because of a number of issues by the Federal Government in 1926.

Mr. BENTZ. In my law practice out in the eastern part of the state, we had different canals give way and flood different small cities, Baker City, for example, and Little Nyssa. I am familiar with what happens when one of those canals fails.

Do you, as an organization, then purchase insurance for that purpose? Would these investments drive down that cost for you?

Mr. PLATT. It would help. Our limit on insurance is actually \$500,000. So, any failure, anything in excess of that would become the liability of the Federal Government. That is why we are trying to get this thing fixed to limit that liability.

Mr. BENTZ. Right, the growth of the Boise Valley has been astounding, close to 800,000 people out there now, or maybe more. You were there way before they were. But nonetheless, the liability is upon you, is it not, for water rushing down the hill? You are liable.

Mr. PLATT. Yes, Chairman, for the first \$500,000. But ICRMP, who is our insurer, limits us to that amount of liability. We do try to do a great job of delivering water, but you never know what is going to happen.

Mr. BENTZ. You sure don't.

Ms. Fuller, the challenge for your organization in sending the money to Washington, DC was designed long ago, was it not? The idea was that you send the money to DC, and we carefully check to see if you are spending it right, and then we give you authorization to keep spending. Was that the original concept?

Ms. FULLER. Yes, sir. That is actually what Southwestern does. We are just the customers. So, we send the money to Southwestern, and they send the money, as they should have. But yes, that was the original design back in the day.

Mr. BENTZ. Would it be better that I ask your colleague the question about why we should now be comfortable with the fact that we just let you guys stack up the money and then spend it?

I know there has to be an oversight function, but perhaps you can explain it.

Ms. FULLER. Sure, I will tackle it, and then I am sure, if I miss something, Mr. Wech will let me know.

Yes, sir, I think that that is a very valid question. And the way that H.R. 4219 works is it doesn't change any of the statutory obligations on how Southwestern must operate. The only thing it changes is the way the money is handled. They will still submit a budget for transparency, like they always have with Congress.

And I think a vital note here is that they also work very closely with the customers, who are the ones that pay the bill on what their budget looks like to make sure that they are meeting all of the needs of not only their own organization, but the customers who pay the bill.

Mr. WECH. And Chairman Bentz, I would just add on to that that not only would we submit the budget to the Department of Energy, but it would certainly be under oversight from both the Senate and the House. We are very transparent with our budget. We have testified on behalf of that for years. We would continue to do so, and answer any questions.

And then last, but certainly not least, in those six states that we operate in, we have over 102 individual customers that Ms. Fuller represents. So, I have 102 bosses, if you will, to answer to in terms of rates.

Mr. BENTZ. Thank you. And you can tell from the dearth of folks asking you questions that the bills aren't generating opposition. So, I think you can take solace in that today, and I really appreciate your being here. That exhausts my questions. I want to thank you for your testimony and the Members for their questions.

The members of the Committee may have some additional questions for the witnesses, and we will ask you to respond to these in writing. Under Committee Rule 3, members of the Committee must submit questions to the Subcommittee Clerk by 5 p.m. Eastern Time on Friday, November 17. The hearing record will be held open for 10 business days for these responses.

I ask unanimous consent to enter into the hearing record eight documents received by the Committee in support of H.R. 4219, the Southwestern Power Administration Fund Establishment Act. These are from Northeast Louisiana Power Cooperative, Jonesboro City Water and Light in Arkansas, American Public Power Association and the National Rural Electric Cooperative Association, Paragould Municipal Utilities in Arkansas, Sikeston Board of Municipal Utilities in Missouri, Nixa Utilities and Public Works in Missouri, Kansas Electric Power Cooperative, and Association of Missouri Electric Cooperatives.

Without objection, so ordered.

[The information follows:]

Northeast Louisiana Power Cooperative, Inc. (NELPCO)

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

Northeast Louisiana Power Cooperative, Inc. (NELPCO) writes to provide a letter of support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act. NELPCO serves its 11,800 residential members through power purchased from SPA.

NELPCO strongly supports H.R. 4219, the Southwestern Power Fund Establishment Act (Act). Not only does this Act more fully allow Southwestern to operate at the “lowest possible rate consistent with sound business principles”, but it also costs the taxpayers nothing. Unlike Southwestern’s current funding model that relies on appropriations which are repaid every year through power sales rates, the Act allows Southwestern to operate like a utility. With increased funding certainty to anticipate and plan for weather events and other impacting issues, Southwestern would not only save its customers money it would ensure enhanced grid reliability across the Midwest.

As a proud federal hydropower customer, I appreciate your consideration of this Bill and offer my strong support. This is a time that Congress can help cut the unnecessary red tape and make the program better.

Thank you,

JEFF CHURCHWELL,
General Manager

**City Water and Light Plant of the City of Jonesboro (CWL)
Jonesboro, Arkansas**

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

City Water and Light Plant of the City of Jonesboro (CWL) writes to provide a letter of support for H.R. 4219 the Southwestern Power Administration Fund Establishment Act. CWL is a municipal improvement district operating as a consolidated utility district. Formed in 1906, CWL provides water, wastewater, and electricity to the citizens of Jonesboro, AR. CWL currently serves 40,271 electric meters, 38,807 water meters, and 26,084 wastewater customers. Approximately 7,000 of CWL's water meters lie outside the city limits in the counties of Craighead, Greene, and Poinsett.

CWL strongly supports H.R. 4219, the Southwestern Power Fund Establishment Act (Act). Not only does this Act more fully allow Southwestern to operate at the "lowest possible rate consistent with sound business principles", but it also costs the taxpayers nothing. Unlike Southwestern's current funding model that relies on appropriations which are repaid every year through power sales rates, the Act allows Southwestern to operate like a utility. With increased funding certainty to anticipate and plan for weather events and other impacting issues, Southwestern would not only save its customers money it would ensure enhanced grid reliability across the Midwest.

As a proud federal hydropower customer, I appreciate your consideration of this Bill and offer my strong support. This is a time that Congress can help cut the unnecessary red tape and make the program better.

