

On June 30, Western Governors formally approved five policy resolutions during their annual executive session addressing: National Minerals Policy; Radioactive Materials Management; Federal-State Land Exchanges and Purchases; Biosecurity and Invasive Species Management; and Recreation and Tourism on Public Lands. They also elected Colorado Governor Jared Polis as the new Chair of the Western Governors' Association (WGA) and Wyoming Governor Mark Gordon as the new Vice Chair. WGA's Annual Meeting will be held in Coeur d'Alene, Idaho, on July 26-28, and Governor Polis will announce his Chair Initiative.

The Governors Resolution on **National Minerals Policy** (2022-08) supports unlocking our domestic mineral potential and ensuring access to metals critical to the U.S. economic and national security, in part by addressing permitting delays and the state-federal relationship during permitting processes. Western states also "extensively regulate hardrock mining operations on both private and public lands (state and federal), and uniformly impose permit and stringent design and operating standards, as well as financial assurances to ensure that hardrock mining operations are conducted in a manner that is protective of human health and the environment, and that, at closure, the mined lands are returned to a safe, stable condition for productive post-mining use."

The Governors encouraged the "Council on Environmental Quality (CEQ) to pursue improvements to National Environmental Policy Act (NEPA) regulations and policies that will provide certainty and predictability in the NEPA process. Protracted completion of NEPA reviews and excessive NEPA litigation cause delays and impose unreasonable costs on a wide range of projects on federal lands."

The Policy Resolution on **Radioactive Materials Management** (2022-09) supports safe and uneventful transportation of transuranic waste through western states to the Waste Isolation Pilot Plant disposal site in New Mexico. It notes the need for early coordination and effective communication with state, tribal and local governments, and opposes siting any radioactive waste storage or disposal facility in any State without the written consent of the current Governor. The resolution states: "Given existing and proposed sites for disposal of radioactive waste in the United States, Western Governors are concerned that western states may be disproportionately affected by radioactive waste transportation, storage and disposal activities."

The Policy Resolution on **Federal-State Land Exchanges and Purchases** (2022-10) calls on the Congress to simplify and expedite federal-state land exchange, and sale and conveyance processes to help address checkerboard land ownership challenges in the West. The resolution also encourages the Bureau of Land Management to fully leverage their authority to dispose of public land parcels for other public purposes.

The resolution states: "Congress granted lands to states as they were admitted to the Union to be held for support of public schools and other endowed institutions. Federal land ownership in western states is widespread. Over time, the federal government has created conservation areas such as national monuments, wildlife refuges, wildlife conservation areas (i.e., sage grouse focal areas) and wilderness study areas on public lands that surround or affect many of these lands. Tribal reservations and military withdrawals have also created state enclaves within federal land holdings. In at least one case, a state has not received all of its land conveyances from the federal government pursuant to its respective statehood act.... Federal and state land managers, land users, the environmental community and the public all agree that the checkerboard land ownership pattern is a major hindrance to effective and ecologically sound management of both federal and state lands."

It adds: "Currently, there are three methods of resolving the checkerboard land tenure issue in the West: (1) land exchanges under existing legislation, such as the Federal Lands Policy and Management Act (FLPMA); (2) the direct federal purchase of non-federal lands within federal management areas under the Federal Lands Transfer Facilitation Act (FLTFA); and (3) individual acts of Congress. However, all three are lengthy, expensive, and inefficient.... Western Governors call on Congress to simplify and expedite federal-state land exchange, sale and conveyance processes."

**Biosecurity and Invasive Species Management** are addressed in Policy Resolution 2022-11, including: a call to address the destructive relationship between invasive grasses and wildfires; mechanisms to enhance regional invasive species research, planning and coordination; and recommendations to Congress and federal agencies on improving invasive species management on federal lands and supporting state-led management efforts. It reads in part:

“Invasive species have substantial negative effects on ecosystems, economies, and communities in the West. Studies have found that invasive species cost the U.S. more than \$120 billion every year, and the National Wildlife Federation estimates that 42 percent of threatened or endangered species are at risk due to invasive species.... Aquatic nuisance species, including invasive quagga and zebra mussels, decrease water quantity and quality, impair native wildlife, harm hydroelectric and irrigation systems, and can impede maritime transport by fouling vessel hulls.”

“Particular invasive species, especially plant species such as Tamarisk and Russian olive, contribute to drought and the oversteering of ecosystem services. These invasive species reduce flow rates, water quality, the availability of water, nutrients and habitat for native plants, and alter water temperature affecting native fish species, including native species which are threatened and endangered.”

