

MINUTES
of the
WSWC ORGANIZATIONAL MEETING
Xylem Reservoir Center
Washington, D.C.

April 23, 2026

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MEMBERS AND ALTERNATES PRESENT *(virtual attendance in italics)*

ARIZONA	<i>Trevor Baggiore</i>
CALIFORNIA	-
COLORADO	Nate Pearson
IDAHO	Mat Weaver Jerry Rigby
KANSAS	Connie Owen
MONTANA	-
NEBRASKA	-
NEVADA	Cathy Erskine Jennifer Carr
NEW MEXICO	-
NORTH DAKOTA	Jennifer Verleger Reice Haase Patrick Fridgen
OKLAHOMA	Julie Cunningham Sara Gibson
OREGON	-
SOUTH DAKOTA	Nakaila Steen
TEXAS	L'Oreal Stepney

UTAH

Candice Hasenyager
Joel Williams
Teresa Wilhelmsen

WASHINGTON

Ria Berns

WYOMING

Jennifer Zygmunt
Chris Brown
Brandon Gebhart
Jeff Cowley

GUESTS

Sara Larsen, OpenET
Lydia Bleifuss, OpenET
Victoria Asbury, Kansas Water Office
Thushara Gunda, Sandia National Laboratories
Kerry Niemann, Texas Water Development Board
Hannah Mendez, Southern Nevada Water Authority
Stephanie Kramer, Kansas Department of Agriculture
Rita Trick, Rural Community Assistance Corporation
Patrick Lopez, Texas Commission on Environmental Quality
Alexandra Schwab, Association of Fish and Wildlife Agencies

WESTFAST

Mike Eberle, U.S. Forest Service
Chris Carlson, U.S. Forest Service
Chad Abel, U.S. Fish and Wildlife Service
Stephen Bartell, U.S. Department of Justice
Paula Cutillo, U.S. Bureau of Land Management
Jason Olive, U.S. Fish and Wildlife Service (Liaison)
Roger Gorke, U.S. Environmental Protection Agency
Heather Hofman, Natural Resources Conservation Service

STAFF

J.D. Strong
Michelle Bushman
Elysse Campbell

WELCOME AND INTRODUCTIONS

WSWC Chair Julie Cunningham called the meeting to order and asked for introductions around the room. Michelle Bushman noted that, per member request, we have transitioned from briefing books to digital links. You can access the agenda and all associated meeting materials including the Fall meeting minutes from San Pedro, California, which require approval, via the hyperlinks provided at the top of the page.

APPROVAL OF MINUTES

Julie asked for a motion to approve both the Joint Committee and Full Council minutes from the Fall meeting in San Pedro, California. There was a motion, a second and both minutes were approved unanimously.

STAFF UPDATES

J.D. noted that a deeper dive into the budget, Strategic Plan, and staff implementation will occur during today's Executive Committee meeting. We continue using existing policy positions for rapid response; notably, we submitted a Farm Bill support letter yesterday following Tuesday's Hill visits. Recently, we also sent policy letters regarding CWA §401 certification, WOTUS, USGS streamgages, and OpenET.

We have replaced our former physical briefing folders full of policy positions with a streamlined brochure featuring a QR code that links to a new landing page. This page organizes our policies and testimony by topic.

Michelle and Elyse provided an update on the legislative tracker, which is now a searchable, embedded spreadsheet on our website under meeting materials. Please let them know if anyone has specific bills to add. Our newsletter is now sent bi-weekly on Mondays with a more flexible length, footnotes, and a 50% open rate. Based on strategic planning, we are phasing in new communication methods, including blogging and real-time updates for urgent matters.

Julie Cunningham expressed support of these developments and encouraged everyone to review the current organizational structure and website formatting via the link provided. She also noted feedback is vital to ensure these high-effort initiatives provide maximum value.

ADMINISTRATION AND CONGRESSIONAL VISITS UPDATES

J.D. reported a significant concern regarding a projected \$1 billion cut to EQIP in the House version of the Farm Bill. This reduction, stemming from baseline changes, will heavily impact the West. We have been asked to provide a letter of support regarding this issue.

