



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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WESTERN GOVERNORS/ADMINISTRATION

Drought

On September 15, Gina McCarthy, White House National Climate Advisor, wrote Utah Governor Spencer Cox in response to a letter from ten western governors (WSW #2466) asking President Biden to declare a Federal Emergency Management Agency (FEMA) drought disaster. She outlined several programs under the Departments of the Interior (DOI) and Agriculture (USDA) as “the best avenue for delivering near-term federal assistance to your states.” McCarthy noted that the Stafford Act requires individual states to submit detailed preliminary damage assessments to FEMA. “Because the Stafford Act is geared toward responding to discrete events that overwhelm a state’s capacity to respond quickly, and not for multi-year chronic conditions, it can be difficult for states to meet established regulatory thresholds. Other federal agencies are typically in a better position to offer assistance and expertise that more readily addresses the types of damages and unmet needs that accompany severe drought conditions, both short and long-term.”

Among the programs and efforts mentioned were: (1) \$15M from USDA and \$18M from Reclamation to assist irrigators and tribal projects in the Klamath Basin; (2) a USDA emergency assistance program for livestock, bees, and fish (ELAP); (3) flexible fee deadlines for the USDA’s Risk Management Agency; (4) \$41.8M in conservation incentive contracts through the USDA’s Environmental Quality Incentives Program (EQIP), targeted in Arizona, California, Colorado, and Oregon; (5) \$100M of reprogrammed Reclamation funds to support drought response actions (resiliency, water recycling, wildland fire mitigation and prevention); and (6) Reclamation’s WaterSMART program that invested \$73.2M across 217 projects in western states. “In addition, [DOI] recently confirmed to Congress its ability to utilize \$205M for specific storage projects in California, \$30M for additional water recycling projects, and \$12M for desalination projects.”

“[T]he Administration is working through the Drought Resilience Interagency Working Group, which is co-chaired by Secretaries Vilsack [USDA] and Haaland [DOI], to leverage multiple agency programs and funding opportunities to support communities suffering from the

impacts of this year’s historic drought. And, notably, the Administration is working with Congress on the infrastructure package to fund new, multi-billion dollar investments in longer-term needs for water storage, water recycling and reuse, and water efficiency.” She added that there are two FEMA programs available to address long-term drought mitigation and resilience needs: (1) the Building Resilient Infrastructure and Communities (BRIC) program launched in 2020, with \$1B available for grants to states to proactively reduce vulnerabilities to natural hazard events; and (2) FEMA’s Hazard Mitigation Grant Program to reduce the impacts of climate change. Also, every state that received a major disaster declaration in response to the COVID-19 pandemic is eligible to receive 4% of those disaster costs to invest in mitigation projects that reduce risks from natural disasters, including wildfires and drought.

“President Biden recognizes the devastating intersection of drought, extreme heat, and wildfires in the West, and supports bold and urgent action to address these and other impacts of climate change.... Know that we are united in our efforts to address the serious drought-related needs in your states. Needless to say, because of the extent and severity of the drought, we are not treating the drought – or the other severe heat, wildfire, and other climate impacts that our country is experiencing – as ‘business as usual.’ Indeed, we need to deal not only with the impacts on the ground today, but also work with Congress to fund more climate-resilient water and other infrastructure we need for the long term. In that spirit, we would be pleased to arrange for a meeting with your chiefs of staff (or whomever you think appropriate) and key federal staff to explore additional ways that we can work together to address the immediate and longer-term drought-related needs in your states.”

WESTERN GOVERNORS/WATER RESOURCES

Western Governors’ Association

On September 29, Utah Governor Spencer Cox kicked off a workshop on Working Lands, Working Communities, an initiative of the WGA Chair, Idaho Governor Brad Little. It included conversations with federal, state and local policymakers and stakeholders on bipartisan strategies to improve cross-boundary management of lands, mitigate wildfire risk, restore

ecosystems and address drought. A roundtable on the latter featured: Candice Hasenyager, Director, Utah Department of Water Resources; Gene Shawcroft, General Manager, Central Utah Water Conservancy District; Valerie Deppe, U.S. Bureau of Reclamation; and WSWC Executive Director Tony Willardson, who focused on water data for decisionmaking and facilitating water transfers and marketing. The Governor's remarks and panel presentations are available at westgov.org/news.

