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WestFAST News

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Biden-Harris Administration Advances Long-Term Planning Efforts to Protect the Colorado River System

DOI 10/19/23

The Biden-Harris administration today announced next steps in the formal process to develop future operating guidelines and strategies to protect the stability and sustainability of the Colorado River system and strengthen water security in the West. The guidelines under development would be implemented in 2027, replacing the 2007 Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead, which are set to expire at the end of 2026.

The Department of the Interior's Bureau of Reclamation published the Proposed Federal Action and a Scoping Summary Report related to Colorado River Basin operations post-2026. The Scoping Report, which was supported by a 60-day public scoping period, will inform the post-2026 operating guidelines. This planning process is separate from ongoing efforts to protect the Colorado River Basin through the end of 2026.

These steps to protect the Colorado River Basin now and into the future will leverage the historic investments being deployed through President Biden's Investing in America agenda to help increase water conservation, improve water efficiency, protect critical environmental resources, and prevent the Colorado River system's reservoirs from falling to critically low elevations that would threaten water deliveries and power production. These actions form a key pillar of Bidenomics and represent the largest investment in climate resilience in the nation's history. They provide pivotal resources to enhance the resilience of the West to drought and climate change, including to protect the short- and long-term sustainability of the Colorado River System. Through the Bipartisan Infrastructure Law, Reclamation is investing $8.3 billion over five years for water infrastructure projects, including water purification and reuse, water storage and conveyance, desalination and dam safety. The Inflation Reduction Act is investing an additional $4.6 billion to address the historic drought, including by funding water conservation efforts across the Colorado River Basin.

"President Biden's Investing in America agenda has deployed historic investments as we've worked collaboratively with states, Tribes and communities throughout the West to find consensus solutions in the face of climate change and sustained drought," said Deputy Secretary Tommy Beaudreau. "As the Department works with those partners to stabilize the Colorado River in the short-term, we are also committed to ensuring the long-term sustainability of the Basin for decades to come based on the best-available science and with robust input from stakeholders across the West."

The Colorado River Basin provides essential water supplies to approximately 40 million people and 30 Tribal Nations, nearly 5.5 million acres of agricultural lands, and habitat for ecological

resources across parts of several Western states (including Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming) and Mexico. But prolonged drought, driven by climate change and coupled with low runoff conditions in the last several years, resulted in historically low reservoir levels at Lake Powell and Lake Mead.

The post-2026 planning process builds on the Biden-Harris administration's ongoing efforts to protect the Colorado River Basin. Earlier this year, Administration leaders brought together stakeholders from across the Basin to build a consensus for water conservation efforts through the end of 2026, enabled by investments from the President's Investing in America agenda. By the end of October, the Department will issue a draft Supplemental Environmental Impact Statement to revise the December 2007 Record of Decision, which will set interim guidelines through the end of 2026. The post-2026 process being advanced today will develop guidelines for when those interim guidelines would expire.

"The Colorado River Basin has come together over the past year to create a consensus path in the short term that now allows us to focus on the future. Today's next steps for post-2026 planning helps continue the momentum between all stakeholders across the Basin on what the future operations of this critical system will look like," said Reclamation Commissioner Camille Calimlim Touton. "As the range of alternatives is developed, Reclamation is committed to a collaborative, inclusive and transparent process with our partners, stakeholders and the public."

To date, the Interior Department has announced the following investments for Colorado River Basin states, which will yield hundreds of thousands of acre-feet of water savings each year:

- $281 million for 21 water recycling projects that are expected to increase annual water capacity by 127,000 acre-feet annually
- Up to $233 million in water conservation funding for the Gila River Indian Community, including $83 million for a water pipeline project and an additional $50 million from the Inflation Reduction Act through the Lower Colorado River Basin System Conservation and Efficiency Program, which will also provide similar investments in 2024 and 2025
- Over $73 million for infrastructure repairs on water delivery systems; $19.3 million in fiscal year 2022 and another $54 million announced in April 2023
- $71 million for 32 drought resiliency projects to expand access to water through groundwater storage, rainwater harvesting, aquifer recharge and water treatment
- $50 million over the next five years to improve key water infrastructure and enhance drought-related data collection across the Upper Colorado River Basin
- $20 million in new small surface and groundwater storage investments
- Eight new System Conservation Implementation Agreements in Arizona that will commit water entities in the Tucson and Phoenix metro areas to conserve up to 140,000-acre feet of water in Lake Mead in 2023, and up to 393,000-acre feet through 2025