Colorado's delegation reported that the FSA Prevent Plant Program is not recognizing "snow drought" as a qualifying event this year. This was previously discussed during Hill visits with Nate Pearson and the Colorado delegation. We should monitor if this issue is occurring in other states.

We are ensuring the future of Landsat remains a priority. While Congressman Lucas's office is supportive, there is legislative uncertainty regarding its permanent federal home. We need to address these structural concerns to secure long-term funding and authorization. While USGS and NASA are cooperating effectively, there is a strong legislative push to incorporate more commercial and private sector support services.

The Senate caucus met yesterday to discuss the Colorado River. The preference remains for states to reach a settlement rather than pursuing litigation or legislative intervention. We should follow up to see if additional private caucus meetings are scheduled. Michelle noted that there is interest on the Senate side in increasing Colorado River funding from \$50 million to \$100 million for both the Upper and Lower Basins, likely for conservation efforts. While this increase is not guaranteed and the specific details are still being clarified, the prospect of additional funding is a positive development.

Regarding potential federal legislation and regional water issues, J.D. noted that Rep. Bice (OK) is considering a bill related to data centers, specifically focusing on the intersection of water and energy use. We offered our assistance to help with drafting or to share concerns from Western states. There is an interest in finding a Democratic co-sponsor, and Representative Stansbury was mentioned as a potential partner. It remains unclear how federal legislation over water allocation for data centers will impact us, so staying involved in this process through Representative Bice's office will be imperative.

Michelle Bushman discussed Rep. Maloy's (UT) efforts to save the Great Salt Lake. This initiative may involve seeking legislative support from Idaho and Wyoming due to their connection to the Bear River. Colorado addressed concerns regarding dust from the Great Salt Lake impacting their snowpack and Nevada talked about building solidarity around shared terminal lake issues. While specific language has not yet been drafted, we anticipate further developments aimed at Great Salt Lake preservation.

Appropriators expressed interest in the fact that NOAA has not yet acted on report language and funding for sub-seasonal to seasonal (S2S) forecasting pilot studies. We will follow up to ensure these directives are prioritized.

Senator Hickenlooper and other legislators suggested that water project earmarks are most successful when attached to larger public lands bills. States should consider following up on local or regional water project needs that could benefit from this strategy.

For future prospects on Indian Water Rights Settlements - there is discussion regarding a potential omnibus settlement package. While Representative Stansbury is optimistic, the House Appropriations Committee noted the current \$20 million annual cap is insufficient for the existing backlog. We are encouraged to continue working with the Native American Rights Fund to build broader support and explore potential momentum before Representative Zinke's retirement.

Chad Abel clarified that the \$20 million annual funding is designated for planning, negotiation, and packaging settlements through the Secretary's Indian Water Rights Office and the

Bureau of Reclamation. It does not directly fund the settlements themselves, which require Congressional appropriations once fully negotiated.

Candice Hasenyager mentioned that Senator Lee's office indicated that a Western drought hearing is currently in the planning stages. The specific timing and format are yet to be determined.

There were mentions of potential discussions regarding Senator Lee seeking further cuts to the Environmental Quality Incentives Program (EQIP).

Michelle reported that Rep. Stansbury discussed the reauthorization of the Great American Outdoors Act (lands bill). While it is being viewed as a potential legislative vehicle on the House side, several senators noted that Senator Lee is resistant to significant portions of the bill. Representative Stansbury also noted that as the bill progresses, water bills are often attached in pairs (one Democratic and one Republican) to maintain bipartisan support.

Jennifer Carr mentioned she is corresponding with ECOS, which is preparing testimony on the EPA budget for submission tomorrow. ECOS and the Association of State Drinking Water Administrators (ASDWA) remain very active regarding SRFs and earmarks. Additionally, Anthony DeRosa (ASDWA) is conducting a deep dive into the history of SRFs.

In response to Julie's question about potential success, Jennifer noted that the focus has shifted away from trying to stop earmarks entirely. Instead, there is an effort to use the SRF reauthorization process to redefine how set-aside programs are funded. One proposal is to have funding for technical assistance (2%) and administration (4%) come "off the top" before earmarks are allocated to infrastructure projects, rather than relying on percentages of state allocations.

Julie inquired if there were any discussions regarding changes to the funding formula between states. Jennifer reported that she has not heard of any plans to adjust state allocations. She noted that their state currently stands at a 1.04% allocation.

