



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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WESTERN GOVERNORS

Oklahoma/State of the State

On February 6, Governor Kevin Stitt (R-OK) delivered the first State of the State address of his second term to the 59th Legislature. He said: "I stood at this podium to give my first State of the State address four years ago, after promising to deliver Oklahoma's turnaround – and a turnaround we delivered.... We said that we would invest in infrastructure and education – and we delivered.... This year, we must capitalize on the progress we've made. That means continuing to focus on key areas: energy, infrastructure, workforce development, and tax policy. Let's continue to diversify our energy grid and embrace our 'More of Everything' approach. We are proud that Oklahoma ranks fifth in the nation for natural gas production, and sixth for oil production. And we're also ranked 10th in the nation for renewables. My administration will continue to lead with efforts like becoming the nation's Hydrogen Hub. Oklahoma's affordable and reliable grid is the envy of the world and an undeniable competitive advantage. Let's continue to invest in our infrastructure, from roads and bridges, to rails and runways, to broadband." <https://oklahoma.gov/content/dam/ok/en/governor/documents/2023%20STATE%20OF%20THE%20STATE%20FINAL%20ENGLISH.pdf>

ADMINISTRATION

USDA/Wildfires

On January 19, Department of Agriculture (USDA) Secretary Tom Vilsack announced investments of \$490M in eleven new wildfire-prone landscapes across the West, in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington. The investments are part of the U.S. Forest Service's Wildfire Crisis Strategy launched in 2022, which identified 250 high-risk fireheds that pose the greatest risk to communities and resources, including infrastructure, watersheds, public water sources, and habitat. The funds were made available through the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA).

The first round of investments of \$131M in FY22 included ten landscapes comprising 208,000 acres in

Arizona, California, Idaho, Montana, New Mexico, Oregon, and Washington. The funds have been primarily directed to existing projects that align with the State Forest Action Plans – completed by the States in 2010 and updated in 2020 – and use state-federal Shared Stewardship Agreements, Good Neighbor Authority, and other partnerships. The projects often combine multiple activities: forest thinning, hazardous fuels reduction, prescribed fire and mechanical treatments, restoration of fire-adapted ecosystems, timber harvesting and wood product utilization, fuel break construction and maintenance, and biomass removal. <https://www.usda.gov/media/press-releases/2023/01/19/biden-harris-administration-launches-new-efforts-add-ress-wildfire>

ADMINISTRATION/WATER RESOURCES

Corps/Infrastructure

On February 8, the Corps of Engineers held an information session on the Corps Water Infrastructure Financing Program (CWIFP). They expect the final rule to be published in April or May, followed by the notice of funding availability to solicit the first round of applications. The focus of the first round of funding (\$81M) is for non-federal dam safety projects. They described the application process, minimum assistance requirements, and provisions relating to Davis-Bacon wages and Buy America requirements. While they anticipated most dams would be Corps or Reclamation projects, they agreed to look more closely at USDA Natural Resources Conservation Service (NRCS) PL-566 dams owned by local watershed conservation districts. They noted that the hazard classification of the dam does not matter, as long as the loan application covers maintenance, upgrades, repairs, or replacement.

Department of the Interior/IIJA/IRA

On February 13, the Biden Administration announced a historic investment of \$728M to address western drought and improve climate resilience, including reliable drinking water for rural and tribal communities, and support water conservation in the Upper Colorado River Basin. The funding comes from the IIJA, the IRA, and the Consolidated Appropriations Act of 2023 to protect

the stability of the Colorado River System now and into the future.

Funded by the IJJA, seven authorized rural water projects under construction in Iowa, Minnesota, Montana, New Mexico, North Dakota and South Dakota will receive \$278M. The money builds on \$420M from FY22 for rural water projects to help complete reservoirs, pipeline, pumps, water treatment plants and intakes for rural and tribal communities.

