

**Statement of Anne Castle  
Nominee for Assistant Secretary of the Interior  
for Water and Science  
Before the  
U.S. Senate Committee on Energy & Natural Resources  
June 2, 2009**

Thank you, Mr. Chairman, Senator Murkowski, and Members of the Committee. I am thrilled and honored to come before you as President Obama's nominee for Assistant Secretary of the Interior for Water and Science. I am truly humbled by the confidence shown by President Obama and Secretary Salazar through their nomination of me for this position. And I'm very grateful for the support of my family and friends and colleagues that has allowed me to be here today.

My career in water law started with my graduation from the University of Colorado law school in 1981, but my interest in water resources and administration started well before that. Growing up in Colorado, you can't help but be aware of the key role that water plays in our lives: the availability or scarcity of water has shaped the development of our cities and industries as well as the American West's incomparable environment. I grew up sailing and swimming in a small Colorado lake, and my father served on the board of the water district that supplied water to our houses and that lake. Our family skied in the Colorado mountains, where the winter snowpack forms the reservoir that supplies water later in the year to the downstream watersheds.

I learned early on about the relationship between the increasing use of water by development and people and the impact of that water use on the streams and lakes and mountains that are an important reason the development is occurring. The shortages of water in the West over the last decade have caused even more strain on an already stressed resource, and have forced us to reevaluate the operations of our water systems to allow them to fulfill the multiple uses that they have come to serve. As an attorney specializing in water law, I have learned first hand about the level of intensity inherent in any discussions concerning water allocation, and the importance of the involvement of all stakeholders to reach appropriate resolutions. I have also had the opportunity to learn the ground rules set by federal, state, and local governments governing management of this most critical of natural resources.

I know that this Committee has also recognized the challenges confronting western water supplies, and earlier this year Congress enacted the Secure Water Act provisions of HR 146, now Public Law 111-11. This law calls for an intense and thorough process for evaluating the available science and developing climate change adaptation options for major river basins so that whatever the future brings, our water systems can adjust. The two bureaus within the Water and Science office, the Bureau of Reclamation and the US Geological Survey, are critical players in this effort, and I look

forward to being involved in that process which I believe is crucial to the future of our country.

Water conservation is increasingly a part of the national discussion. Conservation of water equals conservation of energy, and conservation of energy decreases related water use. With the demand of a growing population on water supplies and the potential for long term diminution of those water supplies, it is incumbent on us to find new ways of conserving water. I believe that the Bureau of Reclamation and the Department of Interior can and should lead the way in that effort.

And what a thrill to have the opportunity to work with USGS. My father-in-law started his career as a geologist with USGS and my husband followed in his father's footsteps and became a geologist as well. As a result, we have always had friends who work with USGS and I have come to recognize the great professionalism and commitment of the scientists in that agency. As an agency without regulatory or resource management responsibilities, USGS is perfectly positioned to provide objective, unbiased, science-based research and analysis to form the basis for policy decisions. We are fortunate to have the world's leading earth scientists as our advisors on crucial climate change issues and how best to deal with them.

During my legal career, I have had the opportunity to work with water users of all types, from farmers and ranchers to coal mines and ski areas, real estate developers to conservation groups, municipalities to water protection districts. I was the lead counsel in the first claim by a Colorado city for what was then a new, statutorily sanctioned, instream flow water right, for a boating course through the city of Pueblo.

Colorado Governor Bill Ritter appointed me to be the legal advisor to a task force he established early on in his administration to attempt to reconcile the water needs of farmers in the South Platte River Basin using junior priority ground water wells with the traditional demands of the senior ditch owners and the prior appropriation system. Part of the task was to identify any legislative fixes for the problems, and several of the suggestions have subsequently been enacted.

I was also appointed to serve on the Colorado Ground Water Commission for two 4-year terms, and was able to learn a tremendous amount about the practical problems faced by farmers who rely on underground water for irrigation of crops, and the legal framework they operate under.

Leading two important agencies like Reclamation and USGS is not a task for the faint-hearted. If confirmed, my previous management experience will be valuable in this effort. In 2001, the partners at my law firm of Holland & Hart elected me as the leader of the firm. Holland & Hart has about 420 lawyers and a total staff of 800, with 13 offices in 6 states and the District of Columbia. During my term as chair of the firm, I learned a lot about leading people, gaining their trust by hard work and honesty, and the importance of clear and honest communication. I also learned to take advantage of the expertise of others, to avoid reinventing the wheel, to get objective background

information and make a decision. I consider myself a team player as well as someone who can lead the way but let others shine.

This summary of my background would not be complete without telling you about my involvement with legal services. Since the beginning of my legal career, I have been involved with the federally funded legal aid program that provides representation to poor people in Colorado. I have been on the board of the program for 25 years. I chaired the boards of the private fundraising organization for legal aid, the Colorado Legal Aid Foundation, and I currently serve on the board of the group that administers the Interest on Lawyer Trust Account funds for the state. I believe very strongly that lawyers have an ethical responsibility to provide their knowledge and expertise to people who cannot afford to pay them, and I have tried to carry out that belief both in pro bono legal work and by assisting the organizations that also have that mission.

All of these efforts - legal, management, and public service - required the building of consensus, the reconciling of disparate interests, and fostering a willingness to recognize the validity of other claims and to compromise to achieve a greater good. The water and science issues facing Interior and the country are difficult, complex, and even emotional. I am hopeful that the experiences I have had in the past will be useful in addressing them.

If confirmed, I hope to start working immediately on the very important and cutting edge work of the Bureau of Reclamation and the U.S. Geological Survey.

Thank you for the opportunity to come before you and provide a snapshot of my background. I look forward to your questions and to working with you in the future.