

# WESTERN STATES WATER

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## THE WEEKLY NEWSLETTER OF THE WESTERN STATES WATER COUNCIL

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

#### **FY 2008 CJS Appropriations Bill/Landsat 8 Funding**

On October 16, the Senate voted 75-19 to pass a \$54.6B FY 2008 appropriations bill for the Departments of Commerce and Justice, as well as science agencies (CJS), including the Office of Science and Technology Policy (OSTP), National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA). H.R. 3093 provides a large increase for the National Oceanic and Atmospheric Administration (NOAA), at \$4.2B, or about \$400M over the President's request. Compared to FY 2006, the National Weather Service and National Environmental Satellite Data and Information Service would get, respectively, \$927.2M and \$1.01B (\$79M and \$49M more), but at \$763.3M the National Marine Fisheries Service (NMFS) budget would be down about \$40M. Overall the CJS appropriations bill is \$3.2B over the President's request, and he has threatened a veto.

The Senate CJS Appropriations Committee Report included \$17.46M for NASA, \$150.2M more than the President's request and fully funding the request for space shuttle (\$4B) and space station (\$2.2B) operations, plus \$3.9B for the next generation crew launch vehicle. The Committee Report (S.Rpt. 110-124) included \$5.6B total for Science, with some \$1.6B for Earth Science. The report states: "The Committee remains fully committed to a robust Earth science program at NASA and the Committee expects NASA to remain fully committed to earth science, with future missions that reflect a serious commitment to Earth science as a vital part of the Nation's space program. NASA earth science missions are critical to our ability to monitor and provide warnings about climate, weather, and other hazards."

Separately, the Committee added \$15M to NASA's Earth Science Applications Program to support "new competitively selected applications projects" to integrate "NASA's Earth observing systems and earth system models (using observations and predictions) into decision support tools to serve applications of national priority including, but not limited to: Homeland Security; coastal Management; Agriculture Efficiency; and Water Management and Disaster Management."

Regarding the Landsat Data Continuity Mission (LDCM), the report said, "The Committee is concerned that the LDCM mission does not include a thermal infrared sensor to provide important data for surface and ground water information. NASA shall report to the Committee no later than 60 days after the enactment of this act with a plan to provide continuity of this data."

On October 10, eight western senators wrote NASA Administrator Michael Griffin requesting support for continued funding for thermal infrared (TIR) capabilities saying, "The TIR data provided by Landsat 5 and 7 has been critical to informing wide-ranging water management decisions across the country. The data is used to generate critical information for...infrastructure projects, evaluate seasonal surface and ground water use, plan water budgets, manage irrigation practices, administer water rights, oversee compliance with...USDA conservation-related contracts, study impacts related to converting agricultural lands to urban uses, evaluate water needs of fish and wildlife including endangered species, and ensure water is used in compliance with state and federal law, interstate compacts, and inter-national treaties. All of these applications are critical to future water management...and all require the high resolution thermal imagery that only the Landsat Data Continuity Mission (LDCM) will afford. The entire nation benefits by having this important tool available..."

The letter continues, "While NASA is scheduled to deploy Landsat 8 in 2011, work is beginning now to complete the preliminary design review and award contracts for building the spacecraft. Unfortunately, the President's FY2008 request for funding for NASA's LDCM did not include funding for a thermal infrared sensor of Landsat 8. We urge you to take immediate action to provide for the continued funding for the thermal infrared (TIR) capabilities...and to inform our offices of NASA's actions taken to ensure these capabilities. We cannot afford to lose this tool, and the critical information it provides for water resource and infrastructure planning." The letter was signed by Senators Max Baucus (D-MT), Mike Crapo (R-ID), Jeff Bingaman (D-NM), Tim Johnson (D-SD), Pat Roberts (R-KS), Ken Salazar (D-CO), John Thune (R-SD) and Ron Wyden (D-OR).

The Senate has named 19 conferees with the House, including the following western senators, Senators Byron Dorgan (D-ND), Dianne Feinstein (D-CA), Ted Stevens (R-AK), Pete Domenici (R-NM), Kaye Bailey Hutchison (R-TX) and Sam Brownback (R-KS).

