



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

ADMINISTRATION/WATER RESOURCES

Klamath River Basin/Dam Removal

On June 13, the Klamath River Renewal Corporation (KRRC) began the deconstruction of the first of four hydroelectric dams being removed from the Klamath River. The final decommissioning of the Copco No. 2 dam is scheduled for completion in September, with the removal of the other three dams (Iron Gate, Copco No. 1, and JC Boyle) scheduled for 2024, beginning with reservoir drawdowns. The KRRC press release said: "This week, crews removed the gates, walkway, and two of the five bays down to the spillway. This work was done to direct waters around the dam, rather than over it, allowing construction crews to do work through the summer months.... Crews placed around 10 feet of rock on either side of the dam in order to reach the gates and bays for deconstruction. Much of the Copco No. 2 infrastructure remains in place below this rock surface." <https://klamathrenewal.org>

Water-Energy Nexus/Pumped Storage Hydropower

On June 28, the Department of Energy's (DOE) Water Power Technologies Office (WPTO) announced \$4.3M in funding for ten technical assistance projects selected as part of the HydroWIRES Initiative (Water Innovation for a Resilient Electricity System) to address pumped storage hydropower (PSH) valuation hurdles and other hydropower challenges.

Two of the projects will assist the Army Corps of Engineers (Corps) with: (1) two powerhouses capable of pump-back storage hydropower on a stream that have never been utilized; and (2) an assessment of 70 hydropower facilities that may be converted from conventional hydropower to pump-back capable storage facilities.

In California, the Gianelli power plant on the San Luis Reservoir was constructed in the 1960s with now-aging technology. DOE national laboratories will assist the Power and Water Resources Pooling Authority "to determine if operating the facility as a PSH facility will improve revenues and offset the cost of modifications. The team will work together to determine the value of replacing old turbines, adding a hybrid battery, and

making other upgrades to compare to the direct and indirect benefits of PSH."

In Oklahoma, six hydropower units at the Salina PSH plant are nearing the end of their useful life. DOE national laboratories will assist the Grand River Dam Authority to "evaluate batteries and modern technological upgrades, determine grid benefits and return on investment, and ultimately identify how to best position the Salina facility to meet electricity grid needs."

In Washington, the Columbia River has several dams with independent hydropower operators. DOE national laboratories will assist the Grant County Public Utility District to develop a framework for coordinated operations among some of the hydropower systems, identify where value would accrue, and investigate how to improve market operation software. <https://www.energy.gov/eere/water/articles/wpto-announces-43-million-technical-assistance-hydropower-community>

ADMINISTRATION/WATER QUALITY

USGS/PFAS Survey

On July 5, the U.S. Geological Survey (USGS) released a new study of per- and polyfluoroalkyl substances (PFAS) in tap water across the United States, published in the journal *Environment International*. The agency tested for the presence of 32 PFAS compounds using a method developed by the USGS National Water Quality Laboratory, and collected water samples from 716 locations in urban and rural areas and on protected lands. Lead author and USGS hydrologist Kelly Smauling said: "USGS scientists tested water collected directly from people's kitchen sinks across the nation, providing the most comprehensive study to date on PFAS in tap water from both private wells and public supplies. The study estimates that at least one type of PFAS – of those that were monitored – could be present in nearly half [45%] of the tap water in the U.S. Furthermore, PFAS concentrations were similar between public supplies and private wells."