Thank you,

JAKE RICE III,
Manager

**American Public Power Association (APPA)
National Rural Electric Cooperative Association (NRECA)**

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Bentz and Ranking Member Huffman:

The American Public Power Association (APPA) and National Rural Electric Cooperative Association (NRECA) appreciate the opportunity to submit a statement for the record for the House Natural Resources Committee's Subcommittee on Water, Wildlife and Fisheries hearing on H.R. 4219, the Southwestern Power Administration Fund Establishment Act. APPA and NRECA support the testimony of Nicki Fuller, Executive Director of the Southwestern Power Resources Association. APPA and NRECA strongly support H.R. 4219, which would allow the Southwestern Power Administration (SWPA or Southwestern) to better plan for and respond to drought, avoid rate spikes, and support long-term capital investments in energy infrastructure. SWPA is one of four Power Marketing Administrations (PMAs) that market federally generated hydropower to public power utilities and rural electric cooperatives at rates set to cover all the costs of generating and transmitting electricity. No costs are borne by taxpayers and this legislation would not change that.

The American Public Power Association is the voice of not-for-profit, community-owned utilities that power 2,000 towns and cities nationwide. APPA represents public power before the federal government to protect the interests of the more than 49 million people that public power utilities serve, and the 96,000 people they employ. NRECA is the national service organization representing the interests of electric cooperatives and the member-consumers they serve. More than 900 not-for-profit rural electric utilities provide electricity to over 42 million people in 48 states, or one in eight electric customers nationwide.

Background

Hydropower Benefits

Making full use of the nation's hydropower resource is key to ensuring that the nation's grid remains reliable and resilient, and that utilities can meet emission reduction goals. Hydropower is a source of emissions-free, base-load power. Furthermore, hydroelectric generators can be started or stopped quickly, which makes them more responsive than most other energy sources for meeting demand for electricity at its "peak" or highest volume. Hydropower's "black start" capability makes it especially valuable in restoring power when there are widespread outages or disruptions on the system—this capability allows the generating units to cycle back on quickly if they have been tripped off in a power outage.

Federal Hydropower

The PMAs¹ provide millions of Americans served by not-for-profit public power and rural cooperative electric utilities with cost-based hydroelectric power produced at federal dams operated by the U.S. Army Corps of Engineers (Corps) and Bureau of Reclamation (Reclamation). Federal hydropower and the PMAs are critical, though often overlooked, elements of the nation's power supply.

The Corps and Reclamation are the largest and second largest (respectively) generators of hydropower in the country. The PMAs market federally generated hydropower, with a statutory right of first refusal granted to not-for-profit entities, including public power utilities and rural electric cooperatives (called "preference customers"), at rates set to cover all the costs of generating and transmitting the electricity, as well as repayment, with interest, of the federal investment in these hydropower projects.

¹The four PMAs are: the Bonneville Power Administration (BPA), Western Area Power Administration (WAPA), Southwestern Area Power Administration (SWPA) and Southeastern Power Administration (SEPA).

The PMAs annually review their rates to ensure full cost recovery. None of the costs are borne by taxpayers. Power rates also help to cover the costs of other activities authorized by these multipurpose projects such as navigation, flood control, water supply, environmental programs, and recreation.

H.R. 4219, the Southwestern Power Administration Fund Establishment Act

APPA and NRECA strongly support H.R. 4219, the Southwestern Power Administration Fund Establishment Act. The Southwestern Power Administration markets hydroelectric power produced at 24 Army Corps multipurpose dams to over 100 public power and rural electric cooperatives in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas that provide power to over 10 million end-use customers.

While customers pay all PMA costs through their power rates, as mentioned above, for the Southwestern Power Administration, Western Area Power Administration, and the Southeastern Power Administration, those monies flow back to the U.S. Treasury and then must be appropriated by Congress.² In addition, the PMAs must receive yearly funding levels from Congress for purchasing and wheeling (transmitting) power in a drought situation or when the water at the dams is used for purposes other than for electricity production (i.e., recreation and environmental mitigation). This money for “purchase power and wheeling” will then be paid for by the PMA customers through their rates.

Unfortunately, the current funding process for SWPA has increasingly failed to provide the financial certainty necessary to ensure steady power rates to customers during drought and other extreme weather events. When purchase power and wheeling funds (which, again, are always fully paid back by customers) are not appropriated in sufficient amounts or in a timely manner, SWPA is forced to use emergency funding mechanisms that require same year cost recovery, which cause rate spikes. These rate spikes cause unnecessary economic hardship for communities served by public power utilities and rural electric cooperatives.

H.R. 4219 would move SWPA to a “revolving fund” model where receipts from power sales would be deposited into a permanent mandatory Treasury revolving fund and retained across fiscal years to fund future expenses as necessary. Future annual discretionary appropriations would no longer be needed. This change will provide SWPA and its not-for-profit customers funding certainty for purchase power and wheeling and other costs. This is a proven model of success for federal utility programs with business-like functions.

It must be noted that while Congressional Budget Office rules will result in a “score” for the new SWPA Fund, there is no taxpayer burden—public power utilities and rural electric cooperative customers will continue to repay 100 percent of all costs associated with the generation and transmission of hydropower produced at Corps dams. Moreover, each PMA (and the region it serves) is different and while a revolving fund is necessary and appropriate for SWPA and its customers, it may not be for other PMAs.

Conclusion

Public power utilities and rural electric cooperatives in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas are proud of their long and successful partnership with the SWPA and the Army Corps. H.R. 4219 will allow this partnership to continue for decades to come by giving SWPA and its customers the financial tools to avoid rate spikes while continuing to invest in infrastructure.

²The Bonneville Power Administration’s governing statute was amended in the 1980s to establish a “revolving fund” model so that ratepayer money goes directly to Bonneville rather than to the Treasury.

PARAGOULD MUNICIPAL UTILITIES
Paragould, Arkansas

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

Paragould Municipal Utilities (PMU) writes to provide a letter of support for H.R. 4219 the Southwestern Power Administration Fund Establishment Act. PMU has been providing the highest quality utility and internet services year after year for our community.