For this Friday's WestFAST Principals meeting, we need to ensure the agenda includes time to discuss emerging topics from this week that require coordination with the WestFAST Principals.

DATA CENTERS AND WATER USE

Michelle highlighted some key takeaways that she took from the meeting with sister organizations including ICWP, NWSA, and others. A representative from the data center industry was also present to liaison with the groups and provide an industry perspective on these trends.

The industry prioritizes energy permitting and infrastructure buildout (emphasizing the long 5-15 year time horizon) but often views water as a routine administrative approval rather than a finite resource. While their total volume of water use may be similar or even lower than other sectors of water use, state representatives noted that data centers represent a "new use" not yet accounted for in existing water supplies. A Texas representative raised the point that securing water storage and related permits typically takes 15-30 years. Companies seeking to build data centers often coordinate with

city councils or landowners instead of water agencies, overlooking the necessity of transferring or acquiring water rights. Non-disclosure agreements (NDAs) frequently prevent agencies from accessing critical usage data. Furthermore, the local community focus remains on economic benefits despite growing public pushback regarding AI and job displacement.

Connie addressed public opposition to data centers, noting it often stems from a lack of transparency and early public notice rather than "invalid" concerns. This exclusion frequently generates panic and skepticism toward industry studies. To ensure responsible project placement, there is a clear need to involve state agencies, water experts, and the public much earlier in the process.

Michelle highlighted that some states are already taking legislative action; Maine and Minnesota recently sought to impose moratoria on data centers, and South Dakota has introduced related legislation that requires a status follow-up.

Teresa Wilhelmsen: In Utah, a new law requires data centers established after July to report projected water use to the State Engineer, though proprietary data remains protected. Following 12 recent pre-consultations, concerns focus on water scarcity. Some farmers are now selling water to data centers rather than using it for alfalfa. The Kemp C. Gardner Institute recently published a paper on this topic.

Jennifer Carr: Following an interim hearing, Nevada expects to introduce a bill next spring. While Nevada currently prohibits indoor contact cooling with treated effluent, a project under NDA is seeking to change this. The state is focusing on ASHRAE 188 standards and Legionnaires' disease risks as the focus shifts from ingestion to inhalation risks.

Cathy Erskine: Our region is becoming a data center hub due to existing infrastructure. We often deal with third-party developers who discreetly acquire land, energy, and agricultural water rights—particularly in two over-allocated basins—before selling the package to a data center provider. We should expect to interface with these intermediaries rather than the providers themselves.

Michelle clarified that the industry representative who attended the meeting does work directly for a data center company, but acknowledged the broad spectrum of how these projects are handled, ranging from small-scale operations to the larger and more sophisticated development packages discussed here.

Nate reported on two competing data center bills in Colorado—one focused on tax incentives and the other on environmental regulations. The Colorado Department of Natural Resources (DNR) is working to integrate requirements similar to Utah's model into the final legislation, including mandatory state consultation on water supply planning, water efficiency reporting, and ratepayer protections for utility increases. Nate will provide updates as these legislative developments progress.

Teresa: Utah is partnering with the utility commission on a joint power/water survey to improve forecasting data, as they currently rely on municipal self-reporting.

Chris Brown: Wyoming's interim water committee is studying this issue, specifically regarding cooling system types and water requirements. They are seeking any available data, including information from Nevada, to share with their legislature.

Julie: Oklahoma is researching different cooling technologies and investigating legislative concerns regarding data centers potentially increasing water rates for local citizens.

Sara Gibson: There are concerns regarding data centers purchasing water from municipalities, similar to issues seen with the medical marijuana industry and power loads. Oklahoma City has reportedly placed a moratorium on new data centers through the end of the year. Key challenges include data centers being built in locations without adequate water and their proximity to shallow domestic groundwater wells, which raises community concerns. Additionally, there is a significant lack of available information to satisfy public inquiries.

Jennifer Carr: The streamlining of NEPA has led to a lack of public trust and reduced access to information. Consequently, we anticipate an increase in protests regarding permits for water pollution control, air, and other areas. As the NEPA process becomes less robust, the pushback on state permits is expected to increase, which may ultimately hinder rather than speed up the overall process across various sectors, including mining.

