



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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WESTERN STATES WATER COUNCIL **Spring Meetings – Lincoln, Nebraska**

On April 23-25, the State of Nebraska hosted WSWC's 206th Spring Meetings in Lincoln. The WSWC revised and re-adopted four sunseting positions relating to: (1) rural water infrastructure needs and projects; (2) renewable hydropower development; (3) migratory birds and the management of state water rights and Resources; and (4) Clean Water Act jurisdiction.

One newly adopted Position #527 addresses the potential value of extending National Pollutant Discharge Elimination System (NPDES) permitting up to ten years under some circumstances, acknowledging the increased complexity of the permitting process, long timelines for water infrastructure investments, and the challenges States face in reducing backlogs. It calls for maintaining current authorities to reopen or amend permits and urges Congress to ensure adequate funding for these programs.

Prior to the meetings, WSWC held a groundwater workshop where members discussed challenges and opportunities with groundwater management in their States. Discussion topics included groundwater rights allocation and curtailments, conjunctive management of surface and ground waters, managed aquifer recharge storage and recovery, public educational campaigns and data collection efforts.

Justin Iverson discussed Oregon's new groundwater allocation rules, approved late last year, which now require evidence that water is available before issuing a new groundwater right. Jesse Bradley detailed the development of Nebraska's water management structure, including the passage of LB 962 which established integrated management planning, as well as the significant management authority given to local Natural Resources Districts (NRDs). The NRDs have extensive monitoring programs to implement trigger-based management plans that can lead to correlative water use reductions applied across all groundwater users within a specific aquifer area. Jeanine Jones presented California's history with groundwater use and regulation, leading up to the

enactment and implementation of the Sustainable Groundwater Management Act (SGMA) in 2014. Jake Morhmann discussed Montana's progress towards developing a groundwater mitigation banking system. He touched on the potential cost of mitigation credits, the undecided question of state versus private bank management, and the challenges related to metering groundwater use.

Jennifer Wigal introduced and discussed groundwater quality issues in Oregon, presenting case studies on nitrate and manganese contamination in private wells. She emphasized the close link between water quality and quantity management, highlighted the State's limited capacity for groundwater quality monitoring, and touched on the difficulty of balancing the need for sufficient data with avoiding "analysis paralysis" in decision-making. Hillary Stoll and Steve Goans discussed groundwater quality issues and mitigation programs for the State of Nebraska, which relies heavily on groundwater for drinking water supply. The State employs a suite of private well testing and reverse osmosis rebate programs to help mitigate major contaminants. Participants in a roundtable discussion identified varying definitions of conjunctive management and degrees of use across the States, and identified strategies to meet various challenges. They also discussed aquifer science, underscoring variances in data collection tools employed by the States, as well as data management.

On April 23, members enjoyed a full day field trip to the Eastern Nebraska Research, Extension and Education Center, Valley Irrigation Facility, the Lake Wanahoo, and Lincoln's water system wells along the Platte River. Alexa Davis presented on the University of Nebraska's Testing Ag Performance Solutions (TAPS) farm management competitions, which allow participants to test management alternatives and skills while leveraging precision agriculture technology.

During the Water Resources Committee, Mark Svoboda gave an overview of the National Drought Mitigation Center mission to translate the science of drought for various audiences, and the collaborative efforts behind the U.S. Drought Monitor for accurate

drought mapping and early warnings. Sarita Nair, New Mexico, discussed issues related to the water workforce. She covered strategies for recruitment and retention, such as people-centered systems, apprenticeships, state workforce planning, and addressing education costs and accessibility. Pat Kormos, a hydrologist and forecaster at the National Water and Climate Center, presented on the Snow Survey and Water Supply Forecasting Program including information on current water year precipitation, temperature anomalies, and snow conditions across the West. Good conditions in the Pacific Northwest shift to below normal conditions in the Lower Colorado and Rio Grande regions.