Paragould Municipal Utilities (PMU) strongly supports H.R. 4219, the Southwestern Power Fund Establishment Act (Act). Not only does this Act more fully allow Southwestern to operate at the “lowest possible rate consistent with sound business principles”, but it also costs the taxpayers nothing. Unlike Southwestern’s current funding model that relies on appropriations which are repaid every year through power sales rates, the Act allows Southwestern to operate like a utility. With increased funding certainty to anticipate and plan for weather events and other impacting issues, Southwestern would not only save its customers money it would ensure enhanced grid reliability across the Midwest.

As a proud federal hydropower customer, I appreciate your consideration of this Bill and offer my strong support. This is a time that Congress can help cut the unnecessary red tape and make the program better.

Thank you,

BRETT BRADFORD,
General Manager/CEO

**Sikeston Board of Municipal Utilities
Sikeston, Missouri**

November 13, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

Sikeston Board of Municipal Utilities writes to provide a letter of support for H.R. 4219 the Southwestern Power Administration Fund Establishment Act. The Sikeston Board of Municipal Utilities provides electric, sewer, and water services to the City of Sikeston, Mo. In providing electric services to our customers, the federal hydropower has been an important part of our power supply. As we move towards more carbon free supply solutions, maintaining the hydropower in our resource mix becomes more important.

The Sikeston Board of Municipal Utilities strongly supports H.R. 4219, the Southwestern Power Fund Establishment Act (Act). Not only does this Act more fully allow Southwestern to operate at the “lowest possible rate consistent with sound business principles”, but it also costs the taxpayers nothing. Unlike Southwestern’s current funding model that relies on appropriations which are repaid every year through power sales rates, the Act allows Southwestern to operate like a utility. With increased funding certainty to anticipate and plan for weather events and other impacting issues, Southwestern would not only save its customers money it would ensure enhanced grid reliability across the Midwest.

As a proud federal hydropower customer, I appreciate your consideration of this Bill and offer my strong support. This is a time that Congress can help cut the unnecessary red tape and make the program better.

Thank you,

RICK LANDERS,
General Manager

**Nixa Utilities & Public Works
Nixa, Missouri**

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

The City of Nixa writes to provide a letter of support for H.R. 4219 the Southwestern Power Administration Fund Establishment Act. The City of Nixa is proud to own, operate, and maintain its own municipal electric system. Nixa Utilities is a small hometown electric provider that strives to maintain the lowest rates possible while maintaining the highest quality for our customers. As a customer and partner with Southwestern Power Administration, H.R. 4219 will provide a necessary tool to ensure that our customers are delivered the best, most cost effective service available.

The City of Nixa strongly supports H.R. 4219, the Southwestern Power Fund Establishment Act (Act). Not only does this Act more fully allow Southwestern to operate at the “lowest possible rate consistent with sound business principles”, but it also costs the taxpayers nothing. Unlike Southwestern’s current funding model that relies on appropriations which are repaid every year through power sales rates, the Act allows Southwestern to operate like a utility. With increased funding certainty to anticipate and plan for weather events and other impacting issues, Southwestern would not only save its customers money it would ensure enhanced grid reliability across the Midwest.

As a proud federal hydropower customer, I appreciate your consideration of this Bill and offer my strong support. This is a time that Congress can help cut the unnecessary red tape and make the program better.

Thank you,

TRAVIS COSSEY,
Asst. Director

**Kansas Electric Power Cooperative, Inc.
Topeka, Kansas**

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

Kansas Electric Power Cooperative, Inc. (“KEPCo”) writes to provide a letter of support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act (the “Act”). Headquartered in Topeka, Kansas, KEPCo is a not-for-profit generation and transmission electric cooperative supplier that provides power and energy to 16 member distribution cooperatives in the state of Kansas pursuant to all-requirements wholesale electric power agreements. KEPCo’s members collectively serve more than 75,000 retail consumer-members in the eastern two-thirds of Kansas, which equates to nearly 200,000 rural Kansans. In addition to its owned and co-owned generation resources and power purchase agreements, KEPCo has contractual entitlements to hydropower from federal power marketing administrations, including a 100 MW allocation of peaking and supplemental hydropower from the Southwestern Power Administration (“SWPA”).

KEPCo’s hydro allocations are an important part of KEPCo’s power supply strategy to maintain a diversified and balanced generation resource mix. Proudly, KEPCo’s current generation portfolio, consisting of nuclear, hydro, coal, wind, natural gas, diesel, and solar resources, minimizes greenhouse gas emissions with approximately 65% of its supply generated from non-greenhouse gas emitting sources.

KEPCo strongly supports the Act. Not only does this Act more fully allow SWPA to operate at the “lowest possible rate consistent with sound business principles,” but it also costs the taxpayers nothing. Unlike SWPA’s current funding model that relies on appropriations, which are repaid every year through power sales rates, the Act allows SWPA to operate like a utility. With increased funding certainty to anticipate and plan for weather events, maintenance activities, long-term capital investments, and other significant issues, SWPA would not only save its customers money, it would ensure enhanced grid reliability across the Midwest.

This is a time that Congress can help cut the unnecessary red tape and make the program better. In short, the Act would provide long-term funding certainty for better planning and risk management, help stabilize SWPA’s power rates in times of severe and/or unanticipated weather events, and ensure continued capital investments supporting power delivery and grid resiliency for the existing transmission and hydropower systems.

As a proud federal hydropower customer, KEPCo appreciates your consideration of this Bill and offers our strong support.

Thank you,

SUZANNE LANE,
Exec. Vice President and Chief Executive Officer

**Association of Missouri Electric Cooperatives (AMEC)
Jefferson City, Missouri**

November 14, 2023

Hon. Cliff Bentz, Chairman
Hon. Jared Huffman, Ranking Member
House Natural Resources Committee
Subcommittee on Water, Wildlife and Fisheries
1324 Longworth House Office Building
Washington, DC 20515

Re: Letter of Support for H.R. 4219, the Southwestern Power Administration Fund Establishment Act

Dear Chairman Bentz and Ranking Member Huffman:

The Association of Missouri Electric Cooperatives (AMEC) supports passage of H.R. 4219 the Southwestern Power Administration Fund Establishment Act. AMEC is a statewide association working on behalf of Missouri's 47 electric cooperatives. Our members rely on a diverse array of power sources which includes the Southwestern Power Administration.