Chad Abel: Within DOI, the new NEPA regulations are no longer required to go out for public comment. While intended to accelerate projects, removing the public comment aspect of analyzing and disclosing impacts is sowing further public distrust.

Paula Cutillo: I will share all concerns with the Bureau of Land Management (BLM) leadership. There are internal agency concerns regarding the lack of information available to complete NEPA for data centers. In response, the BLM has partnered with the USGS on a "structured science synthesis" to inform the NEPA process. A draft of that report is currently under review; a section on water rights and state agency permitting requirements has been added. An update will be provided on the review status and the report's availability.

Jason Olive shared a reminder for the upcoming webinar on May 7 at 11:00 am Mountain Time. The Lincoln Institute will be presenting on water issues related to data centers. An email with more details is expected this afternoon. Michelle noted that a recent DOE webinar featuring data center content was recorded. She and Jason will work on posting it to the website in the coming weeks.

J.D. suggested that data centers could be a focus for a new task group. There is interest in facilitating policy positions, advocacy, and collaboration on NEPA concerns to get ahead of emerging issues.

Michelle reported that Representative Bice's office is drafting language related to these issues. She will email the group for input if there is a quick turnaround for comments, and the group agreed to this approach.

ROUNDTABLE PANELS DISCUSSION

The Water Policy Committee suggested flagging collaboration opportunities already initiated when meeting with multiple agencies. Chief Bettencourt (NRCS) emphasized leveraging partnerships for training, priority projects, data needs, and technical assistance. We learned that the Council on Environmental Quality (CEQ) is organizing routine meetings (monthly or quarterly). We should seek to include our priorities on their agendas, specifically: data infrastructure, MOUs, agency core competency, and right-sizing regulations (303(d) and SRFs).

During the Congressional Panel, we heard that our strategy should focus on attaching water project initiatives to larger legislative vehicles like the Farm Bill, America the Beautiful (Great Outdoors Act), NDAA, or appropriations, rather than pursuing stand-alone bills.

Jennifer Carr noted the absence of WOTUS (Waters of the United States) in recent discussions. She suggested a collective discussion once the final rule is released. She observed that data from agencies like NOAA, NASA, and USGS could potentially support robust WOTUS mapping.

Jennifer Zygmunt highlighted the WPC's emphasis on returning to "core missions," particularly regarding the Clean Water Act and cooperative federalism. She shared an EPA Region 8 Success: they reduced Performance Partnership Agreement (PPA) commitments from over 100 to approximately 15–20. This ensures commitments align with federal funding while allowing flexibility for state priorities.

Chris Brown: The Secretary of the Interior approved an additional release of 500,000 acre-feet from Flaming Gorge. Approval was also granted to reduce releases from Lake Powell to 7 million acre-feet (the minimum under the 2024 supplemental EIS). Both actions are effective as of today.

Julie highlighted a WPC recurring theme of staffing shortages, turnover, and retirements across agencies. In Oklahoma, the USGS is considering contracting with the state to service gaging stations due to a lack of personnel. There is interest in pursuing block grants to allow states to set priorities and maintain essential gages.

Cathy Erskine noted that Nevada faces similar challenges with a large landscape and low population. After discussions with the USGS, it was clarified that their list of potential stream gage cuts is a starting point for conversation rather than a mandate. There is also concern that programmatic language in bills restricts the USGS's discretionary funding, which is vital for their core mission.

Another member reported difficulties in affording USGS services due to rising costs (now at a 65/40 split). They are considering moving some stations to a local university that can operate them for \$4,000-\$8,000 less per year. While internal and university data is sufficient for water distribution, the USGS often does not accept it due to differing data standards.

Ria Berns appreciated the recognition that different uses require different types of gages, and that not every site requires a "top of the line" USGS gage.

Julie suggested compiling a list of available data products and websites, as many useful platforms remain underutilized.

J.D. suggested collaborating with WestFAST to stay updated on federally run data programs.

One member recalled that joint roundtable handouts from previous years were very helpful for tracking programs and suggested providing similar resources again.

Ria proposed established recurring training sessions (monthly or quarterly) through WestFAST or the WSWC. This would allow technical staff to better understand and internalize how to use these federal data platforms.

