



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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ADMINISTRATION/WATER QUALITY

EPA/Infrastructure

On September 2, the Environmental Protection Agency (EPA) released final waivers for domestic procurement requirements in the Build America, Buy America Act (BABA) for projects receiving federal funds through the State Revolving Funds (SRFs) for drinking water and clean water. New American sourcing requirements for federally funded water infrastructure projects were put into place by Congress through BABA in 2021, concurrently with the passing of the Infrastructure Investment and Jobs Act (IIJA). While the importance of creating American supply chains is understood, it is also well known that these requirements can result in significant cost escalations for large infrastructure projects. EPA's announcement grants an adjustment period waiver for IIJA funded projects that had initiated project design planning prior to May 14, 2022. The Council of Infrastructure Financing Authorities (CIFA) is developing an in-depth analysis of the new waivers for states. See <https://www.epa.gov/cwsrf/build-america-buy-america-baba-approved-waivers>.

ADMINISTRATION/WATER RESOURCES

California/Drought/Water Reuse

On August 18, Secretary of the Interior Deb Haaland and Bureau of Reclamation Commissioner Camille Calimlim Touton announced the allocation of \$309.8M in funding from IIJA, plus \$1M in appropriated funding, for the planning, design and construction of water reuse projects across the country. The announcement followed a tour of the Syphon Reservoir Improvement Project, at the Irvine Ranch Water District, that will receive \$12.25M. In total, California is allocated \$267M for twenty projects, with \$3M for Idaho, \$20M for Texas, \$14.3M for Utah, \$5,445,750 for Washington (and over \$1M for Hawaii) for various projects. The selected projects will increase annual capacity by about 213,000 acre-feet of water, enough water to support more than 850,000 people a year, and are expected to advance drought resilience.

Secretary Haaland and Commissioner Touton were on a two-day swing through central and southern

California to highlight IIJA investments to address the worsening drought crisis and expand access to clean drinking water for families, farmers and wildlife.

"Water is essential to everything we do and it will take all of us, working together, to address the significant drought impacts we are seeing across the West. As the climate crisis drives severe drought conditions and historically low water allocations, President Biden's Bipartisan Infrastructure Law is making historic investments to address water and drought challenges and invest in our nation's western water and power infrastructure," declared Secretary Haaland.

"Water reuse helps communities diversify their water supply as they are facing an unprecedented drought and a changing climate," said Commissioner Touton. "This has tangible impacts and can help feed families, grow crops, sustain wildlife and the environment and help more families access safe, clean, reliable water. These projects will provide flexibility for communities and help them stretch their current drinking supplies as they will be treating wastewater that continues to be available."

The funding will help local water management agencies stretch existing drinking water supplies through the advanced treatment of wastewater and naturally impaired surface and groundwater. Along with non-federal contributions, this investment will support over \$1.2B in infrastructure projects. The money is part of the \$1B in WaterSMART Water Recycling and Reuse grants provided by IIJA.

WATER QUALITY

Arizona/PFAS

On September 2, the Arizona Department of Environmental Quality (ADEQ) announced an agreement with the Water Infrastructure Finance Authority of Arizona (WIFA) to test all public water systems for PFAS, including small water systems. ADEQ Water Quality Division Director Trevor Baggione said: "ADEQ is committed to ensuring that all public water systems in Arizona are tested for PFAS – regardless of the number of people they serve. Sampling all public water systems is critical to understanding where PFAS is so that steps

can be taken to reduce people's exposure to PFAS in drinking water and to connect affected public water systems to funding sources to achieve solutions."

ADEQ's press release notes that 287 of more than 1,500 public water systems have been tested, and PFAS compounds have been detected in 56 of them. Baggiore said: "Right now, EPA's PFAS health advisories are non-regulatory and non-enforceable. But we expect the EPA to set national PFAS drinking water standards that public water systems must meet as early as the end of next year. The PFAS data we've collected since 2018, along with our statewide sampling effort over the next year, have well-positioned Arizona to identify and work with public water systems to address PFAS drinking water challenges early and head on. Our proactive efforts also will ensure that Arizona's public water systems – including small systems – are able to leverage existing funding sources as well as new sources we expect to become available this fall."