AMEC strongly supports H.R. 4219, the Southwestern Power Fund Establishment Act (Act). Not only does this Act more fully allow Southwestern to operate at the "lowest possible rate consistent with sound business principles", but it also costs the taxpayers nothing. Unlike Southwestern's current funding model that relies on appropriations which are repaid every year through power sales rates, the Act allows Southwestern to operate like a utility. With increased funding certainty to anticipate and plan for weather events and other impacting issues, Southwestern would not only save its customers money it would ensure enhanced grid reliability across the Midwest.

On behalf of our 47 member cooperatives which are federal hydropower customers, I appreciate your consideration of this Bill and offer my strong support. This is a time that Congress can help cut the unnecessary red tape and make the program better.

Sincerely,

CALEB JONES,
Executive Vice President and CEO

Mr. BENTZ. If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 12:13 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Statement for the Record
Bureau of Reclamation
U.S. Department of the Interior
on H.R. 6107, the Urban Canal Modernization Act

The Department of the Interior (Department) through the Bureau of Reclamation (Reclamation) appreciates the opportunity to provide this statement for the record on H.R. 6107, the Urban Canal Modernization Act. The Department generally supports the intent of the bill to help our operating partners with costs associated with maintenance of urban canals.

Reclamation's canals were originally constructed through relatively unpopulated areas in the Western United States. Today, some of Reclamation's canals are subject to the spread of urban development and could pose a potential risk to populated areas in the event of a failure. Reclamation currently classifies and monitors approximately 880 miles of canals in its Urban Canal Hazard Program.

If enacted, H.R. 6107 would recategorize any extraordinary maintenance work on an urban canal of concern as emergency extraordinary maintenance work, thereby allowing the Secretary to provide non-reimbursable funds to cover 35% of project costs. This would reduce operating partners' maintenance costs for these urban canals, passing on costs to Reclamation for extraordinary maintenance work that would have otherwise been funded by Reclamation project beneficiaries.

Additionally, Section 2(f) would allow any reimbursable funds provided under H.R. 6107 to serve as a non-federal source of funds for the purposes of any cost-sharing requirement for a federal grant. Reclamation believes that this language may lead to some confusion with water managers as funding made available under Section 9603 of the SECURE Water Act is intended to carry out extraordinary operations and maintenance work to ensure the structural safety of facilities. In contrast, Reclamation's grant programs have their own specific statutory requirements that may not be consistent with the requirements and goals of funding made available under Section 9603. In order to make use of the funding under this section as a non-federal match, the submitted project would need to be consistent with the requirements and goals of each program (e.g., repair of aging infrastructure as compared to new investments in water conservation). For example, Reclamation has provided funding for canal lining projects that were both deemed extraordinary maintenance, and eligible in part under the WaterSMART program. However, in most cases, canal lining projects funded under the WaterSMART project would include costs beyond the maintenance needs fundable under Section 9603. As such, if enacted as proposed, the amount of funding under the SECURE Water Act that could be applied as a non-federal match may be limited.

As an agency, Reclamation works collaboratively with our partners to ensure the safe and exceptional stewardship of our aging and urban infrastructure. Reclamation recognizes the additional risk that canals can pose to populated areas and supports the intent of the bill.

Statement for the Record
Department of the Interior
on H.R. 6127, the Modernizing Access to Our Public Waters Act

The Department of the Interior (Department) appreciates the opportunity to provide this statement for the record on H.R. 6127, the Modernizing Access to Our Public Waters (MAPWaters) Act.

The Department generally supports the goals of the bill to consolidate, standardize, and simplify information related to outdoor recreation on public waters. However, the Department has implementation concerns informed by experiences implementing the MAPLands Act (P.L. 117-114) which serves as the model for the MAPWaters Act. In particular, the Department has concerns related to exclusion of certain Federal agencies with jurisdiction over public waters, potential overlap with existing mandates, and challenges regarding agencies' unique missions and mandates. The Department continues to review the text of the bill to fully understand the legislation's technical implications.

Additionally, we believe the legislation would benefit from discussion with key stakeholders including other Federal agencies, State and local governments, Tribes, non-profits, private-sector groups, and members of our communities who must be included in any discussions about the future of recreation. The bill contains mandates for both the Department of the Interior and the U.S. Department of Agriculture (Agriculture), and as such we defer to Agriculture for perspectives unique to their agency mission. We would also like to help avoid implementation challenges whereby two land and water-management entities, but not others, are required to make changes in the information associated with managing Federal lands and waterways, which could result in unintended consequences and confusion.

Section-by-Section Analysis

Section 3 of the bill requires that within 30 months, the Secretaries of Agriculture and Interior jointly develop and adopt interagency standards among applicable Federal databases that handle geospatial data relating to public outdoor recreational use of Federal waterways and Federal fishing restrictions. The Department notes that each agency and/or bureau uses standards that have been developed in coordination with each entity's unique set of stakeholders and situations. Selecting a new format may result in unintended consequences that will require additional time and resources to work through. Also, non-conflicting State regulations are also adopted as Federal regulations beyond what are listed in 36 CFR 2.3. This could result in the Department being responsible for data from States that are modified frequently and are unique to specific water bodies. The Department recommends that any standards are coordinated through the Federal Geographic Data Committee, which is the lead entity in the executive branch for the development, implementation, and review of policies, practices, and standards relating to geospatial data. In addition, the Department would like to work with the bill sponsors to define the scope of the bill more clearly.

Section 4 requires within four years to the extent practicable that the Secretaries of Agriculture and Interior shall digitize and make publicly available various data related to Federal waterway restrictions and Federal waterway access and navigation. The Department notes that the bill requests detailed information on many different areas including access points, restrictions, boat ramps, wake zones, and direction of various uses of watercraft. Given both man-made and natural changes, such as water levels, and ambulatory boundaries occurring in general and at specific locations, this is a very large undertaking that will likely require additional staff to implement. The Department would like to work with the bill sponsors to clarify what could be accomplished at the authorized funding level. Based on experiences implementing the MAPLands Act, the Department recommends extending this period to five years from four. In addition, the Department notes that digitizing and publishing some of this information is already required under the MAPLands Act and FLAIR Act. We would like to work with the bill sponsors to address duplication with existing mandates in this section.

