

# United States Senate

WASHINGTON, DC 20510

July 27, 2017

The Honorable Sonny Perdue  
Secretary  
U.S. Department of Agriculture  
1400 Independence Avenue, S.W.  
Washington, DC 20250

Dear Secretary Perdue:

We write to request that you work with us to ensure that the Colorado River Basin (CRB) receives newly appropriated funding to improve drought resiliency, control salinity, enhance water quality, and promote water conservation.

In the recently enacted Fiscal Year (FY) 2017 Consolidated Appropriations Act, Congress provided \$150 million in funding to the U.S. Department of Agriculture (USDA)'s Natural Resources Conservation Service (NRCS) Watershed Protection and Flood Prevention program (Watershed Act) to advance these goals. We request that you provide \$75 million of this funding to the CRB over a multi-year period to address critical water infrastructure and drought contingency planning needs in the Upper and Lower basins.

The CRB has experienced 16 years of drought, and is likely to suffer from significant supply and demand imbalances well into the future. Today, these challenges are evident in the declines in lake levels at Lake Powell and Lake Mead. Agricultural producers use roughly 70% of the Colorado River's water to grow food, and while farmers and ranchers continually innovate to improve yields, lower costs, and conserve water, there is more to be gained. USDA directs roughly \$6 billion in conservation spending annually through its on-farm conservation programs, yet this funding does not fully address the needs of western agriculture. Off-farm system improvements are also necessary to recognize and enhance the benefits of on-farm conservation.

The funding in the Consolidated Appropriations Act of 2017 can help correct this bias against western agriculture by addressing previously unfunded water infrastructure and drought contingency planning needs in our states.

In the FY 17 Consolidated Appropriations Act, Congress directed USDA to balance the \$150 million in NRCS Watershed Act funding between the needs of states that have traditionally benefited from the program and states, like ours, that the program has historically underfunded. Congress provided that USDA distribute funding between new projects and existing projects with NEPA-compliant plans, explicitly directing \$50 million of the \$150 million to "projects and activities that can commence promptly following enactment," leaving \$100 million for new projects. Congress also provided that this \$150 million may be used not only for shovel ready projects, but also for surveys and investigations, which are activities under the Watershed Act. The law also provides that this funding is to remain available until expended, recognizing that in our region, states may have to undertake additional planning beyond the current fiscal year.

As you know, Congress stopped funding the Watershed Act in 2010. In the 2014 Farm Bill, we authorized the use of this program through the Regional Conservation Partnership Program (RCPP) on a pilot basis in the CRB. The Watershed Act has been one of the most popular components of RCPP in the CRB. Today, broadly supported RCPP projects are proposed or underway in our states that conserve water, control salinity, protect drinking water and improve habitat using the Watershed Act. Given RCPP's per project funding cap, many of these projects would benefit from additional investment from the program. There are also additional projects in our states that have not received funding, but that would also greatly benefit from off-farm system investment that is now available.

It is important that new Watershed Act investment is made in a manner that facilitates work in large western watersheds, in robust consultation with the states, and to the benefit the entire basin. We expect USDA to follow its established policy that qualifies large western watersheds for Watershed Act investment based upon the irrigation problem area acreage. We also note the significant state rights protections built into Watershed Act regulations and guidance, and expect USDA to continue these protections. In particular, current policy requires USDA to undergo a Congressional notification process. Further, a request for assistance by a sponsoring local organization (a state, political subdivision thereof, Tribe, soil or water district, water users association or irrigation or reservoir company) under this authority may be disapproved by the governor of the state in which the request is made. These protections are particularly important in the CRB given the primacy of state water law and the importance of local partnerships.

USDA estimates that Watershed Act infrastructure needs are total over \$1 billion nationwide. Regional equity in the distribution of this initial funding is critical to securing support in the appropriations process or through the upcoming Farm Bill for further investment. We respectfully request that you work with us to direct a portion of the FY17 Watershed Act funding to the CRB to address our needs in the Upper and Lower basins.

Thank you for considering our request.

Sincerely,



Michael F. Bennet  
United States Senator



Dean Heller  
United States Senator



Dianne Feinstein  
United States Senator



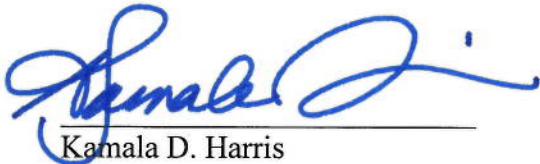
Cory Gardner  
United States Senator



Tom Udall  
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Martin Heinrich  
United States Senator



Kamala D. Harris  
United States Senator



Catherine Cortez Masto  
United States Senator