

JUL 21 2017


The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Dear Chairman Murkowski:

Enclosed you will find my responses to the written questions submitted following the July 20, 2017, hearing on my nomination to be Commissioner of the Bureau of Reclamation.

Please feel free to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'BWB', with a long, wavy horizontal line extending to the right.

Brenda W. Burman

Enclosure

U.S. Senate Committee on Energy and Natural Resources
July 20, 2017 Hearing: Pending Nominations
Questions for the Record Submitted to Ms. Brenda Burman

Questions from Ranking Member Maria Cantwell

Question 1: Will you commit to support and advance the Yakima Integrated Plan if confirmed?

Response: Senator, I appreciated you bringing this to my attention in your office. While I am just beginning to learn about the Yakima Integrated Plan, I look forward to being briefed on the matter, if confirmed.

Question 2: Will you commit to continuing Reclamation's leadership, funding, and support for legislation to implement the Yakima Integrated Plan?

Response: I still have much to learn about Yakima but commit to getting up to speed on the matter, if confirmed.

Question 3: Do you believe that we must balance the needs of fish and the environment with other demands for water in building and operating Reclamation projects?

Response: Every success in my career occurred because of collaboration and finding common ground to resolve complex issues. I remain committed to working with all stakeholders to determine the best path forward on Reclamation projects.

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Questions from Senator Ron Wyden

Question 1: Ms. Burman, thank you for taking the time to meet with me. As we discussed in our meeting, water in the Klamath Basin continues to be a challenge. Oregon has had its fair share of water issues, but we also have a tradition of stakeholder collaboration to work through these issues. Several years ago I brought together folks in the Klamath Basin to reach agreements on how to manage scarce water in the Basin for a variety of critical needs – tribal, agricultural irrigation, fish and wildlife, and recreation. We got close to passing a bill last Congress that would have formalized the three Klamath Basin agreements, but unfortunately some of the agreements expired before a bill passed.

Will you walk me through your thoughts on how to address these water issues going forward?

Response: While it has been several years since I have worked directly on issues in the Klamath Basin, I have first-hand knowledge of the importance the Bureau of Reclamation plays in Basin. If confirmed, I intend to continue Reclamation's coordination with other federal agencies, states, tribes, and the public, and moving us closer to our shared interest in resolving the Klamath Basin's water management issues. I look forward to working with you on this long-standing and very complex issue.

Question 2: Will you commit to working with all stakeholders to achieve success in the management of water in the Klamath Basin?

Response: Yes, it is critical to ensure that all stakeholders have a seat at the table, in order to achieve a sustainable, long-term settlement, and to avoid ending up in the court system, which ultimately increases acrimony, adds costs, and risks picking winners and losers.

Question 3: We also discussed an Oregon project, Scoggins Dam just outside Portland, that is one of the first dams in the country to be assessed using a Joint Authority to consider the possibility of additional water capacity while at the same time addressing the seismic issues at a facility. **What is your familiarity with the Bureau of Reclamation's new "Joint Authority"?**

Response: As I indicated when we had a chance to meet last, I am not familiar with the new joint authority provided under the amended Safety of Dams Act. However, if confirmed I look forward to working with you and local partners to address dam safety and water supply objectives at the Scoggins Dam on the Tualatin Valley Project.

Question 4: I wanted to flag this for you so you know of its importance. **Can I get your commitment to working in a collaborative way with local partners to help this Joint Project move forward?**

Response: Yes.

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Questions from Senator Bernard Sanders

Question 1: President Trump has suggested in the past that climate change is a hoax. Is the President correct? Is climate change a hoax?

Response: I believe climate change is not a hoax and that man has an influence.

Question 2: Do you agree with the vast majority of scientists that climate change is real, it is caused by human activity, and that we must aggressively transition away from fossil fuels toward energy efficiency and sustainable energy like wind, solar, and geothermal?

Response: I believe that man has an influence on climate change. I agree we need to produce renewable energy.

Question 3: Do you agree with the vast majority of scientists that the combustion of fossil fuels contributes to climate change?

Response: Yes.

Question 4: Do you believe that DOI has a role in reducing the extraction and use of fossil fuels?

Response: I am not aware that Congress has ever provided that direction to the Department of the Interior.

