



West

THE COUNCIL OF STATE GOVERNMENTS

CSG West Staff Participate in State & Local Government Associations Summit

Building on the ongoing efforts to realign and strengthen the state-federal relationship, CSG West's Director, Edgar Ruiz, and Director of Policy and International Programs, Martha Castañeda, participated in the State and Local Government Associations Summit in Washington, D.C. on February 27. The Summit, which convened at the Pew Charitable Trusts Conference Center, brought together staff from regional and national associations for the purpose of engaging with federal officials in substantive discussions to improve cooperation and consultation.

The associations represented in the Summit included the Western Governors' Association, Conference of Western Attorneys General, Western Interstate Region of the National Association of Counties, Pacific NorthWest Economic Region, National Governors Association, Environmental Council of States, National Association of State Departments of Agriculture, Council of Western State Foresters, Western States Land Commissioners Association, Western States Air Resources Council, Western States Water Council, Coalition of Northeastern Governors, and the California Natural Resources Agency. Additionally, the offices of the governors of Alaska, Colorado, Nevada, Utah and Guam were represented.

The Summit kicked off with legal primer on state – federal relations by Laura Chartrand, Colorado Deputy Attorney General for Natural Resources and Environment. Ms. Chartrand outlined the state – federal relationship as defined by the U.S. Constitution, as well as by rulings of the U.S. Supreme Court. She highlighted how court opinions have treated states as sovereign entities while federal agencies, in their regulations and policies, have consistently classified states as “stakeholders,” thereby grouping them with other interest groups. The concern of treating “states as stakeholders,” which has also been stressed by the Western Governors' Association, is that states are sovereign entities that have primary legal and regulatory authority within their jurisdictions, or in some instances are co-regulators with federal agencies, thus necessitating federal agencies to consult with states early and in a meaningful manner when it relates to proposed regulations or rules.

Ms. Chartrand stated that barriers to effective state – federal communication and coordination are due, in part, to an information and willingness gap by some federal agencies, and that state expertise could help inform and guide federal agencies as they contemplate the implementation of policies and regulations. She also suggested that state officials and associations need to urge Congress to be more careful in the drafting of statutes that designate states as stakeholders as opposed to sovereign entities.



West

THE COUNCIL OF STATE GOVERNMENTS

A conversation with officials from the Office of the President, Office of Management and Budget, Office of Information and Regulatory Affairs, and the Council on Environmental Quality provided insights to the structure and work of these entities and how they interact with state governments. This conversation also allowed the officials of these offices to hear from state association representatives about some of the barriers and opportunities to enhance the state – federal partnership.

Utah Governor Gary Herbert and Congressman Rob Bishop, who chairs the Speaker’s Task Force on Intergovernmental Affairs, participated in a roundtable conversation with Summit participants. Congressman Bishop highlighted the progress of the Speaker’s Task Force and its intended goals, while also encouraging staff of the participating associations to provide feedback. Earlier in the day a hearing was held by the Task Force titled “*Federalism Implications of Treating States as Stakeholders*” which included the participation and testimony of Governor Herbert, New Mexico Governor Susana Martinez and Idaho Governor “Butch” Otter. To view the hearing, click [here](#).

The Summit also included moderated discussions with representatives of several federal agencies that focused on how these agencies interact with state and local officials, and how these partnerships could be improved. The agencies that participated in the panel discussions were the following:

- U.S. Department of Agriculture
- U.S. Department of Interior
- U.S. Environmental Protection Agency
- U.S. Department of Homeland Security
- Federal Emergency Management Agency
- U.S. Department of Education

A copy of the agenda is included below.

An invaluable result of the Summit was the identification of lead federal agency contacts for state and local officials and organizations. CSG West staff has compiled a list of those federal officials and will make it available to legislators upon request.

Among the actionable items identified by the Summit participants includes the strengthening of [Executive Order 13132](#) , which articulates early consultation with states, by incorporating accountability measures that enforce and broaden state consultation processes across federal agencies. Moreover, the state association representatives expressed the need for better guidance for formal or informal review of federal agency rules, as well as the need for economic impact analysis of proposed federal rules on states and local governments.