Section 5(b) states that the Secretaries may work with the Director of the United States Geological Survey to collect, aggregate, digitize, standardize, and publish data on behalf of the Secretaries to meet the requirements of this Act. The Department notes that the United States Geological Survey and the United States Fish and Wildlife Service shall provide interdepartmental leadership and coordination as the designated co-leads of the Office of Management and Budget Circular A-16 Waters-Inland Theme. The involvement of these bureaus for their advice and

guidance on foundational geospatial datasets is critical for implementation plans. The Department notes that other Federal agencies that manage significant portions of Federal waterways, including the U.S. Army Corps of Engineers, the National Oceanic and Atmospheric Administration, the U.S. Coast Guard, and the Bureau of Indian Affairs, as well as Tribal governments, are not mentioned in this bill.

Section 6 requires that the Secretaries of Agriculture and Interior submit an annual progress report through March 1, 2033, to the relevant Senate and House Committees. The Department would like to work with the bill sponsors to better understand what information should be provided in each annual update.

Conclusion

While the Department generally supports the intent of the bill, we would appreciate the opportunity to work with the bill sponsors to provide technical assistance to make sure the above concerns are addressed and lessons learned from previous implementation of similar bills are incorporated into our approach.

Statement for the Record
U.S. Geological Survey
Department of the Interior
on H.R. 5770, Water Data Improvement Act

Chairman Bentz and Ranking Member Huffman, thank you for the opportunity to provide this statement on H.R. 5770, Water Data Improvement Act, a bill to reauthorize certain U.S. Geological Survey (USGS) water research activities through the SECURE Water Act (P.L. 111-11, Title IX, Subtitle F of the Omnibus Public Land Management Act of 2009).

Background

Floods, droughts, and other extreme weather events present hazards for human lives and property. In the past five years, there have been 29 floods, tropical cyclones, and droughts each causing more than \$1 billion in damages and altogether accounting for more than \$390 billion in damages and nearly one thousand deaths. Climate change, growing populations in the drought-impacted western U.S., sea-level rise, and aging water infrastructure add to the pressures on limited water resources. For more than a century, USGS national water-monitoring networks have formed the backbone of observations on current conditions and trends in surface water and groundwater. These observations inform real-time decision making and long-term planning. USGS water data are fundamental to national and local economies, protection of life and property, and effective management of the Nation's water resources.

The Federal Priority Streamgauge (FPS) Network, previously known as the National Streamflow Information Program, was established in 1999 in response to Congressional concern about the decline in long-term streamflow monitoring across the Nation. The FPS Network is a core, federally funded network of streamgages that are designated to meet the priorities of the Nation. In 2009, FPS (as the National Streamflow Information Program) was included in Section 9507 of the SECURE Water Act (42 U.S.C. 10367). The current network design includes 4,760 eligible sites that are strategically positioned across the country to address long-term Federal information needs. These needs include informing flood and drought forecasts, implementing interstate, international, and Tribal water compacts and decrees, and tracking trends in undisturbed watersheds. There are approximately active 3,500 FPS sites. About one quarter of these sites are fully funded through USGS appropriations, the remainder through a combination of funding from the USGS and from partners such as the U.S. Army Corps of Engineers and the Bureau of Reclamation. USGS is in the process of updating the design of the FPS Network, using feedback from Federal agency partners, which will likely result in an increase in the number of eligible sites. This increase will likely be driven by an expanded list of flood-forecast locations identified by the National Oceanic and Atmospheric Administration (NOAA) National Weather Service since 1999 and increasing demands for water information associated with population growth and extreme weather events and climate change.

The National Groundwater Monitoring Network (NGWMN) was designed in 2009 in response to passage of the SECURE Water Act. It is authorized as a collaborative groundwater network among intergovernmental agency data providers. Since initial appropriations were provided in 2015, the NGWMN provides access to water-level and/or water-quality data from nearly 20,000 groundwater wells that are supported by more than 45 Federal, State, local, and Tribal agencies. As part of the NGWMN, the USGS supports 695 Climate Response Network groundwater monitoring wells which represent 292 of the 370 NOAA climate divisions in the continental U.S. These monitoring wells are supported by a combination of USGS and partner funding. The NGWMN serves as a critical measure of current and long-term groundwater conditions and provides groundwater-level data that are beneficial to Federal, State, and local agencies and other stakeholders who use the data to monitor for drought and drought recovery, issue permits for groundwater withdrawals, and establish triggers for water conservation and/or pumping reductions. The data from the NGWMN are also foundational for decisions regarding the sustainable management of groundwater supplies, which are the source of drinking water for more than 130 million Americans each day and provide more than 40% of the Nation's irrigation water.

H.R. 5770, Water Data Improvement Act

H.R. 5770 reauthorizes Section 9507 of the SECURE Water Act through Fiscal Year 2028. This includes authorities for the FPS Network, as well as the NGWMN. The USGS recommends additional amendments to Section 9507 of the SECURE Water Act, which the USGS feels would significantly improve its authorities.

At paragraph (a), we recommend that “National Streamflow Information Program” be updated with the current name of the system, “Federal Priority Streamgages Network.” At paragraph (a)(4)(A)(ii) we recommend adding “precipitation” in addition to “water-quality” as types of sensors to be included at FPS sites, because this was identified as the highest need from a 2022 Federal users survey. The USGS also recommends that “temperature” be added as an important aspect of water-quality monitoring, based on the same survey.

Paragraph (a)(4)(B) indicates that each streamgage should conform with the National Streamflow Information Plan as reviewed by the National Research Council in 2004. The USGS recommends the reference to that report be replaced with the USGS report titled *Re-Prioritization of the U.S. Geological Survey Federal Priority Streamgage Network, 2022* (Open-file Report 2023-1032).¹ This will reflect the most current design standards for USGS streamgages.