### **CONGRESSIONAL UPDATE/WATER QUALITY**

#### **Clean Water Act - Anniversary**

On October 19, Senator Barbara Boxer (D-CA), Chair of the Senate Environment and Public Works Committee, and Ranking Member James Inhofe (R-OK), together with Frank Lautenberg (D-NJ) and David Vitter (R-LA), Chairman and Ranking Member of the Committee's Subcommittee on Transportation Safety, Infrastructure Security and Water Quality, sponsored a resolution commemorating the 35th anniversary of the Clean Water Act. It was adopted by unanimous consent. Senator Lautenberg said, "For 35 years, Americans have relied on the Clean Water Act to keep our lakes, rivers, streams and coastal waters safe for us to fish and swim. It is the law that preserves our wetlands and protects our drinking water." Senator Vitter added, "The Clean Water Act is responsible for many important impacts since it became law more than 35 years ago. The Act has leveraged billions of dollars for state and local governments to improve water quality and address water infrastructure needs."

Senator Boxer declared, "The Clean Water Act has been one of our most successful environmental statutes to date. Since 1972, we have made tremendous progress, and today, our rivers, lakes and streams are far cleaner than they were three decades ago. But there is still more work to be done. Forty percent of the nation's tested waters currently fail to meet quality standards. As we honor the successes of the CWA today, it is important that we also recommit to protecting the quality of our nation's water." Senator Inhofe said, "Today as we mark the 35th anniversary of the Clean Water Act, I am proud to join with my Senate colleagues in recognition of the tremendous progress our nation has made in cleaning up and improving our nation's water resources. Thanks to the CWA and the commitment by the American people, our nation's waterways are far cleaner and our drinking water dramatically improved. As we look to build upon this success, I am mindful of the challenges ahead. Oklahomans face a projected \$586 million in clean water related needs over the next 20 years. I remain committed to working to ensure these needs are met and that we do so in a way that makes sense both for our environment and our economy."

The resolution states in part: "Whereas October 18, 2007, is the 35<sup>th</sup> anniversary of the enactment of the Federal Water Pollution Control Act...(commonly known as the 'Clean Water Act'): Now, therefore, be it Resolved, That, ...it is the sense of the Senate that all citizens... and all levels of government should – (1) recognize and celebrate the accomplishments of the United States under that Act; and (2) recommit to achieving the objectives of that Act of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States." The resolution notes that "substantial improvements...have resulted from a successful partnership among Federal, State, and local governments, the private sector, and the public." Federal assistance for wastewater infrastructure and other assistance has totaled more than \$82B since 1972. While recognizing the tremendous value of clean water as a natural resource, the resolution points out that the most recent National Water Quality Inventory shows that of the 19% of the Nation's rivers and streams that have been assessed, 45% were impaired. Similarly of the 37% of the Nation's assessed lakes, ponds and reservoirs, 47% were impaired – and of the 35% of assessed bays and estuaries, 32% were impaired. Significant challenges lie ahead to protect and restore our water resources, and further development and innovation of water pollution control programs, research and technology are necessary.

On the House side, in the Transportation and Infra-structure Committee, Rep. James Oberstar chaired an October 18 hearing on the CWA Anniversary, opining: "We have seen...improvements, but I will caution that our work is not complete. One-third of our waters do not meet standards we set 35 years ago. Our aquatic food supply is still facing challenges of mercury and other chemicals. Our infrastructure is aging and the investments do not meet needs or demands. There is confusion of which waters fall under Clean Water jurisdiction. As always, I hope to learn from our past successes to address our awaiting future challenges."

Ben Grumbles, Environmental Protection Agency (EPA) Assistant Administrator for Water marked the anniversary saying, "As we celebrate...let us also reflect on what we have accomplished and where we need to go.... One of EPA's top priorities is to develop and implement innovative, sustainable, and market-based solutions to managing and financing water and waste-water infrastructure.... We are spreading the ethic of water efficiency.... We are...working with our partners to help change the way America views and values water.... The heart and soul of the Clean Water Act, current and future, must be a holistic approach that looks at the entire watershed and all sources of pollution and that brings new partners and new tools to the problem-solving table." He specifically referred to the Bush Administration's newly proposed Water Enterprise Bonds "to promote investment in America's water infrastructure through innovative public-private partnerships...." He added, "One of today's priorities is climate change." He concluded, "We are facing new challenges and seeking to better apply the tools and techniques under the Clean Water Act to...build on the gains in water quality that we have worked so hard for and enjoyed over the...years."

## **MEETINGS**

The Council's November 14-16 meetings will be held at the Sheraton Crescent Hotel in Phoenix, Arizona. Please be sure to call 1-800-325-3535 for room reservation by the new deadline of October 23, and ask for the discount rate of \$103.

**The WESTERN STATES WATER COUNCIL is an organization of representatives appointed by the Governors of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.**