



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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ADMINISTRATION/WATER RESOURCES

WestFAST/Wild and Scenic Rivers

On August 11, the Western Federal Agency Support Team (WestFAST) hosted a webinar on the Wild and Scenic Rivers Act, presented by Steve Chesterton, Wild and Scenic Rivers Program Manager, USDA Forest Service, Washington Office, National Forest System; and Britta Nelson, Wild and Scenic Rivers Program Coordinator, Bureau of Land Management. They provided an overview of the National Wild and Scenic River System, showing the distribution of the 13,413 river miles protected across the United States, how much they have increased over time, and different ways river segments can be designated and classified as wild, scenic, or recreational depending on the level of development and access.

Chesterton and Nelson talked about the policy and purpose of the Act, to preserve the free-flowing condition of certain rivers to protect and enhance water quality and other “outstandingly remarkable values.” They explained how the federal government interprets the meaning of these river values under the Act. They addressed the importance and timing of Comprehensive River Management Plans and river studies. They discussed the need for inter-agency and inter-governmental coordination and partnerships, for everything from water quality protections to securing water rights to preserve instream flows. They also addressed the impact these designations can have on the operation and maintenance of diversion works, dams, and mines.

Finally, they introduced the Interagency Wild and Scenic Rivers Coordinating Council, which was chartered in 1995 to “coordinate and strive for consistent interpretation of the Wild & Scenic Rivers Act; [to] maintain it as the national and international standard for river conservation.” See: <https://westernstateswater.org/events/wild-and-scenic-river-act/>.

Bureau of Reclamation/Missouri River/Montana

On August 26, the Bureau of Reclamation (USBR) released the Missouri River Headwaters Basin Study as part of the WaterSMART Program. The study was conducted in coordination with the Montana Department of Natural Resources and Conservation, the U.S.

Geological Survey, with input and communication from water districts, the Blackfeet Tribe Water Resources Director, and others. The study provides options to meet the increased water demand and change in the timing of snowmelt runoff in the Missouri River Basin above Fort Peck Reservoir. Reclamation Chief Engineer David Raff said: “In a large basin such as the Missouri, there are many challenges to consider in planning for a sustainable future. The basin study provides the foundation for the stakeholders and Reclamation to work together and improve drought resiliency.”

The study identified several water supply challenges, including: (1) increasing annual water supply compared to recent history, particularly in the Rocky Mountain region; (2) earlier snowmelt-driven runoff; (3) more flooding during the winter and spring seasons and water supply shortages later in the irrigation season due to the shift in runoff; (4) increasing water demand due to a warming climate, with expanded irrigation and population growth; and (5) decreasing rain in the summer, increasing the reliance on reservoir storage.

The study notes that the Missouri River basin upstream of Great Falls has been closed to new water appropriations since 1993, with some exceptions for groundwater and water storage. The greatest demand in the study area is for irrigation, comprising about 87% of the total consumptive water demand. Reservoir evaporation accounts for about 12% and all other uses about 1%. The hydropower facilities on the Missouri River have some of the most senior water rights, and rivers throughout the study area hold instream flow rights to support endangered species. Use by senior water rights holders and instream flow needs leave little flexibility for junior water rights holders to divert water in many parts of the study area. Irrigators in this region have already experienced water shortages. Rapid population growth is expected to continue and will require additional water for municipal water supplies mostly concentrated in southwestern Montana.

The study also identified some potential water supply solutions to help water managers plan for the future. Those strategies included: (1) providing water for future uses through water from Canyon Ferry Reservoir and Lake Elwell; (2) providing water for future municipal, domestic, and industrial uses in the Gallatin Valley; (3)

increasing canal and on-farm irrigation efficiencies; (4) releasing ecological flows from Canyon Ferry Reservoir and Lake Elwell; (5) changes to water management strategies in the Sun River Basin; (6) creating new off-stream storage in the Lower Musselshell River Basin; and (7) developing water management strategies for increased drought resilience. For more information, see <https://www.usbr.gov/watersmart/bsp/completed.html>.