At paragraph (b), authorizing the NGWMN, The USGS recommends adding Tribes as one of the entities with which the USGS can coordinate and partner.

The USGS recommends that paragraph (c), authorizing a brackish groundwater assessment, be stricken. This work was completed in 2017 with the publication of the report titled *Brackish Groundwater in the United States* (USGS Professional Paper 1833).²

The USGS also notes that reauthorization of Section 9507 of the SECURE Water Act, including the authorities for improved technologies at paragraph (d), will support the latest USGS innovations in water research such as the Next Generation Water Observing System.

The USGS appreciates Congressional interest in reauthorization of Section 9507 of the SECURE Water Act. The USGS notes that other USGS water-research activities are authorized at Section 9508 and should also be considered, as well as important authorities, throughout the SECURE Water Act, undertaken by the Bureau of Reclamation. The USGS would fully support H.R. 5770 with the recommendations provided here. The USGS would be happy, at your request, to provide briefings with our subject-matter experts on the water research undertaken through the SECURE Water Act authorities.

¹ pubs.usgs.gov/publication/ofr20231032

² pubs.usgs.gov/publication/pp1833

Submission for the Record by Rep. Neguse

FY2024 USGS Streamgauge Program

Coalition Support for USGS Streamgauge Networks and Modernization

Congressman Mike Simpson, Chair
Congresswoman Chellie Pingree, Ranking Member
House Appropriations Subcommittee on Interior, Environment & Related Agencies
2363 Rayburn House Office Building
Washington, D.C. 20515

February 28, 2023

RE: WATER DATA & SCIENCE PROGRAM FUNDING
Interior Department Appropriations for FY2024

Summary of Coalition's Requests for FY2024:
Federal Priorities Streamgages = \$32.0 M
Cooperative Matching Funds Program = \$68M
(includes \$33M streamgauge support and studies)
NGWOS/data modernization = \$35M

Dear Chairman Simpson and Ranking Member Pingree:

Our coalition of 96 water management and use stakeholders urges your support to sufficiently fund the United States Geological Survey's Federal Priorities Streamgauge network and supportive programs for the upcoming Fiscal Year 2024 budget appropriation.

A fully funded streamgauge network – one that keeps pace with inflationary and routine maintenance overhead – is critical to ensuring the nation's socioeconomic and cultural wellbeing. These streamgages are crucial as we embark on new efforts to understand, plan for, and build our collective capacity to improve the nation's resilience to extreme weather events. A summary of our funding request is detailed below. The final section of this letter explains in more detail why we as a nation simply cannot risk an inadequately funded network of streamgages.

Summary of funding request

Our broad coalition of state agencies, interstate commissions, associations, universities, non-governmental organizations, and private industry request a total USGS Fiscal Year 2024 budget appropriation. This request consists of **\$32M** dedicated to Federal Priorities Streamgages, **\$68M** for the Cooperative Matching Funds Program (including \$33M for streamgauge support) and **\$35M** for Next Generation Water Observing System and data delivery modernization.

Supporting details**Federal Priority Streamgages (FPS) -- \$32M**

We envision the need for a \$2M increase over our FY2023 \$30M funding request which was designed to cover the costs of existing gages and preclude any loss of sites. This request does not include a cost-share takeover for any FPS gages; it is just to keep the current gages going.

Justification: Funding for FPS has been flat since 2016, yet operational costs have grown by approximately one to three percent per year due to increases in salary, travel, equipment and communication costs. Inflationary costs associated with streamgage site maintenance, operations and reporting have also generated a \$1M per year shortfall since 2022.

Cooperative Matching Funds (CMF) Program -- \$68M

The CMF program should be funded at \$68M to adequately support cooperative matching funds for streamgaging. Of that appropriation, \$33M for CMF-supported streamgages is needed to protect the approximately 5,275 CMF-supported streamgages that are already in place and functioning nationwide.

Justification: The USGS works with more than 1,400 partners nationwide (federal, state, tribal, local and non-governmental organizations) using CMF to jointly support streamgages. This matching program began as a 50/50 cost share but has seen the federal contribution decrease to less than 30 percent. When an increasing share of the streamgages must be funded by reimbursable and private parties, they become ever more susceptible to having the funding pulled, thus rendering the FPS program less stable overall.

Next Generation Water Observing System (NGWOS) -- \$35M

Our coalition appreciates Congress' support of the Next Generation Water Observation System (NGWOS). We stand by last year's FY2023 request for \$35M to allow for further buildout of the NGWOS program. Funding at this level for FY2024 would complete rollout for the fifth Integrated Water Science (IWS) basin and ultimately move NGWOS toward the goal of 10 IWS basins nationwide.

Justification: The FY2023 appropriation of \$29.5M was only a \$500,000 increase over the FY2022 appropriation which allowed planning to begin in the fifth basin but with fewer resources than originally intended.

USGS Streamgage network data improve our resilience to extreme weather events

A fully funded and implemented streamgage network will augment our nation's resilience in response to extreme weather events. Without water data from this widespread system of sites, we are less equipped to make informed decision making, such as flood and hurricane risk predictions, drought determinations, and water supply forecasts.

The USGS recently completed an analysis of the USGS Streamflow Monitoring Network to determine priority areas to maintain or improve coverage, resolution, and representation throughout the United States.¹ This analysis identified network gaps in three important areas in context to building resilience to extreme weather events:

- 1) Most coastal watersheds (83 percent) do not have streamgages. More gages are needed in coastal areas; a robust streamgage network implemented in coastal areas would provide important data to reduce flood risk in context to sea level rise through improved flood forecasting and warning.
- 2) Thirty-nine states lack streamflow information in areas to assess how local climate is affecting floods and droughts. More streamgages are needed to understand how climate variability affects different parts of the Nation. The findings indicate that more gages are needed in 30 percent of NOAA Climate Divisions.
- 3) The USGS network has streamgages in many areas where water supply is vulnerable to reduced snowpack because of climate warming. Some of these areas may require additional gages because they are particularly vulnerable to changes in snowpack.