ADMINISTRATION/CONGRESS

Interior/Senate Confirmation

On September 29, the Senate confirmed Robert Anderson to be the new Solicitor of the Department of the Interior by a 53-44 vote, largely along party lines. Anderson served as the Principal Deputy Solicitor in the Biden Administration. He is a law professor with extensive experience in American Indian law, public land, and water law. He is an enrolled member of the Bois Forte Band of the Minnesota Chippewa Tribe. He served as Associate Solicitor for Indian Affairs and Counselor to Secretary of the Interior Bruce Babbitt. He began his career as a Native American Rights Fund staff attorney.

CONGRESS/ADMINISTRATION

FY2022 Appropriations/Debt Ceiling

On September 30, the Senate voted 65-35 to pass an amended Extending Government Funding and Delivering Emergency Assistance Act (H.R. 5305), after stripping language to suspend the Nation's debt ceiling. The Act will fund the government through December 3, and prevent a shutdown while the Congress works on regular appropriations bills. It also extends authorities for several programs, and provides \$28B to help states with hurricanes and wildfires. The House immediately voted 254-175 to approve the Senate's amendment, and the President quickly signed the bill.

Treasury Secretary Janet Yellen wrote Congress on September 28, warning that unless the debt limit is raised or suspended by October 18, the Treasury would be left with limited resources to meet all of the Nation's existing commitments. She described the potential harm to businesses, consumer confidence, borrowing costs for taxpayers, the Nation's credit rating, and disruptions to financial markets if the debt limit impasse is not resolved.

WATER RESOURCES

Southwest Drought Virtual Forum

On September 21-22 and 28-29, the National Integrated Drought Information System (NIDIS) held a Southwest Drought Virtual Forum, assembling stakeholders and decisionmakers to discuss worsening drought conditions, related relief efforts, and building long-term resilience. The focus was on exchanging

information about collaborative actions, innovations, federal resources, and state and local best practices.

The first day included remarks by National Oceanic and Atmospheric Administration (NOAA) Administrator Richard (Rick) Spinrad, as well as a federal perspective of current drought and wildfire conditions and a summary of drought since the year 2000 from NOAA and DOI experts. Panel discussions covered cascading drought impacts, emerging challenges, and an assessment of how drought is impacting agriculture, local economies, public health, and crime across the western States.

A federal panel on day two addressed how "New and Innovative Federal Government Initiatives Can Help Decision Making Within the New Paradigm in the Southwest." Speakers included: Karen Hyun, NOAA Chief of Staff; Tanya Trujillo, DOI Assistant Secretary for Water and Science; Gloria Montañó Greene, USDA Deputy Under Secretary for Farm Production and Conservation; Zach Schafer, EPA Office of Water, Senior Advisor; and Michael Grimm, Federal Insurance and Mitigation Administration Acting Deputy Associate Administrator. They provided an overview of the Interagency Drought Relief Working Group and discussed other federal efforts and resources to address drought. Another panel of state, local, and non-governmental organization speakers discussed strategies for managing the new normal of persistent drought, and tackling difficult decisions in water management, with long-term planning, conservation, and science. Smaller groups discussed what a nationally-integrated and coordinated system would look like at the state, local, tribal, federal, and business levels. Also, what would be indicators of success?

The third day included six breakout sessions to brainstorm long-term drought solutions relating to: (1) options for agricultural aridity; (2) data-driven planning for the future; (3) sustainable groundwater management; (4) efficiency and equity in water markets; (5) drought impacts to whole ecosystems; and (6) land use planning across the wild-urban interface.

On the fourth day, Senator Kyrsten Sinema (D-AZ), Representative Raúl Grijalva (D-AZ), and Representative Joe Neguse (D-CO) offered perspectives on drought in their respective states and current legislation to address needs across the West. A closing panel discussed paths forward for a sustainable and healthy West, with David Hayes from the White House; Alice Hill from the Council on Foreign Relations; John Fleck from the University of New Mexico; and Bidtah Becker from the Navajo Nation. Notably, Hayes acknowledged that the Biden Administration is retaining the Water Subcabinet, but with more narrowly focused tasks aligned with the Administration's goals on climate and equity concerns. The recorded sessions are available at <https://www.southwestdroughtforum.com/>.

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.