



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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ADMINISTRATION

Columbia River/NEPA

On December 18, the Army Corps of Engineers and Bureau of Reclamation issued a joint notice of intent (89 FR 102869) for a supplemental environmental impact statement (SEIS) for operations for 14 dams on the Columbia River System (CRS). The agencies are evaluating the long-term coordinated operations, maintenance, and configuration of the CRS, pursuant to agreements under the 2023 Resilient Columbia Basin Agreement (RCBA), a memorandum of understanding resulting from mediated discussions between the U.S. government, tribes, local governments, stakeholder groups, and nongovernmental organizations.

The SEIS will supplement the 2020 CRS Operations Final Environmental Impact Statement (CRSO EIS) to address environmental effects from proposed changes to the selected alternative. It will evaluate new information and circumstances such as: (1) changes to operations, maintenance, and configuration of the 14 projects that make up the CRS; (2) new species listed or proposed for listing under the Endangered Species Act (ESA); (3) certain commitments associated with the RCBA; (4) relevant reports, studies, or other information published since the CRSO EIS was completed; and (4) anticipated changes in Columbia River inflows to the United States from Canada and operational effects in the U.S. related to the modernization of the Columbia River Treaty. The agencies invited federal and state agencies, Native American Tribes, local governments, and the public to submit scoping comments no later than March 20, 2025. Three virtual public scoping meetings will be held the week of February 10, 2025. For additional information see <https://www.nwd.usace.army.mil/CRSO/>

ADMINISTRATION/WATER RESOURCES

Infrastructure/Water Recycling

On December 6, Reclamation Commissioner Camille Calimlim Touton responded to a July letter from Senator Alex Padilla (D-CA), cosigned by 28 other lawmakers, stating that the agency would increase the cap on federal funding for water recycling projects from \$30M to \$40M. Padilla's letter urged the agency to exercise its authority

to increase the WIIN Title XVI grant program's per-project funding cap (WSW #2620). Touton's letter read: "Reclamation recognizes that project costs for many water infrastructure projects have increased significantly in recent years. As noted, in recognition of those cost increases, Reclamation increased the project ceiling from \$20 million to \$30 million in 2022, allowing numerous projects to request and receive additional federal investment. Based on a review of project costs, as well the expected availability of funding to support the current number of applicable projects, we agree that a further increase in the project ceiling to \$40 million is appropriate. Reclamation will look to include such changes as part of future funding opportunities for the program." (E&E News, 12/11/24)

Indian Water Rights

On December 9, the Department of Interior announced more than \$65M to continue fulfilling settlements of Indian water rights claims. The allocation will fully exhaust the \$2.5 billion provided through the Indian Water Rights Settlement Completion Fund (25 USC §149) under the Infrastructure Investment and Jobs Act. The funding will support major water projects across the West, including: (1) Ak-Chin Indian Water Community Rights Act (\$25M); (2) Crow Tribe Water Rights Settlement (\$6.5M); (3) Southern Arizona Water Rights Settlement - Farm Extension (\$9M); (4) Gila River Indian Community-Pima Maricopa Irrigation Project (\$7.7M); (5) Nez Perce Settlement (\$6M); San Carlos Apache Tribe - Distribution System (\$5.5M); (6) Animas-La Plata Project (Colorado Ute) (\$3.3M); (7) Navajo-Gallup operations and maintenance (\$2.5M); and (8) San Carlos Irrigation Project Rehab (\$300,000).

Interior Secretary Deb Haaland said: "Today, the Interior Department has upheld our trust responsibilities through President Biden's Investing in America Agenda and ensured that Tribal communities will receive the water resources they were long promised. Reliable water is crucial to ensuring the health, safety and empowerment of Indigenous communities. I am grateful that Tribes, some of whom have been waiting for this funding for decades, are finally getting the resources they are owed."