Post-2026 Planning Process

The post-2026 process is a multi-year effort that will identify a range of alternatives and ultimately determine operations for Lake Powell and Lake Mead and other water management actions, potentially for decades into the future. Using the best-available science, Reclamation will develop a draft environmental impact statement (EIS) that will analyze how future operational guidelines and strategies can be sufficiently robust and adaptive to withstand a broad range of hydrological conditions and ultimately provide greater stability to water users and the public throughout the Colorado River Basin.

The completed draft EIS is anticipated by the end of 2024 and will include a public comment period. Reclamation anticipates a final EIS will be available in late 2025, followed by a Record of Decision in early 2026.

As part of Reclamation's robust and transparent process to gather feedback, three virtual public webinars were held during the scoping period. Reclamation also engaged Basin stakeholders via stakeholder briefings; the formation of a new Federal-Tribes-States working group; two meetings

of the Integrated Technical Education Workgroup; and individual communications.

While the post-2026 process will determine domestic operations, the Biden-Harris administration is committed to continued collaboration with the Republic of Mexico. It is anticipated that the International Boundary and Water Commission will facilitate consultations between the United States and Mexico, with the goal of continuing the Binational Cooperative Process under the 1944 Water Treaty.

EPA Finalizes Rule to Require Enhanced PFAS Reporting to the Toxics Release Inventory

EPA 10/20/23

Today, the U.S. Environmental Protection Agency (EPA) finalized a rule that improves reporting on per- and polyfluoroalkyl substances (PFAS) to the Toxics Release Inventory (TRI) by eliminating an exemption that allowed facilities to avoid reporting information on PFAS when those chemicals were used in small concentrations. Often referred to as "forever chemicals," PFAS are used at low concentrations in many products, and as a result of removing this reporting exemption, covered industry sectors such as manufacturing, metal mining, and chemical manufacturing, as well as federal facilities that make or use any of the 189 TRI-listed PFAS, will no longer be able to avoid disclosing the quantities of PFAS they manage or release into the environment.

"People deserve to know if they're being exposed to PFAS through the air they breathe, the water they drink, or while they're on the job," said Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff. "Under this new rule, EPA will receive more comprehensive data on PFAS and looks forward to sharing that data with our partners and the public."

The rule reflects the Biden-Harris Administration's commitment to address the impacts of these forever chemicals, and advances EPA's PFAS Strategic Roadmap to confront the human health and environmental risks of PFAS.

TRI data is reported to EPA annually by facilities in industry sectors such as manufacturing, metal mining, electric power generation, chemical manufacturing and hazardous waste treatment, as well as federal facilities that manufacture, process, or otherwise use notable quantities of TRI-listed chemicals. The data include quantities of chemicals that were released into the environment or otherwise managed as waste. Information collected through TRI allows communities to learn how facilities in their area are managing listed chemicals. The data collected also help support informed decision-making by companies, government agencies, non-governmental organizations, and the public. Among the updated online TRI tools, communities can use EPA's TRI Toxics Tracker to map the locations of TRI-reporting facilities and find out about their chemical releases, other chemical waste management practices, and pollution prevention activities.

The 2020 National Defense Authorization Act (NDAA) initially added 172 PFAS to the list of chemicals covered by TRI for the 2021 reporting year and provided a framework to automatically add other PFAS in future years. The NDAA also required facilities to report on those chemicals if they manufacture, process or otherwise use more than 100 pounds of the substance, which is lower than the reporting threshold for most other TRI-listed chemicals. However, the previous Administration codified the NDAA provisions in a manner that did not address the availability of the *de-minimis* exemption or other burden reduction provisions to the reporting requirement that allowed facilities that report to TRI to disregard and avoid reporting on minimal concentrations of PFAS chemicals.