Currently, ADEQ and WIFA are applying \$3M of federal Safe Drinking Water Act funds toward testing, but WIFA anticipates further allocations from the Infrastructure Investment and Jobs Act (IIJA) to address emerging contaminants, including \$13.6M to the Drinking Water SRF and \$632,000 to the Clean Water SRF. WIFA submitted a letter of intent for another \$17.6M from the federal Emerging Contaminants in Small or Disadvantaged Communities Grant. See: <https://azdeq.gov/>

WATER RESOURCES **California/Infrastructure**

On September 7, the California Department of Water Resources (CDWR) and San Luis Rey Indian Water Authority signed an agreement for \$15M to advance water infrastructure projects for five tribes. The projects include water storage tank installation, water distribution upgrades, and emergency generators. The press release noted that this was the first state-tribe funding agreement that addressed challenges for tribes in securing funding, including a limited waiver of sovereign immunity and environmental review of the funded projects. Karla Nemeth, CDWR Director, said: "The State is committed to getting financial assistance directly to Tribal communities and providing resources to improve the water supply infrastructure and clean water access that these communities need to respond to California's extreme drought and a hotter, drier future. This funding agreement is a first of its kind and a true government-to-government collaborative effort." Bo Mazzetti, President of the San Luis Rey Indian Water Authority, said: "This is a historic achievement demonstrating that the Tribes and the State can respectively work together to achieve a common goal. It is our hope to continue our positive working relationship.

This achievement is a major step in the right direction." See <https://water.ca.gov/>.

Texas/Infrastructure

On September 1, the Texas Water Development Board (TWDB) approved \$13.7M in state and federal financial assistance for the construction of water supply, wastewater treatment, flood control, and agricultural water conservation projects. The City of China was awarded \$6M from the Clean Water SRF to finance the planning, design, and construction of a wastewater treatment plant. The City of Alice was awarded \$7M in financing and principal forgiveness from the Drinking Water SRF for a water supply project, constructing two brackish groundwater wells and a reverse osmosis treatment plant to create a new potable water source. The City of Kingsville was awarded \$700,000 in financing and grant funding from the Flood Infrastructure Fund, a program the Texas Legislature approved in 2019. Kingsville will use the financial assistance to modify a detention pond outfall, improve stormwater sewer and ditches, and replace pavement for better surface water drainage, relieving the existing storm drainage issues. For more details, see: <https://texaswaternewsroom.org/pressreleases/index.html>.

MEETINGS **WestFAST/Wildfires**

On September 21, the Western States Federal Agency Support Team (WestFAST) will host a webinar as part of its wildfire series entitled the Impact of Wildfires on Water Quality and Treatment. Professor Fernando L. Rosario-Ortiz, D.Env., Environmental Engineering, University of Colorado, Boulder, will discuss the changes in water quality due to the increased frequency and intensity of wildfires in recent decades. Effects include enhanced mobilization of sediments, increases in concentration of nutrients and total organic carbon (TOC), and changes to the potential to form disinfection byproducts (DBP). These effects are of particular concern to drinking water utilities. The presentation will also cover issues related to fires at the wildland urban interface. See: <https://westernstateswater.org/upcoming-westfast-webinars/>.

Western States Water Council - Fall Meetings

The WSWC Fall (200th) Meetings will be held in Sulphur, Oklahoma on October 19-21, at the Artesian Hotel, Casino and Spa. The room block cut-off date is October 4. All individuals need to register to attend, in person or virtually. There is no fee. For those attending in person, please register no later than October 7. For further information on the meetings, see: <https://westernstateswater.org/events/2022-wswc-fall-200th-meetings/>.

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.