J.D. also emphasized the need to prioritize our advocacy and collaboration efforts for the remainder of the year. Key points included:

- Strategic Focus - we need to identify top priorities to present to WestFAST Principals and determine which items staff should focus on immediately;
- Cost Management - there is a concern regarding the USGS adding expensive features (like cameras) to gages while simultaneously cutting gages or shifting more cost-share burden to the states;
- Resource Allocation - a suggestion was made to discuss scaling back to simpler, cheaper gages where only streamflow data is needed, rather than adding “bells and whistles,” or water quality parameters that may not be necessary for every site.

We have an hour dedicated this afternoon to further discuss these topics, including potential webinar topics and the formation of specific task groups.

Michelle pointed to the QR code that’s on the brochures shared with Congress yesterday representing our preliminary priorities. This list was developed based on survey feedback, but it is currently quite broad. We need to narrow our focus for the remainder of 2026. As we have our discussions today, please consider specific areas where we should direct our efforts. For example:

- Energy and Water: Should we focus specifically on hydropower and data centers?
- Clean Water Act: Should we prioritize WOTUS and 401, given they are the current active rules?

We need this level of detail to ensure staff knows exactly what to focus on. Our goal is to influence Congress and the administration effectively and facilitate communication between states without trying to cover everything - unless an urgent request arises, such as a support letter for the Farm Bill. Please let me know your thoughts on these priorities and any other specific topics we should include.

J.D. asked members to identify their priorities, drilling down from broad categories into specific targets. We are working to be responsive to the strategic plan input we received, which emphasizes having fewer presentations and more opportunities for dialogue among our membership. The goal is for members to drive our priorities, rather than having us develop them independently.

Michelle noted that infrastructure broadly includes such topics as State Revolving Funds (SRFs), aging infrastructure, dam safety, new water supply, and hydropower. J.D. mentioned other relevant areas like rural development, infrastructure financing, reclamation, and the Storm Act.

There was a consensus that permitting should be listed as a separate line item due to its many facets, such as water rights, water quality, and authorizations.

Both J.D. and L'Oreal Stepney highlighted the critical role of SRFs. For example, Texas has an \$8 billion annual need. Julie added that these set-asides often fund entire water programs.

Candice shared that Utah developed a 20-year unified water infrastructure plan (including wastewater and drinking water), with a cost estimated at \$1 billion per year. This has led to ongoing discussions with congressional delegations regarding the balance of federal, state, and local funding.

Jennifer Carr discussed where direct potable reuse (DPR) fits within our framework – potentially under infrastructure, financing, or the Clean Water Act. Similar to Texas and California, work is well underway here. An external entity has been developing regulations over the past year and handed them over this past Tuesday for us to finalize. DPR infrastructure and engineering are significant investments. As water scarcity continues to be a priority, wastewater recycling and reuse are becoming essential. The National Water Reuse Action Plan (WRAP) 2.0 was recently released, and we will need to review it to understand the upcoming requirements and how they tie into the Clean Water Act and reuse infrastructure.

L'Oreal noted that while DPR currently accounts for only 2-3% of the water plan, it remains a critical component of our overall water resource strategy.

Roger Gorke suggested it would be beneficial to characterize the various federal funding sources available (e.g., SRF, WIFIA, Rural Development, and Reclamation) to help states and small systems navigate their options. This effort could support the 50-Year Plan by providing a guide on where to direct those seeking financing and clarifying which funds can be used as state matches for federal grants. WestFAST could also assist by coordinating local agency representatives to clarify funding eligibility based on project size.

There was strong support for creating a centralized list or set of links on our website to increase awareness of available federal funds.

Sara highlighted the significant challenges small communities face in Oklahoma qualifying for grants and loans, noting that even substantial state investments (such as ARPA funds) are insufficient to address the scale of the infrastructure problem. Reductions in federal programs, such as SRF or EQIP, significantly impact states that lack their own conservation programs.

J.D. suggested that, in addition to mapping funding sources, we should work to quantify the total infrastructure financing need across the Western states. Having a consolidated figure – potentially reaching a trillion dollars – would provide a powerful tool for advocacy and Hill visits when discussing the President's budget and congressional appropriations.