The Governors’ directive states: “The containment of invasive quagga and zebra mussels at infested waters in the West depends upon the collaboration and mutual effort of federal, state, tribal and local agencies. Many jurisdiction-led management programs benefit from federal cooperation and funding, and jurisdictions should be encouraged to sustain and expand these effective partnerships as necessary. However, to adequately protect the West from the movement of aquatic invasive species, federal agencies must be able to act as full partners in invasive species containment efforts and must have the funding and authorities necessary to contain invasive species within lands and waters under their jurisdiction. To this end, federal agencies, including the National Park Service and BLM, should be vested with clear authority to manage watercraft upon their departure from infested waterbodies under federal jurisdiction.”

The resolution adds, “In the West, biosecurity and invasive species management is the responsibility of a wide network of state, federal, tribal, and local agencies. Federal agencies manage invasive species on federal lands and waters under a complex system of mandates and authorities.... Cooperative agreements, grants, and procurement contracts between federal agencies and state, tribal, and local invasive species management authorities are effective in establishing structured partnerships for collaborative invasive species management.” The Governors note that “political boundaries should not be ignored in favor of a one-size-fits-all approach.”

The resolution explains: “Environmental DNA (eDNA) is DNA present in an environmental sample, as differentiated from traditional sampling of DNA directly from an intact organism.... eDNA can be used to detect a wide range of organisms, including those that are endangered or invasive, and be used for both research and monitoring purposes. Detection of eDNA does not, in and of itself, constitute proof of detection that a water body contains live dreissenid mussels, but rather an indicator of likelihood that a water body was exposed to some level of live or dead dreissenid mussel eDNA (biological matter).”

Policy Resolution 2022-12, **Recreation and Tourism on Public Lands**, articulates support for “public access and sustainable outdoor recreation opportunities while protecting ecological, economic and cultural resources. The resolution recommends actions the federal government should take to ensure that federal land management agencies have the resources needed to accommodate increased visitation, improve visitor experience, support local economies, and maintain public lands for multiple uses.”

The resolution notes: “Federal lands are concentrated in western states and are primarily managed by four agencies: the Bureau of Land Management (BLM), U.S. Forest Service (USFS), Fish and Wildlife Service (FWS) and the National Park Service (NPS). 2. These public lands are integral to the cultural, economic and social vitality of the West. They also preserve iconic landscapes and offer abundant outdoor recreation opportunities that draw millions of annual visitors, stimulate local and state economies, and provide social and health benefits.... Management decisions made within federal boundaries can have effects on regional economic development and tourism, wildlife habitat and connectivity, cultural resource preservation, and other areas of interest to states.”

Further, “In recent years, and particularly during the COVID-19 pandemic, visitation at the most popular national parks has broken records and expanded into what was traditionally considered the off-season. Visitation and recreational use of BLM, USFS and FWS lands, which had been increasing in recent years, also surged in 2020 as a result of the COVID-19 pandemic.... Given their different management mandates, USFS, BLM and FWS units may not have the resources or staff in place to manage increased visitation and outdoor recreation uses.... Without the necessary visitor facility investment, infrastructure, staffing, and management planning, increased visitation can lead to overcrowding, damage to natural and cultural resources and tribal sacred places, and threaten tribal treaty rights. This diminishes visitor experience and jeopardizes the enjoyment for all, and for future generations, of these resources.”

In addition, “In 2020, the four federal land management agencies had an estimated \$25.87 billion backlog in deferred maintenance projects for roads, bridges, visitor centers, historic buildings, trails, campgrounds, and other critical infrastructure needs. NPS accounts for the largest portion, at \$14.37 billion in 2020. Aging facilities, and limited resources have resulted in this backlog of deferred maintenance. The failure to timely maintain existing facilities and infrastructure combined with limited investment in new and expanded visitor facilities has negative effects on the visitor experience and economic activity in gateway communities. In 2020, Congress passed the Great American Outdoors Act (Pub. L. 116-152) to provide up to \$1.9 billion a year through 2025 for deferred maintenance needs across NPS, USFS, FWS and BLM lands through the establishment of the National Parks and Public Land Legacy Restoration Fund, funded primarily by fees and royalties for offshore oil and gas drilling operations in federal waters...”

“Western Governors urge Congress to appropriately fund federal land management agencies to provide for the routine maintenance and operation costs of important visitor infrastructure, particularly roads and utility systems, and to find innovative ways to attract private investment for improving, modernizing and expanding visitor facilities.... Western Governors believe maintenance of national parks and other public land recreation facilities is first and foremost a federal responsibility. However, Western Governors support the federal government pursuing public-private partnerships to improve, modernize and expand visitor services and visitor facilities and to provide for the maintenance and operation of other critical public land infrastructure that supports land management and visitation.”

Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. All of WGA’s current resolutions can be found at <https://westgov.org/resolutions/>.