



# Western States Water

## Addressing Water Needs and Strategies for a Sustainable Future

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### **ADMINISTRATION/WATER RESOURCES** **California/Extreme Events/Groundwater**

On January 20, Vice President Kamala Harris, accompanied by California Natural Resources Secretary Wade Crowfoot, Senator Alex Padilla (D-CA), Rep. Tony Cárdenas (D-CA), and Lindsey Horvath, Los Angeles County Board of Supervisors, toured the Tujunga Groundwater Recharge Spreading Grounds in Sun Valley, California. Harris praised state and local responses “to this extreme climate crisis that we have been experiencing around the world and certainly here in my home state...” She talked about the “importance of taking seriously the urgency of this moment and, in particular...thinking about water policy, diversifying water policy, understanding that we must have the ability to diversify our approach – and the resources to everything from what we do in terms of conservation to recycling, desalination, and storage of water.”

She remarked, “We’re going to have days – and sometimes there will be days of immense water – of rain, of storms, of flooding. And at the same time, we are a state that has experienced, for generations, drought. And we must therefore understand that the issues that are present in the climate crisis are varied, and it requires us to be present and to be in front of each of the iterations and variations that include extreme weather that produces a lot of water and extreme weather that produces drought.”

Harris concluded, “The President and I are very proud of the work that we have been able to do – a lot of it with a bipartisan Congress...to put resources and, in fact, billions of dollars into this issue, both in terms of our Bipartisan Infrastructure Law, but also most recently the work that we did with the Inflation Reduction Act, putting what we estimate will be a total for the last two years of about \$1 trillion into addressing the climate crisis in America. But in particular, \$12 billion is coming to western states and into the western region of our country to address these issues in a way that we can build up resilience and adaptation and do the kind of work that is happening right here, which is investing in smart ways to store water so that we will have that water in times of crisis, such as drought.”

Crowfoot declared, “It’s been a remarkably challenging month in California. Lives, families, communities impacted by nine atmospheric river storms in a row.: He praised Vice President Harris and President Biden stating, “Their leadership, their commitment has meant that we’ve been able to respond to these emergencies more quickly, pre-position[ing] personnel and assets.... And now, of course, we’re moving into recovery. Federal leadership is so critical in this respect... So, we’re through emergency response, we’re into emergency recovery, and we’re also looking into the future. We have recently pivoted from the driest three-year period since 1896 to the wettest three weeks on record. This weather whiplash is challenging us and challenging our infrastructure as never before.”

He continued, “And we’re focused this spring on capturing that snowmelt that’s coming off our mountains and, in some cases, may create very high flows in our rivers; focused on, how do we get that into our reservoirs and, importantly, into the ground? Where we stand right now is one of more than two dozen spreading basins across Los Angeles that’s taking stormwater that was diverted to protect communities and putting it into the ground, letting it percolate through the soils for future use.” [www.whitehouse.gov/briefing-room/speeches-remarks/2023/01/20/remarks-by-vice-president-harris-and-california-natural-resources-secretary-wade-crowfoot-on-drought-and-flood-resilience](https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/01/20/remarks-by-vice-president-harris-and-california-natural-resources-secretary-wade-crowfoot-on-drought-and-flood-resilience)

### **Corps/WRDA Implementation**

On January 20, the Army Corps of Engineers published a *Federal Register* notice (88 FR 3729) requesting comments on the implementation of the 2022 Water Resources Development Act (WRDA). The comment period ends March 21. Comments may be submitted to the [www.regulations.gov](http://www.regulations.gov) docket #COE-2023-0002, or to [WRDA2022@usace.army.mil](mailto:WRDA2022@usace.army.mil)

The notice also announced three virtual stakeholder meetings to provide input on WRDA provisions on February 15, 22, and March 1. For further information, see: <https://www.usace.army.mil/Missions/Civil-Works/Water-Resources-Development-Act/#LatestWRDA>.