With your help and continued support, Congress can enable the USGS to fulfill its Water Resources Mission Area goals by adequately funding the Federal Priority Streamgages network, Cooperative Matching Funds program, and NGWOS to move water science into the 21st century.

We are happy to answer your questions or provide any additional information. Please contact any of us or Beth Callaway at the Interstate Council on Water Policy at: beth@icwp.org or (307) 772-1999.

CC:
Appropriations Subcommittee Members
Secretary of the Interior
Director, Office of Management and Budget
Director, US Geological Survey

¹ Konrad, C.P., Anderson, S.W., Restivo, D.E., and David, J.E., 2022, Network Analysis of USGS Streamflow Gages: U.S. Geological Survey data release, <https://doi.org/10.5066/P9C8NYTO>.

Organizations Signing on to FY 2024 Streamgauge Support Letter (February 28, 2023)

<u>Organization</u>	<u>Signor</u>	<u>Title</u>
Alabama Office of Water Resources	Tom Littlepage	Division Chief
American Fisheries Society	Dr. Douglas J. Austen	Executive Director
American Rivers	Ted Illston	Senior Director-Policy
American Society of Civil Engineers	Thomas W. Smith	Secretary & Exec. Dir.
American Water Resources Association	Dresden Farrand	Executive VP/CEO
American Water Works Association	Tracy Mehan	Exec. Dir./Gov't Affairs
American Whitewater	Mark Singleton	Executive Director
America's Watershed Initiative	Kimberly A. Lutz	Executive Director
Appalachian Mountain Club	Susan Arnold	Interim President & CEO
Association of American State Geologists	James Faulds	President
Association of California Water Agencies	David Reynolds	Director/Fed. Relations
Association of Clean Water Administrators	Mary Ann Nelson	ACWA President
Association of Fish & Wildlife Agencies	Kurt Thiede	Gov't Affairs Director
Association of Metropolitan Water Agencies	Tom Dobbins	CEO
Association of State Dam Safety Officials, Inc.	Lori C. Spragens	Executive Director
Association of State Floodplain Managers	Chad Berginnis	Executive Director
Bear River Commission	Don A. Barnett	Engineer-Manager
Big Hole Watershed Committee	Pedro Marques	Executive Director
Big Horn River Alliance	Anne Marie Emery	Executive Director
California Sportfishing Protection Alliance	Bill Jennings	Executive Director
Cascade Water Alliance	Ray Hoffman	CEO
CDM-Smith	Timothy D. Feather	Vice President
Cobb County-Marietta Water Authority	Cole Blackwell	General Manager
Colorado Lake & Reservoir Management Assn.	Caleb Owen	President
Colorado River Basin Salinity Control Forum	Don A. Barnett	Executive Director
Delaware River Basin Commission	Steven J. Tambini	Executive Director
Environmental Defense Fund	Steve Cochran	Assoc. VP State Affairs
Fly Fishers International	Patrick Berry	President & CEO
Freshwater Mollusk Conservation Society	Steve McMurray	President
Great Lakes Commission	Erika Jensen	Executive Director
Great Lakes Observing System	Kelli Paige	CEO
Henry's Fork Foundation	Brandon Hoffner	Executive Director
Hawaii Commission on Water Resource Management	Kaleo Manuel	Deputy Director
Hoopla Tribal Land Management/EPA	Ken Norton	Director
Hydrological Services America	Peter Ward	General Manager
Idaho Rivers United	Nic Nelson	Executive Director
Idaho Water Users Association	Paul L. Arrington	Executive Director
Interstate Commission on the Potomac River Basin	Michael Nardolilli	Executive Director
Interstate Council on Water Policy	Matt Unruh	ICWP Chair
Kansas-Oklahoma Arkansas River Compact Comm.	Earnie Gilder	Federal Chair
Kansas Water Office	Connie Owen	Director
KISTERS North America, Inc.	Becca Emery	Business Dev. Mgr.
Madison River Foundation	Jonathan Malovich	Executive Director
Metropolitan North Georgia Water Planning District	Katherine Zitsch	Director

FY2024 USGS Streamgauge Program
House Approps. -- Interior, Env. & Related Agencies
February 28th, 2023

<u>Organization</u>	<u>Signor</u>	<u>Title</u>
Missouri Department of Natural Resources	Erin Fanning	DNR Deputy Director
Minnesota Department of Natural Resources	Katie Smith	Director/Ecol & Water
Montana Department of Environmental Quality	Lindsey Krywaruchka	Water Division Admin.
Montana DNRC	Anna Pakenham -Stevenson	Admin-Water Res. Div.
Montana Trout Unlimited	David Brooks	Executive Director
Montana Watershed Coordination Council	Ethan Kunard	Executive Director
Nat'l. Assoc. Flood & Stormwater Mgt. Agencies	Susan Gilson	Executive Director
National Assoc. State Boating Law Administrators	John Fetterman	Depty Exec. Director
National Association of Wetland Managers	Marla J. Stelk	Executive Director
National Audubon Society	Julie Hill-Gabriel	VP/Water Conserv.
National Drought Mitigation Center	Dr. Mark Svoboda	Director
National Ground Water Association	Terry S. Morse	CAE, CIC, CEO
National Hydrologic Warning Council	Bruce Rindahl	President
National Hydropower Association	Malcolm Woolf	President and CEO
National Society of Professional Surveyors	Tim Burch	Executive Director
National Water Resources Association	Dale Nellor	Exec. Vice President
National Water Supply Alliance	Dave Mitamura	Executive Director
National Wildlife Federation	Abby Tinsley	Assoc. VP Policy/Gov't
Nebraska Department of Natural Resources	Thomas E. Riley	Director
New Engl. Interstate Water Pollution Control Comm.	Susan J. Sullivan	Executive Director
North American Lake Management Society	Lisa Borre	President
North Dakota Department of Water Resources	Andrea Travnicsek	Director
Ohio R. Valley Water Sanitation Commission	Richard Harrison	Executive Director
Oklahoma Water Resources Board	Julie Cunningham	Executive Director
Oregon Water Resources Congress	April Snell	Executive Director
Phycological Society of America	Eric W. Linton	President
Red River Compact Commission	Sue Lowry	Chairman
Republican River Compact Commission	Thomas E. Riley	Nebraska Commissioner
Rivers Alliance of Connecticut	Alicea Charamut	Executive Director
Society of Wetland Scientists	Loretta L. Battaglia	President
Southwest Kansas Groundwater Mgt District	Mark Rude	Executive Director
Susquehanna River Basin Commission	Drew Dehoff	Executive Director
Tacoma Water	Scott Dewhirst	Water Superintendent
The Nature Conservancy	Jimmy Hague	Sr. Water Policy Adv
Three Rivers QUEST	Melissa O'Neal	Associate Director
Tri-State Water Resource Coalition	Gail Melgren	Executive Director
Trout Unlimited	Kate Miller	Gov't Affairs Director
University of Georgia River Basin Center	Sechindra Vallury/ Seth Wegner	Directors
Upper Colorado River Commission	Chuck Cullom	Exec. Director
Upper Mississippi River Basin Association	Kirsten Wallace	Executive Director
Upper Missouri Watershed Alliance	Sherry Meador	Board Chair
Washington State Water Resources Association	Tom Myrum	Executive Director
Water Environment Federation	Walter Marlowe	Executive Director