Julie: Oklahoma's 2025 water plan identified a \$24 billion need across water, sewer, and storm water. A platform is available for legislators to view costs by district. It also has established a loan program (Safeguarding Tomorrow Revolving Loan Fund) under the FEMA STORM Act for hazard mitigation and flood control. There is interest in learning if other states are accessing this funding to ensure it is included in holistic infrastructure discussions.

J.D.: The upcoming WestFAST Principals meeting will focus on improving state-federal collaboration on water and identifying new opportunities for agency partnership. Key discussion priorities include State Revolving Funds (SRF) and other infrastructure financing mechanisms (USDA, FEMA, etc.). There is a need to re-engage the Department of Homeland Security (DHS) regarding FEMA infrastructure, potentially following up with Secretary Mullin.

Connie Owen raised concerns regarding potential changes to NEPA that might remove opportunities for public review and comment. She suggested this topic may require attention, though its suitability for the WestFAST Principals group remains to be confirmed.

One member noted that with NEPA implementation decentralized across agencies, there is a need to ask how agencies are coordinating to provide consistent processes for states and public engagement.

Connie suggested that even if something isn't required, it can still be offered.

Jennifer Carr inquired if the Army Corps would be present tomorrow. WestFAST members confirmed they would not be. She highlighted a messaging opportunity regarding WOTUS as responsibilities shift. In particular, it would help if the federal government could clarify to applicants that while federal agencies may no longer regulate certain bodies of water, state agencies might. She mentioned that developers are already assuming they no longer need to consult state agencies.

Nate shared that Colorado now has a functioning state water dredge and fill permitting program and noted there are lessons learned regarding the resources required.

Candice suggested a broader discussion on how states are responding to WOTUS changes and the regulatory gaps created, noting that Utah is currently exploring how to address these gaps.

Chris Brown discussed the increasing need for better data and qualified personnel. Highlighted that 30 new stream gages were added in the Colorado River Basin without a long-term maintenance plan. He mentioned challenges with hiring freezes and attrition at the Bureau of Reclamation, as well as the pressure of regulating systems in Nebraska, Utah, and Montana.

J.D. noted that there is a 20-minute agenda item to discuss issues such as SRFs and WOTUS. A significant portion of the meeting will focus on improving state and federal collaboration on water issues in the West. We are looking for potential pilot projects in your states that involve key federal agencies. The goal is to secure commitments to resolve intractable water issues, eventually turning these successes into case studies (e.g., "What worked in Wyoming or Texas").

Michelle outlined the breakout sessions for each of the committee meetings and logistics for this afternoon. Committees were directed to review their respective sunseting and consolidated positions, which were linked in the digital agendas. Additionally, they were asked to review their old work plans for any priorities they would like to move forward with the next fiscal year.

COMMITTEE REPORTS AND RECOMMENDATIONS

Ria Berns reported on the Water Resources Committee highlights and recommendations. The Committee discussed one consolidated position related to data and another related to infrastructure. There was significant support for the new policy position format. They made several small amendments regarding formatting and inclusion.

- Policy Position No. 1: There was broad consensus to advance this position to the Full Committee. The single suggested amendment is to include the Bureau of Land Management and the U.S. Forest Service as listed agencies in the blue box on page one.
- Policy Position No. 2: There was broad support for moving this position forward to the full committee. The recommendation is for staff to create a similar blue box for this position that lists the committees of jurisdiction and the affected agencies.

The Committee decided to sunset the current work plan. Moving forward, the strategic plan will serve as the starting point for prioritization across the Water Resources, Legal, and Water Quality Committees. We will discuss these updates further at the Full Council meeting.

Chris Brown reported that the Legal Committee did not have consolidated positions in the new format yet. We reviewed two existing positions with the intent to consolidate these positions with additional ones before the summer meeting.

- Position No. 499 regarding Preemption of State Law in Federal Legislation: No changes were suggested. The Committee recommends moving this to the full Council for re-approval.
- Position No. 503, regarding Water-Related Federal Rules, Regulations, Directives, Orders, and Policies: We recommend two edits before moving this to the full Council: In the fifth “WHEREAS” clause, update the number of WestFAST federal agencies from 12 to 15. In the seventh “WHEREAS” clause, change “federal agencies have inappropriately dismissed” to “federal agencies have, at times, dismissed” to soften the tone.