The press release said: "Most of the exposure was observed near urban areas and potential PFAS sources. This included the Great Plains, Great Lakes, Eastern Seaboard, and Central/Southern California regions. The

study's results are in line with previous research concluding that people in urban areas have a higher likelihood of PFAS exposure." <https://www.usgs.gov/news/national-news-release/tap-water-study-detects-pfas-forever-chemicals-across-us>

CIFA/SRFs/Buy America

On July 6, the Council of Infrastructure Financing Authorities (CIFA) submitted a comment letter expressing concerns about the Environmental Protection Agency's (EPA) proposed amended Build American Buy America Act (BABAA) waiver for projects funded by State Revolving Funds (SRFs). CIFA noted that the proposed waiver would establish a two-tiered system of relief from BABAA requirements, with one set of rules for projects funded by the Community Grants Program (congressional earmarks) and "another set of more burdensome rules for projects funded by the SRFs." CIFA advocated that, to reduce confusion, EPA extend relief from BABAA requirements to all EPA-funded water infrastructure projects initiated prior to the effective date of BABAA on May 14, 2022.

CIFA expressed support for the intent of the proposed waiver, but said it worsens confusion in the water sector by creating different rules for the same types of water projects. They said that by directing SRF capitalization grants to pay for congressional earmark projects, Congress clearly intended these projects to follow the same domestic procurement requirements under American Iron and Steel (AIS) provisions.

CIFA noted that amending the BABAA waiver for SRF co-funded projects is unnecessary. "Under federal law, SRFs that provide cost-share for congressional earmarks are legally required to use state funds. BABAA only applies to projects that receive federal funding, not to projects that receive state funding, so the BABAA SRF waiver can never apply to a project co-funded by a congressional earmark and an SRF subsidized loan."

CIFA added: "The public deserves transparency on the need and intent for amending the SRF waiver. The proposed waiver doesn't clarify the applicability of the SRF waiver for co-funded projects; it changes the projects that are eligible for the SRF waiver. When EPA first issued BABAA waivers, it clearly and decisively chose to exclude projects funded by congressional earmarks from the SRF waiver. Since this decision, the only circumstance that has changed is expiration of EPA's waiver that provided relief from BABAA requirements to projects funded by congressional earmarks."

CIFA disagreed with EPA that the purpose of the BABAA waiver was to provide an adjustment period to allow recipients and agencies to transition to new rules

and processes. Because the proposed waiver only applies to a limited subset of water infrastructure projects, it is a "purely conditional waiver."

Finally, CIFA expressed concerns with the arbitrary sunset deadline for the waiver and the impact this could have on pre-2022 projects still in progress. They expressed support for the successful implementation of BABAA, and said that will depend on the workability of the rules and regulations used to determine compliance with the domestic preference procurement requirements.

EPA/Infrastructure/Lead and Copper

On June 28, EPA released a guide for small water systems to comply with the initial inventory requirements under the 2021 Lead and Copper Rule Revisions (LCRR). The 50-page guide notes that it is designed for "owners and operators of small community water systems (CWSs) and non-transient non-community water systems (NTNCWSs). All CWSs and NTNCWSs must develop and maintain an inventory of each service line in their distribution system to comply with the LCRR. Water systems must submit their initial inventories to their State by October 16, 2024." The new guide and a related fact sheet are available at: <https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule>.

WATER RESOURCES

Washington/Drought

On July 5, the Washington Department of Ecology issued a statewide drought advisory following a dry spring and high early summer temperatures, noting that they will be monitoring water supply conditions and assessing the need for a formal drought declaration. The Ecology news release said: "An abnormally wet and cold April left the state with a healthy snowpack. Unfortunately, that was followed by the warmest May on record (tying the mark set in 1958), resulting in early snowmelt. This caused an initial surge in streamflows for snow-fed rivers and streams. With that surge now spent, most streamflows in the state are projected to be below 75% of normal. To make matters worse, in the 60 days between April 25 and June 23, the state only received 47% of normal precipitation, and soil moisture is also low in most of the state. Watersheds on both sides of the state are being affected by the early runoff. In both the Skagit Basin north of Seattle and the Yakima Basin, irrigators are facing challenges due to a lack of water. Widespread impacts to municipal water systems have not been reported, although some water systems have established early conservation restrictions to preserve drinking water. Low streamflows later this summer may cause impacts to fish, but so far those impacts haven't been reported."