CONGRESS

Natural Resources

On December 23, the President Biden signed a number of bills into law including: (1) the Drought Preparedness Act (H.R. 4385), introduced by Rep. Joe Neguse (D-CO) (WSW #2627); (2) the Water Monitoring and Tracking Essential Resources (WATER) Data Improvement Act (H.R. 5770), introduced by Neguse (WSW #2625); (3) the Wildlife Innovation and Longevity Driver (WILD) Reauthorization Act (H.R. 5009), introduced by Rep. David Joyce (R-OH); (4) the Great Salt Lake Stewardship Act (H.R. 4094), introduced by Rep. John Curtis (R-UT); (5) the Colorado Salinity Control Fix Act (H.R. 7872), introduced by Curtis; (6) H.R. 1607, introduced by Rep. David Schweikert (R-AZ) and Greg Stanton (D-AZ); and (7) the Federal Agency Performance Act of 2024 (S. 709), introduced by Senator Gary Peters (D-MI).

H.R. 5009 reauthorizes through FY2028 several conservation programs for wildlife species and their habitats, including the U.S. Fish and Wildlife Service's Partners for Fish and Wildlife Program. H.R. 4094 would designate unused funding from the Central Utah Projects Completion Act toward water conservation projects in the Great Salt Lake Basin. H.R. 1607 will expand the Salt River Project's pumped-storage hydropower facilities. S.709 revises requirements regarding strategic reviews of federal agencies' performance goals and requires a Deputy Performance Improvement Officer to support the Performance Improvement Officer.

On passage of the WATER Data Improvement Act, Representative Neguse said: "Droughts threaten our water supplies, devastate our crops, and have countless other impacts on the daily lives of folks who call Colorado and the American West home. And I am so incredibly proud to see our proposals to address the severe impacts of record-breaking drought get enacted into law."

On the WILD Reauthorization Act, House Natural Resources Committee Chair Bruce Westerman said: "Congress got it right when they originally authorized the Partners for Fish and Wildlife Program and the programs that make up the Multinational Species Conservation Fund. Reauthorizing these programs for the future is a commonsense action that we can take to continue our role as leaders in conservation efforts, and passing H.R. 5009 will help these efforts for the rest of the decade. Rep. Joyce has been a leader on this issue...."

On H.R. 4094, Curtis said: "Utahns have worked tirelessly to protect the Great Salt Lake, but persistent drought conditions now threaten its long-term viability.... Over time, this flexibility will help safeguard its ecological and economic significance, protecting Utah and the West

from the economic and public health risks of an ecological disaster."

Regarding H.R. 5509, Rep. Schweikert declared: "The near unanimous support for this legislation proves that America is ready to embrace long-term energy storage technologies to expand the supply of affordable and reliable energy for our communities."

WATER RESOURCES

Colorado

On December 20, the Colorado Department of Natural Resources announced that Colorado had officially retired more than 10,000 acres of farmland from irrigation in the southern Republican River Basin. This milestone marks progress toward meeting the State's obligations under the Republican River Compact with Kansas and Nebraska. Depleted groundwater in the Republican River Basin has impacted how much surface water flows east. To address this, the Republican River Compact Administration (RRCA) set a goal in 2016 for Colorado to retire 10,000 irrigated acres by 2024, with an additional 15,000 acres required by 2029. Kansas and Nebraska agreed that Colorado has now met the first target. To support the next phase, the Colorado Water Conservation Board (CWCB) allocated \$6 million in its proposed 2025 projects bill toward further efforts in the basin. This builds on the \$30 million unanimously approved by Colorado lawmakers in 2022. The retirements are supported through a \$30M grant under the American Rescue Plan Act of 2021 (P.L. 117-2), which allows landowners to permanently retire irrigation through USDA's the Conservation Reserve Enhancement Program (CREP) or the Environmental Quality Incentive Program (EQIP).

Jason Ullmann, State Engineer, Colorado Division of Water Resources, said: "Agriculture is the economic driver for the northeastern counties of Colorado. This is a difficult situation for the producers. I know this work hasn't been easy, and more must be done. I applaud the Republican River Water Conservation District (RRWCD) for their major efforts to reach this deadline."

Deb Daniel, General Manager of the RRWCD, said: "By working together with the State of Colorado, the [RRWCD] continues to make great strides in complying with the ongoing requirements imposed by the 2016 Republican River Compact Administration Resolution. The RRWCD continues, with financial support from Colorado, to provide funding to compensate well owners who are willing to voluntarily retire a portion of their irrigated acres to ensure that Colorado and the Republican Basin achieve and maintain compliance with the compact."

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