



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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WESTERN GOVERNORS

WGA/Wildfire

On December 19, the Western Governors Association (WGA) submitted a letter to the House Natural Resources' Subcommittee on Federal Lands. The letter is a response to the December 5 hearing, Examining Opportunities to Promote and Enhance Tribal Forest Management. It indicates the Governors' support for incorporating Native American cultural burning practices in pre-fire management and planning processes. The letter includes two WGA policy resolutions (2024-02, 2023-01) which advocate for funding and management practices that consider water quality, water quantity, and drought mitigation as essential priorities.

WGA said agencies should include avoided damage costs to water supply systems and downstream communities when assessing the merit of post-fire mitigation projects. They emphasized the severity of drought and its impact on Western states. Rural communities need substantial assistance to mitigate drought impacts and for timely recovery. Land managers should consider the effects of drought when planning land use and sustainability efforts. Agencies should prioritize ecosystem health and services, such as water supply and quantity, rather than market incentives.

ADMINISTRATION/WATER RESOURCES

Infrastructure/Tribes

On December 19, the Department of the Interior (DOI) announced \$27M of Infrastructure Investment and Jobs Act (IIJA) funding for the repair, replacement and upgrade of water infrastructure in tribal communities. The Bureau of Indian Affairs (BIA) will allocate \$22.3M to address dam safety deficiencies in Arizona and South Dakota. The BIA is also investing \$4.39M for repairs and upgrades to BIA-owned water systems including Columbia River Treaty Fishing Access sites, and the North Idaho Public Water System serving the Nez Perce Reservation.

Bryan Newland, Assistant Secretary for Indian Affairs, said: "Dam safety and water sanitation projects

are crucial to ensuring the health, safety and prosperity of Indigenous communities. Through the Investing in America agenda, we are investing critical funding to repair and revitalize infrastructure facilities in Tribal communities throughout Indian Country, advancing economic opportunities for Tribes and expanding access to clean, reliable drinking water for Indigenous families."

Reclamation/WaterSMART

On December 19, DOI announced more than \$51M in WaterSMART funding for 18 rivers and watershed projects in California, Colorado, Montana, Nevada, New Mexico, Oregon, Washington, and Wyoming. Selected project activities include floodplain expansion and connection, fish passage development, and habitat repair.

Bureau of Reclamation (USBR) Commissioner Camille Touton said the benefits of restoring and protecting aquatic ecosystems are "far-reaching" in development of climate resilience: "The work to restore and protect the habitat for fish and wildlife also helps to improve water quality and mitigate impacts of drought and potential flood events."

WATER QUALITY

CA/Reuse

On December 19, the California State Water Resources Control Board (SWRCB) adopted regulations for direct potable reuse (DPR). The new regulations outline standards for the placement of treated municipal wastewater into a water distribution system or upstream water supply. California joins Colorado, Oregon, and Texas as western states with regulations for treated municipal wastewater for potable water reuse.

The new regulations advance California's 2022 Water Supply Strategy to generate climate-resilient water sources, while also complying with California's Safe Drinking Water Act. In 2022, Governor Newsom called for the reuse of at least 800,000 acre-feet of water per year by 2030 and 1.8 million acre-feet by 2040, and stipulated that most additional recycling should involve direct wastewater discharges. Currently, most California

treated wastewater in California is released into stream systems and the ocean. Once the new regulations are finalized, water systems will be able to submit plans for DPR projects to the SWRCB for approval.

Joaquin Esquivel, SWRCB chair, said: "This is an exciting development in the state's ongoing efforts to find innovative solutions to the challenges of extreme weather driven by climate change. On top of helping us build drought-resilient water supplies, direct potable reuse offers energy savings and environmental benefits. And most importantly, these regulations ensure that the water produced is not only safe, but purer than many drinking water sources we now rely on." See www.waterboards.ca.gov

Other Western states are advancing the development of DPR programs in their regions. The Arizona Department of Environmental Quality (ADEQ) is developing regulations to expand and clarify DPR as authorized in state code, enabling implementation by water suppliers and federal facilities. The New Mexico Environmental Department (NMED) has drafted DPR Guidance but currently has no specific regulations. In Nevada, the cities of Reno and Sparks are part of a collaboration between Truckee Meadows Water Authority, University of Nevada, and the Western Regional Water Commission on a demonstration project called OneWater Nevada, an effort to show that the region can safely and effectively implement DPR.

ORGANIZATIONS

Colorado River/CWRUA

The Colorado River Water Users Association (CRWUA) held its annual meeting in Las Vegas on December 13-15, along with meetings of the Upper Colorado River Commission and the Colorado River Board of California. The discussions and presentations centered on shaping the Post-2026 Colorado River operation guidelines for critical reservoirs, and formalizing tribal inclusion in the negotiations process.

The first day began with a panel featuring case studies of major water management programs on the Colorado River, including Lower Basin conservation efforts, the 2019 Drought Response Operations Agreement, and United States-Mexico cooperative measures. The second panel focused on future planning strategies such as investing in development of hydrology prediction, infrastructure, new water sources, and reducing evaporative losses.

The second day began with a panel discussion featuring each of the seven Colorado River Basin States. John Entsminger, Southern Nevada Water Authority, said that the next river-sharing agreement will be "a

messy compromise that will be judged harshly by history." He said there would be no silver bullet for solving Colorado River deficits, but a silver buckshot made up of incremental deals and savings: "Expunge 'can't' from your vocabularies. The savings we need are all around us. They're small. They're incremental, but they're there.... I'm asking every water user to look at every water use and figure out how incrementally we all contribute our little BB of silver buckshot to the solution."

Rebecca Mitchell, Colorado Commissioner, emphasized the Upper Basin's history of living within its means. "My water users have let me know very clearly that they are not going to accept a deal that maintains the status quo and continues to allow the Lower Basin to drain the system...at the expense of the Upper Basin. Colorado water users are not interested in striking a deal that continues to allow Lower Basin overuse to deplete storage, drive the system to crisis, and then look upstream to us for help." She stressed the need to live within the hydrology of the river and to address the structural deficit. "Colorado has asked for the Lower Basin states to recognize this overuse, and I appreciate that they have publicly accepted responsibility for fixing the structural deficit. I look forward to working alongside Arizona, California, and Nevada, along with upper-division partners, to achieve this important goal of making sure we protect water users across the basin from another series of crises on the river well into the future."

Tom Buschatzke, Arizona Department of Water Resources, noted that the States have not agreed on how many acre-feet of water are part of the structural deficit, and acknowledged that there is still work to do beyond the structural deficit. "I think that number is not quite defined yet. There's a range that that number might be, and so we are going to own that. But I expect once we own that, there's the need to further stabilize the river."

The final day of the conference included two Sovereign to Sovereign panel discussions. The first, centering on Colorado River Tribes, featured USBR Commissioner Camille Touton and leaders from the Colorado River Indian Tribes, Ute Mountain Ute Tribe, and the 25th Navajo Nation Council. The second featured United States and Mexico partners with the BOR and International Boundary and Water Commission. Tribal leaders, the BOR, and the Upper Colorado River Commission are working to codify tribal inclusion in the post-2026 guidelines negotiations and other future decision-making processes. Lorelei Cloud said: "We want to work toward creating an MOU or some type of mechanism that is going to formalize this process so that these relationships and these conversations continue. It's something that I think tribes have been wanting for quite a long time, to be at that level."

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.