Question 5: If confirmed, how will you work to address climate change?

Response: I will work to understand it better and pursue adaptive management strategies, as appropriate.

Question 6: Which improvements to the management of federal public lands do you hope to achieve, if confirmed?

Response: If confirmed as Commissioner of the Bureau of Reclamation, I will to work with Secretary Zinke and in consultation with Congress, stakeholders, and tribes to address many of the immediate water issues facing the west.

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Question 7: The Department of the Interior is the most important federal government agency for dealing with the issues that affect Native American tribes. The Assistant Secretary for Indian Affairs “assists and supports the Secretary of the Interior in fulfilling the United States’ trust responsibility to the federally recognized American Indian and Alaska Native tribes and villages and individual Indian trust beneficiaries, as well as in maintaining the Federal-Tribal government-to-government relationship.” If confirmed, will you commit to an open door policy for tribal leaders to ensure that the federal government upholds its trust responsibility and maintains its government-to-government relationship with tribal leaders?

Response: I have spent my entire career working with tribes, particularly on Indian water rights settlements, and know firsthand how important it is to consult on a government-to-government basis. Collaboration yields tremendous results, which I witnessed when helping secure Congressional passage of the Zuni Indian Tribe Water Rights Settlement and Gila River Indian Community Water Rights Settlement. I take consultation seriously and commit to consult with Tribes, if confirmed as Commissioner.

Question 8: DOI’s eight regional Climate Science Centers (CSC) cover the continental U.S., Alaska, Hawaii, and U.S. Affiliated Pacific Islands. Each CSC is based out of a host university in their region and most are comprised of multi-institution consortia, which include university and non-university partners. In 2016, the work of the centers included assessments of warming on river flow, working with tribes to assess management strategies, and developing tools for decision-making. If confirmed, will you support the CSCs? If so, how?

Response: I was at the Department when the National Climate Change and Wildlife Science Center was established by Congress but am not familiar with the regional Climate Science Centers. I look forward to learning more, if confirmed.

Question 9: Do you promise to uphold the merit system principles set forth in Chapter 23 Title 5 U.S. Code, which prohibit factors other than merit from consideration in civil service employment decisions?

Response: Yes.

Question 10: The Holman Rule allows any member of Congress to propose amending an appropriations bill to single out a government employee or cut a specific program. If confirmed, do you commit to opposing any acts of Congress to individually target DOI employees based on political whims?

Response: I am committed to following the law.

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Question from Senator Jeff Flake

Question: Last year in the reauthorization of the federal Desalination Act, Congress provided that when considering projects to fund, the Secretary of the Interior prioritize those that ‘demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.’ What role do you see the Bureau of Reclamation having in implementing the partnerships highlighted in PL 114-322?

Response: Water desalination is one of several tools available to water managers, which has considerable potential to create new water supplies and relieve stress on drought-strained communities. Under the Water Desalination Act, I understand that Reclamation has the authority to support desalination demonstration and development projects. If confirmed, I will ensure Reclamation complies with the statutorily required prioritization criteria for these projects, including prioritizing projects that leverage the experience of international partners such as Israel.

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Questions from Senator Steve Daines

Question 1: Should you be confirmed as Commissioner of the Bureau of Reclamation, will you continue Reclamation's support of the Lower Yellowstone Intake Project and ensure this vital lifeline providing water for northeastern Montana is not disrupted?

Response: While I am not familiar with the particular details of the Lower Yellowstone Intake Project, I recognize the importance of the Lower Yellowstone Project to the State of Montana and look forward to working towards resolving any issues that threaten to disrupt irrigation from this Project.

Question 2: Will you work to ensure the streamlined construction of authorized rural water projects?

Response: I understand the importance of encouraging vibrant rural economies and ensuring safe, reliable sources of drinking water for rural residents. I would be happy to work with you to explore options to streamline the construction of authorized rural water projects, if confirmed.

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Questions from Senator Catherine Cortez Masto

Question 1: Do you believe in sound science determining policy?

Response: Yes.

Question 2: Do you believe the government should adequately invest in the programs that make a difference in lives of the communities in my state and across the country?

