



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

682 East Vine Street / Suite 7 / Murray, UT 84107 / (801) 685-2555 / Fax 685-2559 / www.westernstateswater.org

Chair - Jennifer Verleger; Executive Director - Tony Willardson; Editor - Michelle Bushman; Subscriptions - Julie Groat

CONGRESS

House/Water Data Act

On May 18, Representative Melanie Stansbury (D-NM) introduced the Water Data Act (H.R. 7792). This bill creates a National Water Data Framework for integrating data technologies and tools, ensuring Federal water data is accessible, and adopting common standards for collecting and sharing water data.

Section 4 of this bill establishes a Water Data Council, chaired by the Secretary of the Interior, to support the National Water Data Framework development. Duties of the council include facilitating communication among council members, promoting partnerships across federal and non-federal entities, and advancing innovation and solutions to water data.

The bill authorizes \$25M a year for FY2023-27 for a Department of Interior grant program to invest in improving water data partnerships with state, local, and other organizations.

The WSWC submitted a letter of support on May 23. The letter noted that WSWC “supports leveraging state and federal resources to build a national water data framework for sharing, integrating, and utilizing water data and supporting the development of innovative water data technologies and tools. Water and water-related data must be recognized as a critical public policy priority given the importance of the resource to our public health, economy, food security, environment, and western way of life. All levels of government must prioritize the collection, analysis, and open sharing of reliable data regarding water availability, quality, and usage given its importance to research for sound science and data-driven decision making. Developing common standards will help expand and unlock existing and future data, leading to further innovation and the creation of new tools to empower water users, managers, and administrators. Critical and vital information is gathered and disseminated through a number of important federal programs. The WSWC has a long history of support for federal data-related observation, analysis, assessment, and dissemination efforts.”

The letter continued: “State-of-the-art technology has been developed to provide historic and real or near real-time data in formats that can be shared and used by different computer programs with the potential to vastly improve information available to decisionmakers in natural resources and emergency management, and thus better protect the public safety, welfare, and the environment. There is a serious need for adequate and consistent federal funding to maintain, restore, modernize, and upgrade federal water, weather, and climate observation programs, not only to avoid the loss or further erosion of critical information and data, but also to address new emerging needs, with a primary focus on coordinated data collection and dissemination.”

CONGRESS/WATER RESOURCES

Senate/Bureau of Reclamation

On May 25, the Senate Energy and Natural Resources Committee's Subcommittee on Water and Power, chaired by Senator Ron Wyden (D-OR), held a hearing to receive testimony on sixteen bills introduced by various Senators including: S. 737, to set a federal cost share percentage for the Milk River Project in the State of Montana (Tester/Daines); S. 953, to provide drought preparedness and improved water supply reliability (Wyden); S. 1179, to provide financial assistance for projects to address certain subsidence impacts in the State of California, and for other purposes (Feinstein); and S. 1554, to make certain irrigation districts eligible for Pick-Sloan Missouri Basin Program pumping power, and for other purposes (Cramer). (www.energy.senate.gov/hearings/2022/5/water-power-subcommittee-legislative-hearing)

Testimony was also heard on: S. 2334, directing the Secretary of the Interior to establish a program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, and to provide emergency drought funding (Cortez Masto); S. 2693, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize additional projects

related to the Salton Sea (Padilla); S. 3450, to authorize the Secretary of the Interior to construct, operate, and maintain hydroelectric power generation facilities as part of the Sun River project in Montana (Daines/Tester); S. 3539, to authorize watershed pilots (Wyden); H.R. 5001 and S. 3693, to reauthorize and continue to implement endangered fish recovery programs for the Upper Colorado and San Juan River Basins (Hickenlooper/Romney); and S. 3971, to amend the America's Water Infrastructure Act of 2018 to modify a provision relating to cost-sharing requirements applicable to certain Bureau of Reclamation dams and dikes (Inhofe).

Also considered were: S. 4175, to amend the Omnibus Public Land Management Act to authorize certain extraordinary operation and maintenance work for urban canals (Risch); S. 4176, to amend the Infrastructure Investment and Jobs Act (IIJA) to modify eligibility requirements for certain small water storage and groundwater storage projects and to authorize the use of funds for certain additional Carey Act projects (Risch); S. 4231, to support water infrastructure in Reclamation States (Feinstein); S. 4232, to address the recovery of certain costs with respect to certain Reclamation facilities in the Colorado River Basin (Kelly); S. 4233, to amend IIJA to provide for critical maintenance and repair of certain Bureau of Reclamation reserved or transferred works (Barrasso); and S. 4236, to provide for a national water data framework, to provide for the water security of the Rio Grande Basin, and to reauthorize Pueblo irrigation infrastructure grants (Heinrich/Lujan).

Chairman Wyden spoke in support of S. 953 and S. 3539 stating: "In Oregon, communities in the Klamath and Deschutes Basin are looking at another devastating drought year – only made worse with the threats of wildfires and extreme heat. As these pressures continue to mount, it's essential to get a lot more high-impact water projects on the ground and fast. That's what my Watershed Results Act is all about.... My Water for Conservation and Farming Act aims to help communities better plan and prepare for the increased demand for clean water by funding projects that improve dam safety, create more resilient watersheds, and benefit agricultural and urban water users.... I have been all over my state talking with farmers and rural communities about what resources they need to respond to these extreme weather events and my two bills aim to tackle the drought concerns head-on."

S. 953 reauthorizes and expands existing water resources development programs, as well as establishes new programs. It establishes the Bureau of Reclamation Infrastructure Fund to pay for the WaterSMART program and expands allowable uses of the grants (assisting eligible government entities increase water supply), as

well as water reclamation, reuse, and dam safety projects. Each year from FY2031-FY2061, the Department of the Treasury must deposit \$300 million into this fund from revenues that would otherwise be deposited into the Reclamation Fund. The WSWC has strongly supported spending the unobligated balance in the Reclamation Fund.

Next, the bill revises the Reclamation Climate Change and Water program by requiring Reclamation to develop a strategy to sustain native biodiversity during drought. It reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program (which funds fish passage in certain Pacific Ocean drainages).

Finally, the bill establishes new programs directed at western states to: (1) provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats; (2) award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health; and prepare plans to sustain the survival of critically important fisheries during drought.

Others that provided statements included: Senators John Barrasso (R-WY), the Committee's Ranking Minority Member; Steve Daines (R-MT); John Hickenlooper (D-CO); Martin Heinrich (D-NM); Mark Kelly (D-AZ); Catherine Cortez Masto (D-NV); James Risch (R-ID); and the Subcommittee's Ranking Minority Member Cindy Hyde-Smith (R-MS).

Senators Diane Feinstein (D-CA), Alex Padilla (D-CA), and Jon Tester (D-MT) testified on their bills. Bureau of Reclamation Commissioner Camille Touton was the only other witness. Their testimony is available at: www.energy.senate.gov/hearings/2022/5/water-pow-er-subcommittee-legislative-hearing.

Wyden pressed Commissioner Touton on plans to ensure efficient delivery of the \$8.3 billion in the IIAJ for western water infrastructure and climate. He also asked why the Bureau requested only 10% of the annual authorization for the Cooperative Watershed program that would help communities develop long-term strategies and successfully implement multi-benefit water projects.

"As you know from our work together in the Klamath basin, Western water issues are extremely complex and require engagement from all members of the community in order to be successful in benefitting the local economy and the environment," Wyden said. "There are serious concerns across my state about resources from...Reclamation making it onto the ground. Without these tools communities throughout the West, including the Klamath and Deschutes Basins, will bear the brunt of extreme drought."

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.