Jeanine Jones discussed efforts to advance sub seasonal to seasonal (S2S) precipitation forecasting research, noting threats to funding for the National Oceanic and Atmospheric Administration's (NOAA) Office of Atmospheric Research and the National Weather Service in the federal FY26 budget proposal, which she stated could lead to the elimination of vital programs like the National Integrated Drought Information System (NIDIS) and the River Forecast Centers. Forrest Melton and Conor Doherty provided updates on Open ET and introduced their new automated methodology for computing effective precipitation and the net evapotranspiration of applied water. Ryan James provided an update on WaDE, WestDAAT, and WestCAT. Brian Clark gave an update on USGS' Water Use Availability reporting, highlighting the transition from historical five-year county-level reports to newer regularly updated model-based estimates of water availability and use.

In the Water Quality Committee meeting, Bridger Corkill presented on Nebraska's legislature-funded study of nitrate in drinking water. He discussed findings of a historic free sampling program and detailed recommendations and successful outreach efforts to water users. Jo Jo La and Annette Quill discussed the development of Colorado's post-Sackett Dredge and Fill Program, detailing its framework, including its authorization system, exemptions, and the ongoing rulemaking process to implement it. Jim Macy, Director of the Environmental Protection Agency (EPA) Region 7, provided updates on priorities and initiatives. He discussed Administrator Zeldin's five pillars and highlighted significant deregulatory actions, including the reconsideration of the Waters of the United States (WOTUS) rule to create a durable definition aligned with the Supreme Court's *Sackett* decision. Macy also emphasized cooperative federalism as a high priority.

In the Legal Committee Meeting, Cathy Erskine and James Bolotin from the Nevada Division of Water Resources discussed Nevada's challenges with federal vested water rights and their SB31 legislation, requiring

proofs of claim to be filed by the end of 2027. Cathy Erskine sought insights from other western states on handling historical rights. Matthias Sayer detailed New Mexico's efforts to incorporate treated water from oil and gas production into a strategic reuse water supply, highlighting the public and regulatory hurdles the State has faced. Candice Hasenyager discussed the Great Salt Lake and the complexity of managing the needs of many stakeholders. She described Utah's recent legislative initiative, HB280, which established a process for creating a unified water infrastructure plan and aims to connect state funding for projects to water conservation and management objectives. Mark Stratford discussed the recent legal challenges involving Utah's public trust doctrine. Justin Levine discussed Nebraska's legal challenges and court cases related to implementing LB962, including cases involving water rights, compact compliance, and the interplay between groundwater and surface water regulations.

During the Full Committee Meeting, Chris Carlson gave an update on WestFAST, highlighting the significant changes and personnel turnover due to recent federal restructuring. WestFAST has formed a new executive leadership committee from various federal agencies to guide its future. Tony Willardson led a discussion on the process for electing Council officers considering the vacancy for chair left by Jon Niemann. He detailed the traditional framework under which officers are nominated by a subcommittee and ratified by the full Council. The Council elected Julie Cunningham as Chair, Earl Lewis as Vice Chair, and Candice Hasenyager as Secretary Treasurer.

Michelle Bushman led a breakout Strategic Directions exercise and discussion. The topics followed up on the state responses to the recent Strategic Directions Survey, which elicited 28 responses from 15 States on the value of and preferences for various WSWC functions to support member States. Breakout groups discussed opportunities for improvement regarding meeting agendas, policy resolutions, effective advocacy, and value added functions. Suggestions included annual selection of focus topics, increased time for state discussion, alternative meeting formulas, mentorships for new members, better information synthesis, and more timely alerts for important legislation events.

The WSWC Summer (207th) and 60th Anniversary Meetings will be held in Snowbird, Utah on June 10-12, 2025 at the Cliff Lodge. **Our room block deadline is May 14, 2025.** For more information, please see <https://westernstateswater.org/events/2025-wswc-summer-207th-meetings-and-60th-anniversary-snowbird-utah/>

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.