By designating PFAS as "chemicals of special concern" for TRI-reporting purposes, this rule eliminates the availability of that exemption for TRI-listed PFAS and requires facilities to report on PFAS regardless of their concentration in mixtures, since many PFAS are used in low concentrations in mixtures, and the continued availability of the exemption for PFAS would permit facilities to discount those uses when determining their TRI reporting responsibilities. The rule also makes the previous exemption unavailable for purposes of supplier notification requirements to downstream

facilities for all chemicals on the list of chemicals of special concern, which also includes additional chemicals that, like PFAS, remain in the environment for long periods of time and build up in the body like lead, mercury, and dioxins. This change helps ensure that purchasers of mixtures and trade name products containing these chemicals are informed of their presence in mixtures and products they purchase.

The public can view supporting materials in the docket once the rule publishes in the Federal Register.

Learn more about the final rule.

Topping the Charts: September 2023 was Earth's Warmest September in 174-year Record

2023 shaping up to be warmest year in NOAA's global climate record

NOAA 10/13/23.

HUARINA, BOLIVIA – SEPTEMBER 29, 2023: An aerial view of a boat stuck in the dried lake bed of Lake Titicaca. The water level of Titicaca, the largest lake in South America, has dropped drastically due to the unprecedented winter heat that hit the country. September 2023 was the warmest September on record for South America and the globe. (Image credit: Gaston Brito Miserocchi/Getty Images)

Last month marked another month of record-breaking temperatures throughout the globe, with September 2023 ranking as the warmest September in NOAA's 174-year global climate record.

September's temperature also helped propel 2023 into the lead as the warmest year-to-date on record, according to scientists at NOAA's National Centers for Environmental Information (NCEI).

"September 2023 was the fourth month in a row of record-warm global temperatures," said NOAA Chief Scientist Dr. Sarah Kapnick. "Not only was it the warmest September on record, it was far and away the most atypically warm month of *any* in NOAA's 174 years of climate keeping. To put it another way, September 2023 was warmer than the average July from 2001-2010."

Below are more highlights from NOAA's September global climate report:

Climate by the numbers

September 2023

The average global temperature for September was 2.59 degrees F (1.44 degrees C) above the 20th-century average of 59.0 degrees F (15.0 degrees C), ranking as the warmest September on record. September 2023 saw the highest monthly global temperature anomaly — which indicates how much warmer or cooler temperatures are from the long-term average — of any month on record.

September 2023 marked the 49th-consecutive September and the 535th-consecutive month with temperatures above the 20th-century average.

Africa, Europe, North America and South America each had their warmest September on record. Asia had its second-warmest September, while September in Oceania ranked third warmest. Looking at the poles, Antarctica had its warmest September, while the Arctic saw its second warmest.

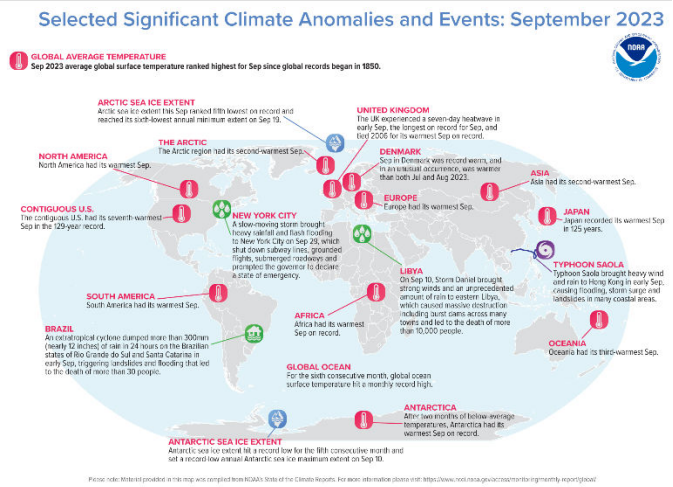
For the sixth consecutive month, September also saw a record-high monthly global ocean surface temperature. September 2023 tied August 2023 for the highest monthly sea surface temperature anomaly (1.85 degrees F, or 1.03 degrees C, above average) of any month in NOAA's global record.