Work Plan Recommendations: The Legal Committee would like to move the following three elements forward for the coming year: (1) Indian Water Rights Settlements: Continued support for the 15 settlements currently pending before Congress; (2) Non-Tribal Federal Reserved Water Rights: Continued exploration of cooperative ways to handle these rights; and (3) Survey Reports: Completion of the reports associated with previous state surveys. Michelle is currently working on finalizing these.

Michelle noted that a topic discussed in the Legal Committee was whether to continue holding the three committee breakout sessions simultaneously. We have been testing this format in response to previous feedback during the San Pedro and DC meetings, but we are still evaluating its effectiveness. We would like to know if this format is working well or if any changes are needed. There is no need for immediate feedback, but please let us know your thoughts as we move forward.

Jennifer Zygmunt reporting on the Water Quality Committee, noted there were two sunset positions.

- Position No. 490, regarding Tribal Reserved Rights and Tribal Baseline Water Quality Standards: The Committee recommends letting this position sunset as the EPA has withdrawn past rulemakings on these subjects. However, the Committee supports consolidating messaging in other positions regarding tribal support, TAS authority, and building effective relationships.
- Position No. 496 regarding the Water Infrastructure Finance and Innovation Act Loans and State/Tribal Assistance Grants: This remains a critical position. The Committee proposes adopting the current version in its older format without edits for now. The Committee will work on updating this to the new format and refining the messaging on SRFs and infrastructure funding for consideration at the summer meeting.

Work Plan Recommendations: Clean Water Act Jurisdiction (WOTUS): There is a request to research how states are responding post-Sackett and what actions are being taken to fill regulatory gaps. Water Reuse: The plan will emphasize water reuse for data centers, direct potable reuse, and indirect potable reuse (aquifer recharge). The Committee also highlighted the need for further information sharing on these specific topics.

FULL COUNCIL COMMITTEE ACTIONS ON POSITIONS

Adoption of Consolidated Position No. 2026-01 on data/forecasting, with the amendment to add BLM and U.S. Forest Service as listed agencies in the blue box.

Adoption of Consolidated Position No. 2026-02 on infrastructure, with a forthcoming blue box listing committees of jurisdiction and relevant federal agencies.

Clarification that positions rolled into the new consolidated positions will be treated as superseded until they sunset, as applicable.

Reaffirmation/continuation of Position No. 496 on WIFIA/STAG/SRFs in the older format for now, with the Water Quality Committee to bring back a revised version in the new format.

Allowing Position No. 490 on Tribal Reserved Rights and Tribal Baseline Water Quality Standards to sunset, with the understanding that related issues can be revisited if needed.

Reapproval of Position No. 499 on Preemption of State Law in Federal Legislation without changes.

Reapproval of Position No. 503 on Water-Related Federal Rules, Regulations, Directives, Orders, and Policies with the two minor edits recommended by the Legal Committee: updating WestFAST agencies from 12 to 15 and softening “inappropriately dismissed” to “have, at times, dismissed.”

STAFF PRIORITIES

Following the morning discussion, the afternoon session focused on narrowing staff priorities for the next 6-9 months. Key action items identified include:

Data Centers: Emphasizing state-to-state information sharing, a potential clearinghouse for regulations, and coordinating with ICWP/NWSA to avoid duplicating efforts.

WOTUS/Post-Sackett Responses: Planning a potential states workshop following the release of the final rule and subsequent litigation.

USGS Streamgages & Water Data: Addressing funding alongside staffing capacity and related NRCS SNOTEL/snow survey concerns.

Infrastructure Funding: Advocating for SRF and coordinating with ECOS/ASDWA/CIFA to better characterize federal funding sources.

Water Reuse: Focusing on direct/indirect potable reuse, aquifer recharge, and data center-related issues.

Federal Reserved Water Rights: Discussing MOUs and cooperative approaches for non-tribal rights.

Good Samaritan Mine Cleanup: Ensuring engagement between state water and mining agencies during implementation.

Rules of Organization: Updating WSWC rules once the new strategic plan-driven committee structure is finalized.

OTHER MATTERS

There being no further matters, the Joint Committee Meeting was adjourned.