The Bureau of Reclamation will allocate up to \$125M to relaunch a System Conservation Pilot Program (SCPP) in the Upper Colorado River Basin through the IRA to support short-term water management, conservation and water efficiency actions. This is in addition to over \$325M in FY23 funding for ongoing work on drought resilience projects across the country. Separately, USDA committed \$25M to help western farmers and ranchers conserve water through a partnership with Reclamation and USDA's NRCS.

Secretary Deb Haaland said: "The Biden-Harris administration is committed to making communities more resilient to the impacts of climate change – this includes making the Colorado River Basin and the diverse communities that rely on it more resilient to the ongoing drought in the West. We are investing historic resources through the [IJJA and IRA] to provide clean, reliable drinking water to rural and Tribal communities, protect the stability and sustainability of the Colorado River System, and increase water efficiency across the West."

Commissioner Camille Calimlim Touton said: "The Bureau of Reclamation is committed to ensuring the continued availability of water across the West, while at the same time enhancing the resiliency of our communities to a changing climate. As we move forward with these urgent priorities, we are doing so in close collaboration with Basin states, Tribes, water managers, farmers, irrigators, and other stakeholders. This historic funding underscores how proactive efforts from the Biden-Harris administration are helping increase water efficiency and conservation across the West."

Overall, IJJA provided Reclamation with \$8.3B over five years for water infrastructure projects to advance drought resilience and expand access to clean water for families, farmers, and wildlife. The IRA provided an additional \$4.6B to address the drought crisis today and into the future.

The Consolidated Appropriations Act of 2023 provided an additional \$325M within Reclamation's Water and Related Resources account, including: over \$229M for water conservation and delivery; \$50M for rural water; \$31M for environmental restoration or

compliance; \$11M for fish passage and fish screens; and \$4M for facilities operation, maintenance, and rehabilitation. This funding will go to construction and preconstruction activities where environmental compliance has been completed and the project will improve water supply reliability, improve water deliveries, enhance economic development, promote job growth, advance tribal and non-tribal water studies and activities or address critical backlog maintenance and rehabilitation activities. www.usbr.gov/newsroom/news-release/4421

ADMINISTRATION/WATER RIGHTS

Indian Water Rights

On February 2, the Department of the Interior announced a \$580M allocation of funds toward water infrastructure projects in partial fulfillment of Congressionally-authorized Indian water rights settlements. The funds were combined from the 2009 Reclamation Water Settlements Fund (\$120M) and the 2021 IJJA (\$460M). Secretary Haaland said: "Water is a sacred resource, and water rights are crucial to ensuring the health, safety and empowerment of Tribal communities. Through this funding, the Interior Department will continue to uphold our trust responsibilities and ensure that Tribal communities receive the water resources they have long been promised. I am grateful that Tribes, some of whom have been waiting for this funding for decades, are finally getting the resources they are owed with the help of this crucial funding from President Biden's Bipartisan Infrastructure Law."

The funding includes: the Aamodt Litigation Water Rights Settlement (\$30.5M); the Ak-Chin Indian Water Rights Settlement Operations, Maintenance and Replacement (\$22M); the Animas-La Plata (Colorado Ute) Operations, Maintenance & Replacement (\$3.3M); the Arizona Water Settlements Act Implementation - San Carlos Irrigation Project Rehabilitation (\$18.2M); the Blackfeet Water Rights Settlement (\$45.3M); the Confederated Salish Kootenai Tribes - Montana Water Rights Protection Act (\$156.9M); the Crow Tribe Water Rights Settlement (\$30M); the Gila River Indian Community - Pima Maricopa Irrigation Project (\$79M); the Navajo-Gallup Water Supply Operations, Maintenance & Replacement (\$2M); the Navajo-Gallup Water Supply Project (\$137M); the Navajo-Utah Water Settlement (\$39.1M); the Nez Perce Water Rights Settlement Operations, Maintenance and Replacement (\$6.7M); the San Carlos Apache Tribe Distribution System (\$1.5M); and the Southern Arizona Water Rights Settlement - Farm Extension (\$8M). See <https://www.doi.gov/pressreleases/bipartisan-infrastructure-law-supports-580-million-investment-fulfill-indian-water>.

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.