WATER QUALITY/WATER RESOURCES **Wildfire/Infrastructure/Water Supply**

Last year, the Grizzly Creek Fire burned more than 30,000 acres of forest lands around Glenwood Springs its principal sources of water Grizzly and No Name creeks. Rain on these burn scars have caused mudslides that closed I-70 and flushed sediment into the Colorado River. supply system. The city spent millions repairing and upgrading its water treatment works in anticipation of increased sediment loading, and those improvements have largely been successful in allowing the treatment works to continue to function as designed. However, but given the amount of sediment, the city can treat only so much water leading to use restrictions.

Glenwood Springs was also able to draw on an alternative source of water, Ruedi Reservoir on the Roaring Fork, both during and after the fire, when water from the creeks was overloaded with sediment, debris, and fire retardant. The city has a contract with the Bureau of Reclamation for 500 af of storage, but drought now threatens their Ruedi supply. Glenwood Springs experience underscores the value of maintaining a “diverse portfolio” of water rights. “Redundancy in supplies, from alternative sources and basins, is a legal solution that can help protect water users against the adverse water quality effects of wildfires and other natural disasters,” said Daniel F. McCarl, Somach, Simmons and Dunn (Environmental Law and Policy Alerts, 8-15-2021).

Drought, wildfire and water quality problems are more and more common, threatening community water supplies across the West. Roughly two-thirds of water supplies in the West originate from forested watersheds, according to the U.S. Environmental Protection Agency. (See <https://www.epa.gov/sciencematters/wildfires-how-do-they-affect-our-water-supplies>) As forest fires grow in scope, duration and intensity, water managers are increasingly overwhelmed by the challenge of treating sedimentation, dissolved organic carbon, and chemicals released by fire. (See How Wildfires Are Polluting Rivers and Threatening Water Supplies - Yale E360)

WATER RESOURCES **Kansas/State Water Plan**

On August 17, the Kansas Water Authority (KWA) voted to release a new draft of the Kansas Water Plan

for public comment for 30 days. Kansas updates its water plan every five years, and the KWA is tasked with approving any changes proposed by the Kansas Water Office (KWO) after considering public input. KWA then submits the plan to the Governor and the Legislature.

The KWO’s website notes that it has coordinated with local, state, federal and interstate partners to develop the update. “The Kansas Water Plan is one of the primary tools used by the State of Kansas to address current water resources issues and to plan for future needs. Statutory authority and basic guidance for formulating the Kansas Water Plan is contained in the State Water Resources Planning Act. The Kansas Water Plan Update will incorporate the Vision for the Future of Water Supply in Kansas (the Vision). The hard work put into the Vision and the goals created through the Vision process will not be forgotten. The Kansas Water Plan will now serve as the implementation plan for the Vision, providing measurements of success towards achieving the goals addressed in the Vision, as well as the other water related issues facing Kansans.” www.kwo.ks.gov/water-vision-water-plan/water-plan

MEETINGS **WSWC/NARF Water Rights Symposium**

On August 24-25, the WSWC and the Native American Rights Fund (NARF) welcomed more than 170 people to their 17th Biennial Symposium on the Settlement of Indian Reserved Water Rights Claims. Due to COVID19 travel restrictions the symposium was held virtually. The Symposium addressed several topics related to negotiated water rights settlements, those recently authorized in the 116th Congress, the Administration’s policy on Indian water rights settlements, and getting settlements through Congress. PowerPoint presentations and other materials from the meeting will be posted on our website. <https://westernstateswater.org/events/2021-symposium-on-the-settlement-of-indian-reserved-water-rights-claims/>

PEOPLE

Governor Doug Burgum has appointed **Andrea Travnicek**, Director of the new North Dakota Department of Water Resources to the WSWC. Travnicek was previously Director of North Dakota Department of Parks and Recreation. Prior to that, she served as a Senior Policy Advisor for Natural Resources in the North Dakota Governor’s Office from 2010 to 2016 under both Governor John Hoeven and Governor Jack Dalrymple. She served nearly three years at the U.S. Department of the Interior as Acting Assistant Secretary of Water and Science (then as a principal deputy in the same office), then as Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, and finally as Deputy Assistant Secretary for Land and Minerals Management. We congratulate Andrea on her appointment.

The WESTERN STATES WATER COUNCIL is a government entity of representatives appointed by the Governors of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.