FY2024 USGS Streamgaging Program
 House Appropriations -- Interior, Environment, & Related Agencies
 February 28th, 2023

<u>Organization</u>	<u>Signor</u>	<u>Title</u>
West Virginia Rivers Coalition	Angie Rosser	Executive Director
West Virginia Water Research Institute	Paul Ziemkiewicz	Director
Western Landowners Alliance	Lesli Allison	Executive Director
Western States Water Council	Tony Willardson	Executive Director
Wild Salmon Center	Jessica Helsley	Gov't Affairs Director
Wyoming State Engineer's Office	Brandon Gebhart	State Engineer
Wyoming Water Association	Jodee Pring	President
Wyoming Water Development Office	Jason Mead	Interim Director
Xylem Analytics	Randy Hadland	Senior Manager
Yellowstone River Compact Commission	Brandon Gebhart	Commissioner

Additional information:

The SECURE Water Act of 2009 authorized implementation of not less than 4,700 streamgage sites funded by the national streamflow information program. The total cost of a fully implemented network would have required \$130M initially and \$80M for ongoing operations and maintenance.

To-date, Congressional streamgage funding priorities have not lined up to meet this goal. The USGS is unable to complete its development for a fully implemented network as directed by Congress in 2009 without additional funding.

Why are Federal Priority Streamgage (FPS) gage data important?

Authorized by Congress in the SECURE Water Act as the National Streamflow Information Program, the FPS is meant to comprise a stable "federal backbone" network of streamgages. Data provided by FPS inform critical life and property saving information. They augment research management decisions, maintain water dependent infrastructure and provide essential public health and environmental condition information. Insufficient funding seriously compromises our national ability to address federal, state, tribal, local socioeconomic issues, including international treaty obligations.

Who uses the data and for what purpose?

State/local/tribal stakeholders: The members of our undersigned organizations rely on these streamgaging networks to ensure our national ability to address critical environmental and socio-economic issues such as:

- Forecasting extreme stream flow and water level events such as floods, droughts, and hurricanes;
- Conducting longer-term climate resilience planning such as coastal flood risk and snowpack drought;
- Performing infrastructure design, operations and capacity for facilities such as roads, bridges, high-rises, dams and coastal development;
- Meeting municipal, public and private water supply needs;
- Completing temperature and other water-quality related assessments of major rivers, lakes, reservoirs and estuaries, and other wetlands;
- Conducting energy generation and exploration;
- Oversight and implementation of many federal laws such as the SECURE Water Act, Clean Water Act, Safe Drinking Water Act, and Endangered Species Act;
- Compliance and implementation of interstate and international compacts, court decrees, and treaties;
- Determining environmental impacts to disadvantaged communities;

- mitigating environmental impacts to disadvantaged communities;
- Balancing competing consumptive water uses with instream flows and water level needs that are essential for sustaining aquatic, riparian and terrestrial ecosystems.

Federal stakeholders: The vital data provided by the streamgages support critical water management activities across the nation by carrying out the mission and operations of federal agencies such as the U.S. Army Corps of Engineers, NOAA, FEMA, EPA, USDA, Department of Interior, NASA, Department of Defense, Homeland Security, and others.

The utility of the network is not singular to USGS -- a recent survey conducted by the agency of 28 sister federal agencies solicited input on the importance and prioritization needs of streamgage information. The results from this survey will be shared this spring; USGS will adapt the FPS program to federal priorities to meet the responses of the survey.

Why is there a current FPS funding shortfall?

Federal Priority Streamgages: Historically, FPS cost increases have previously been covered by USGS partners, including state and other federal agencies (where gages are jointly funded) or by delaying planned network enhancements. Enhancements include, but are not limited to, cyclical upgrades to equipment and activities to flood-harden existing FPS sites.

Unfortunately, after multiple years of flat funding, the USGS reached a breaking where network enhancements could no longer be delayed and operational costs continue to increase. Operations at some streamgages have already been discontinued and more shutdowns will continue into the future unless funding shortages are addressed resulting in losses to long-term data that cannot be re-created.

Additional references:

USGS List of Threatened Gages:

<https://water.usgs.gov/networks/fundingstability/>

National Water Dashboard/Map of USGS Streamgages:

<https://dashboard.waterdata.usgs.gov/app/nwd/?aoi=default>

"U.S. Geological Survey Streamgaging Network: Overview and Issues for Congress":

<https://crsreports.congress.gov/product/pdf/R/R45695>

Coverage, Resolution, and Representation of Public Interests by the USGS Streamflow Monitoring Network:

https://wa.water.usgs.gov/projects/NetworkAnalysis/NetworkAnalysis_index.html

Statement by Michael Connor, Bureau of Reclamation Commissioner before the Energy and Natural Resources Subcommittee on Water and Power on the implementation of the SECURE Water Act -- March 16, 2010:

https://www.doi.gov/oc/hearings/111/SECUREWaterAct_031610