Year to date (YTD, January through September 2023)

The YTD average global surface temperature was the warmest on record at 1.98 degrees F (1.10

degrees C) above the 20th-century average of 57.5 degrees F (14.1 degrees C). South America and Europe had their record-warmest such YTD, with Africa seeing its second warmest.

According to NCEI's Global Annual Temperature Outlook and data through September, there is a greater than 99% probability that 2023 will rank as the warmest year on record.



A map of the world plotted with some of the most significant climate events that occurred during September 2023. Please see the story below as well as more details in the report summary from NOAA NCEI at http://bit.ly/Global202309offsite link.
(Image credit: NOAA/NCEI) Download Image

Other notable climate events in the report

More sea ice records broken: September 2023 set a record for the lowest global September sea ice extent (coverage) on record, besting the previous record low from September 2016. This primarily resulted from record-low sea ice in the Antarctic, which saw its fifth-consecutive month with record-low sea ice coverage. The Arctic sea ice extent for September 2023 ranked as the fifth smallest in the satellite record at 1.69 million square miles, or 470,000 square miles below the 1991–2020 average.

Seventeen named storms occurred across the globe in September: Seven of the 17 named storms reached tropical cyclone strength (sustained winds of 74 mph or higher), and four reached major tropical cyclone strength (sustained winds of 111 mph or higher). The global accumulated cyclone energy was about 70% of the 1991-2020 average for September. Ten named storms were active in the Atlantic during September, which tied 2010 and 2020 for the most on record.

More > Access NOAA's September global climate report and download the images.

Upcoming Meetings and Webinars

WestFAST Webinar: Stream Restoration and Water Rights in Nebraska and California
December 12th at 10am MT, Virtual

People

DOI 10/23/23. Interior Department Welcomes New Biden-Harris Appointees

DOI 10/31/23. Longtime Interior Department Leader Laura Daniel-Davis Named Acting Deputy Secretary

USDA 10/3/23. U.S. Department of Agriculture Announces Key Staff Appointments

Other Federal News

DOE 10/11/23. Biden-Harris Administration Announces More Than $38 Million to Support Hydropower Facilities Across the Country

DOI 10/20/23. Biden-Harris Administration and San Luis & Delta-Mendota Water Authority Approve Plan for B.F. Sisk Dam Project, Advancing Water Supply Reliability and Public Safety in California's Central Valley

DOI 10/25/23. Biden-Harris Administration Announces Next Steps to Protect Stability and Sustainability of Colorado River Basin

DOI 10/26/23. President Biden's Investing in America Agenda Supports $327 Million Investment to Fulfill Indian Water Rights Settlements

DOI 10/30/23. Biden-Harris Administration Announces $65 Million in Rural Water Funding from President's Investing in America Agenda

DOJ 10/13/23. Justice Department Releases First-Ever Comprehensive Environmental Justice Enforcement Strategy Report

EPA 10/5/23. EPA Honors WaterSense Partners for Helping Consumers Save Water

EPA 10/5/23. EPA Announces $4 Million Now Available for Technical Assistance Providing Evaluation Support for EPA Grant Funding Recipients

NASA 10/27/23. NASA-ISRO Radar Mission to Provide Dynamic View of Forests, Wetlands

USACE 10/20/23. Global Hydro Intelligence analysis unlocks secure water resources

USACE 10/20/23. Crowdsourcing bathymetry could provide near-time picture of nation's inland waterways

USDA 10/13/23. USDA Assists Farmers, Ranchers, and Communities Affected by Montana Floods

USDA 10/16/23. USDA's Conservation Reserve Program Pays More Than $1.77 Billion to America's Producers in Support of Conservation and Climate-Smart Agriculture

USGS 10/26/23. Bipartisan Infrastructure Law Supports more than $5.8M for States to Preserve Vital Geologic Data and Support Infrastructure Development