West

THE COUNCIL OF STATE GOVERNMENTS

CSG West will continue working with its regional and national partners to improve the consultation process and the state – federal relationship. Western lawmakers interested in continuing to be part of this conversation are encouraged to attend the CSG West State and Federal Relations Committee during the 71st Annual Meeting in Snowbird, Utah.

CSG West thanks the staff of the Western Governors' Association for their leadership in helping convene this important Summit and for maintaining a focus on federalism.

State & Local Government Associations Summit

February 27, 2018
Washington, D.C.



Realigning the State-Federal Relationship

*Pew Charitable Trusts Conference Center, Carolinas Room
901 E Street, NW, Washington, DC*

Tuesday, Feb. 27, 2018

7:45 – 8:15 a.m.

Lobby Check-in / Light Breakfast
(Breakfast Café 9, 9th Floor)

8:15 – 8:30 a.m.

Opening Remarks

James Ogsbury, Executive Director, Western Governors' Association

8:30 a.m.

Discussion: Summit Objectives

(Discussion Lead: James Ogsbury, Executive Director, Western Governors' Association)

9:00 – 9:30 a.m.

States Are Not Stakeholders – Legal Primer

(Discussion Lead: James Ogsbury, Executive Director, Western Governors' Association)

Laura Chartrand, CO Deputy Attorney General for Natural Resources and Environment

9:30 – 9:45 a.m.

Break

9:45 – 11:30 a.m.

A Discussion with Federal Partners – Perspective from the Executive Office of the President

(Discussion Lead: Anna Holmquist Davis, Director of Government Relations, National Governors Association)

Introductory Remarks

Doug Hoelscher, Special Assistant to the President & Deputy Director of Intergovernmental Affairs

Office of Management and Budget & Office of Information and Regulatory Affairs

Jessica Anderson, OMB Associate Director, Intergovernmental Affairs & Strategic Initiatives
Jeffrey Harris, OIRA Associate Administrator

Council on Environmental Quality

Alex Herrgott, Associate Director for Infrastructure

11:30 a.m.–12:15 p.m.

Lunch

(Café 9, 9th Floor)

12:15 – 12:45 p.m.

Roundtable Discussion on Federalism

(Discussion Introduction: James Ogsbury, Executive Director, Western Governors' Association)

A conversation between Utah Governor Gary Herbert & Speaker's Task Force on Intergovernmental Affairs Chairman Rob Bishop.

12:45– 1:30 p.m.

U.S. Department of Agriculture

(Discussion Lead: Jonathan Shuffield, Associate Legislative Director – Public Lands and Liaison to the Western Interstate Region, National Association of Counties)

Doug Crandall, Acting Deputy Assistant Secretary, Office of Congressional Relations

Dudley Hoskins, Chief of Staff, Marketing & Regulatory Programs

Blake Rollins, Director, Office of External & Intergovernmental Affairs

1:30 – 2:15p.m.

U.S. Department of Interior

(Discussion Lead: Matt Morrison, Executive Director, Pacific NorthWest Economic Region)

Todd Wynn: Director of the Office of Intergovernmental and External Affairs

Casey Hammond: Deputy Assistant Secretary Land and Minerals Management

2:15 – 3:00 p.m.

U.S. EPA

(Discussion Lead: Carolyn Hanson, Acting Executive Director, Environmental Council of the States)

Henry Darwin, Chief Operating Officer

3:00 – 3:30 p.m.

U.S. Department of Homeland Security / Federal Emergency Management Agency

(Discussion Lead: Edgar Ruiz, Executive Director, Council of State Governments, West)

Alaina Clark, Deputy Assistant Secretary for Intergovernmental Affairs

Brian Hyer, Director of State and Local Affairs

Participant TBA, Federal Emergency Management Agency

3:30 – 4:00 p.m.

U.S. Department of Education

(Discussion Lead: Edgar Ruiz, Executive Director, Council of State Governments, West)

Adam Honeysett, Managing Director, State and Local Engagement

Cody Reynolds, Liaison for Intergovernmental Affairs,

Office of Communications and Outreach

4:00 – 4:10 p.m.

Closing Remarks

James Ogsbury, Executive Director, Western Governors' Association

5:30 – 7:00 p.m.

WGA-Hosted Reception

(101 Constitution Ave NW #900, WDC)