Response: I believe Reclamation is a great example of the federal government investing in communities across the west. It is often said Reclamation built the west and if confirmed, I look forward to continuing this legacy forward.

Question 3: What more can DOI do for our communities?

Response: Reclamation has played an integral role in providing for communities across the west. As we look go its next 100 years, I believe there are ways to improve our operations and increase efficiencies. If confirmed, I look forward to leading Reclamation to be a better neighbor and partner, working directly in conjunction with those closest to the ground to address complex issues.

Question 4: What do you think should be budgetary priorities for your office/Department?

Response: Reclamation's budget priorities will be coordinated with Secretary Zinke, and if confirmed, I look forward to working with him to address Reclamation's needs.

Question 5: Why do you believe you are qualified for the position you are nominated for?

Response: I have worked for 19 years on complex water issues across the west involving tribes, states, water districts, ranchers, local communities, mines, and often, Reclamation. In addition, I was previously Reclamation's Deputy Commissioner for External and Intergovernmental Affairs, the number two position at the agency. I believe these experiences have provided me with a good internal and external perspective about what Reclamation can accomplish.

Question 6: If Secretary Zinke reassigns functions in some of your offices/departments and moves forward with decentralizing the Washington, DC office to regional offices, what do you believe should be reassigned to regional offices?

Response: I am not familiar with any plans to decentralize the Washington, DC, office but, if confirmed, I will work with the Secretary to ensure Reclamation continues to perform its duties across the west with efficiency, ingenuity, and in close coordination with local communities.

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Question 7: What do you believe should remain as a priority in your office?

Response: My priorities, if confirmed as Commissioner, will be determined in coordination with the Secretary.

Question 8: Your agency, like so many others within the federal government, have dealt with continued shortfalls in budgetary funding, which has hurt our government's ability to partner effectively with private industry and have inflicted negative impacts on our nation's parks, forests and wildlife conservation programs. Do you believe more funding would allow the Interior Department to be a better partner to industry and the taxpayer?

Response: I am not at the Department and do not have information to comment on budgetary impacts on partnerships. Should I be confirmed, I will work with Secretary Zinke, the Administration, and the Congress to facilitate appropriate funding as consistent with the President's budget and priorities.

Question 9: The FY 2018 request for the Bureau of Reclamation is \$1.1 billion, a cut of \$209 million. The request proposes cuts for WaterSMART grants, water recycling and reuse projects, drought response, and rural water projects. The state of Nevada gets the least rainfall than any other state in the Nation so we have to be incredibly mindful of persistent drought conditions as well as infrastructure improvements. Do you believe these cuts will undermine these successful programs that help Nevada and the West respond to drought conditions in innovative ways?

Response: I am currently not working at the Department and did not play a role in the FY 2018 budget. If confirmed, I will work with Secretary Zinke, the Administration, and the Congress to facilitate appropriate funding as consistent with the President's budget and priorities.

Question 10: The Bureau of Reclamation operates significant facilities in both the Upper and Lower Colorado River Regions. How will these budget cuts affect needed rehabilitation of aging water delivery infrastructure in both regions?

Response: If confirmed, I will work with Secretary Zinke, the Administration, and the Congress to facilitate appropriate funding as consistent with the President's budget and priorities.

Question 11: In rural communities, the availability of funding and resources to meet treatment standards and improve water reuse is more challenging. Do you believe that funding cuts will undermine your mission if you are confirmed?

Response: I will work with Secretary Zinke, the Administration, and the Congress to facilitate appropriate funding as consistent with the President's budget and priorities, if confirmed.

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Question 12: The Bureau of Reclamation has determined that the Boca Dam in Nevada needs safety modifications. Typically, under the Safety of Dams Act, 15 percent of the costs incurred by the modifications are reimbursed and allocated to the “authorized purposes of the structure.” Boca Dam’s authorized purposes per the Truckee River Operating Agreement don’t fit well under the Act’s definitions. As Commissioner, do you think you would support an amendment to the Act to reflect a broader set of authorized purposes so Boca Dam can apply under the statute to help expedite important safety modifications?

Response: Senator, I appreciated you bringing up the Boca Dam issue at the hearing. While I am not familiar with the dam’s modifications needs, I look forward to looking into this matter further, if confirmed.