## **CONGRESS/WATER RIGHTS California/Contract Allocations**

On January 9, Rep. David Valadao (R-CA) introduced the Working to Advance Tangible and Effective Reforms (WATER) for California Act (H.R. 215). The bill would provide long-term water supply and regulatory reliability to drought-stricken California by directing the operations of the Central Valley Project (CVP) and State Water Project (SWP), directing allocations of water for Sacramento Valley Contractors, amending eligibility for funding for feasibility studies for a Shasta Reservoir enlargement project, and expediting CVP mitigation and restoration actions by prioritizing the refuge water supply program.

Section 103 directs the use of additional CVP yield for SWP contractors when California alters SWP operations in a way that reduces the water supply. It also prohibits California from restricting the exercise of any state water right (including pre-1914 appropriative or riparian rights) to offset any impact resulting from the implementation of this bill on any species affected by operations of the CVP or SWP. Section 202 allocates irrigation water to CVP contractors in the Sacramento River Watershed during wet and dry years as a percentage of the contracted quantity. The bill has support of eleven Republican co-sponsors from California, including Speaker Kevin McCarthy (R-CA) and Rep. Tom McClintock (R-CA).

Valadao said: "The Central Valley has suffered from drought conditions, unfair water allocations, and a gross mismanagement of the water we do have by Sacramento bureaucrats and radical environmentalists for years. The WATER for California Act will bring more water to the farmers, businesses, and rural communities in the Valley and throughout California doing everything possible to survive these man-made water shortages. It also ensures transparency and holds this Administration accountable over their attempts to reverse the 2019 Biological Opinions, which has caused Valley farmers great uncertainty about the future of their water supply. The storms impacting our state right now highlight just how important increasing water storage is so that our communities are better prepared for dry years."

McCarthy said: "For over a decade, Congressman Valadao has been a champion in advancing drought and water policies, fighting to ensure that families and agricultural producers in the Central Valley have affordable and reliable access to water. I applaud his tireless efforts, and am proud to join him as a co-sponsor of the WATER for California Act. Now that Republicans are in the majority, we will deliver commonsense solutions out of the House to the residents of Kern, Fresno, Kings, and Tulare Counties and the American people."

McClintock said: "Droughts are nature's fault; water shortages are our fault. Environmental extremists and overzealous bureaucrats have used the law to block water storage projects for years, resulting in an era of unnecessary self-imposed water shortages that have devastated entire communities. This legislation provides a common-sense approach to restoring abundance and delivery as principal objectives of federal water policy. It's simple: More water is better than less water."

On January 11, Rep. Doug LaMalfa (R-CA) introduced the Protect Our Water Rights (POWR) Act (H.R. 289). The bill directs Reclamation operations in the CVP and Upper Klamath Lake. Sacramento Valley contractors' allocations would align with the percentages in the Sacramento Water Year Type Index, with not less than 100% of their contract quantities in Wet and Above Normal Years, not less than 75% in Below Normal years, and not less than 50% in Dry and Critically Dry years. The bill provides additional conditions regarding substitute supplies, making water available to wetlands, protection of municipal and industrial water supplies, and protection of other operations, deliveries, and allocations to other Reclamation project contractors.

The bill also directs Reclamation to operate all water in the Upper Klamath Lake above elevation 4136 feet solely for agricultural and refuge purposes associated with state-adjudicated water rights, and to the extent practicable, maximize storage in the lake.

LaMalfa said: "Building water storage, delivering irrigators their water that is lawfully theirs, and ensuring fresh water is not wasted are the priorities of rural California. This is especially critical in California agriculture, where severe water mismanagement has exacerbated the crippling drought. Responsible water management means higher food production and lower prices for all Americans, while keeping farmers in business. I'm looking forward to passing this bill and protecting our water rights."

### **PEOPLE**

**Erica Gaddis**, WSWC Senior Policy Advisor and former WSWC member, has accepted a new position as the Water Resources Director with SWCA Environmental Consultants. Erica was first appointed to the WSWC in August 2017 and served as a member from Utah, and Chair of the Water Quality Committee from 2021-2022. Since her departure from state service in April 2022, Erica has been supporting WSWC initiatives on WOTUS, remediation of abandoned hardrock mines, state programs on PFAS and emerging contaminants, and other water quality committee activities. We wish Erica all the best in her future endeavors.

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**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.**