



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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ADMINISTRATION/WATER RESOURCES

Utah/WIFIA

On February 18, the Environmental Protection Agency (EPA) announced a \$110M Water Infrastructure Finance and Innovation (WIFIA) loan to the Weber Basin Water Conservancy District in northern Utah. The loan allows the district to make upgrades expected to supply reliable drinking water to approximately 700,000 residents by expanding two drinking water treatment plants, replacing water storage tanks, as well as constructing transmission lines, an aquifer storage recovery well, and water reuse facilities.

EPA Administrator Lee Zeldin said: "Providing clean water to all Americans is part of EPA's core mission and this WIFIA loan will help us achieve this goal not only for Utah residents today, but also for future generations. In addition to providing safe, clean drinking water, it will also spur the economy and create jobs. I am excited we can provide this loan and help make this drought-prone region flow with water." Scott Paxman, General Manager and CEO of the District said: "This loan enables Weber Basin Water Conservancy District to uphold our commitment to providing safe, reliable water to a growing population. Our partnership with the EPA provides the financial flexibility to construct these critical infrastructure projects, ensuring we meet the needs of our communities today and safeguard resources for future generations."

USDA/Conservation

On February 20, the U.S. Department of Agriculture (USDA) announced it would release the first tranche of funding that was paused due to the review of the Inflation Reduction Act (IRA), honoring conservation contracts that were already made directly to farmers. USDA is releasing approximately \$20M in contracts for the Environmental Quality Incentive Program (EQIP), the Conservation Stewardship Program (CSP), and the Agricultural Conservation Easement Program (ACEP). Secretary Brooke Rollins said: "American farmers and ranchers are the backbone of our nation. They feed, fuel, and clothe our nation — and millions of people around the world.... We will honor our commitments to American

farmers and ranchers, and we will ensure they have the support they need to be the most competitive in the world."

CONGRESS

Senate/Army Corps of Engineers

On February 25, the House Appropriations Subcommittee on Energy and Water Development held an oversight hearing on the state of the Army Corps of Engineers (Corps) civil works program. While acknowledging the importance of the Corps' work, Chairman Chuck Fleischmann (R-TN) highlighted issues with inadequate engineering, and the need to modernize the government contracting process. He said: "The Corps executes a no-fail mission, and there is always more to be done. We need to finish what we start so that we can deliver for our constituents, and achieving those goals requires the Corps to define success and measure progress."

Ranking Member Marcy Kaptur (D-OH) raised concerns about engineering and design challenges, schedule delays, cost overruns, and contractor performance. She said: "The U.S. Army Corps of Engineers is needed now more than ever to devise modern approaches to changing freshwater cycles, whether it's down the Mississippi, in the Great Lakes, or the arid West. With an increasingly volatile climate, the Corps must plan and implement solutions to make our communities more resilient."

Representative Scott Franklin (R-FL) inquired about efficiency in the Corps' section 404 Clean Water Act permitting, noting the Corps' project approval rate was significantly slower than Florida's output before a federal court vacated the authority. Brigadier General Daniel Hibner highlighted the newly established regional permitting agency, meant to expedite permitting. On the possibility of the State of Florida regaining permitting authority he said: "We will, once again, in good faith, be good partners in transferring that responsibility back to the state of Florida. But I will mention, that does cause turbulence, and that does slow us down as we're doing those multiple transitions. But we'll do it as quickly and as efficiently as possible." Franklin asked about potential

savings if the State were to assume authority. General Hibner responded that it wouldn't necessarily provide savings to Congress as it would direct funding to the State's regulatory program.

Representative Susie Lee (D-NV) and Representative Mike Levin (D-CA) both questioned Corps leadership about the agency's release of over two billion gallons of water from central California's Terminus and Schaeffer dams, which she characterized as a political stunt. "I want to know, is the Army Corps positioned and prepared to ensure that its stewardship of so much of America's water remains free from this type of harmful political interference?" General Graham highlighted the Corps' commitment to the law, its relationship with Tulare Lake irrigators, and the Research and Development initiative to develop and use Forecast Informed Reservoir Operations (FIRO). He noted that the water released was flood storage water and that the release was within Corps authorities. Lee asked if the release was prompted by the Trump administration. General Graham responded that it was in compliance with the executive order they were given. Levin asked whether the water had reached Los Angeles and whether the release could have contributed to the water shortage in California. General Graham responded that he didn't know. Levin said: "Can you find out for us? I'd like to know, how do you respond to scientists and farmers who say that these releases contradicted established flood safety rules, established coordination that's been in place with local authorities for decades, and just sound science?"

CONGRESS/ORGANIZATIONS

EPA/State Revolving Funds

On February 20, WSWC joined a coalition of 37 national and state organizations writing to House and Senate Appropriations Subcommittee leadership and to EPA Administrator Lee Zeldin, urging them to fully fund Clean Water and Drinking Water State Revolving Funds (SRFs) at congressionally authorized levels. They wrote: "Clean, safe water is essential to human health. Fully funding the SRFs will expand access to affordable financing for infrastructure that provides safe drinking water, suitable recycled water, wastewater services and stormwater management in thousands of communities around the nation every year. Adequate federal funding for this basic public health infrastructure is needed to reduce the risk of preventable diseases from poor water quality and water scarcity for millions of Americans.... Funding the Clean Water and Drinking Water SRFs at congressionally authorized levels of \$3.25B for each for fiscal years 2025 and 2026 will provide much needed access to affordable financing for water infrastructure that protects human health and the environment." Other signees included the Association of Clean Water

Administrators (ACWA), the Council of Infrastructure Financing Authorities (CIFA), and the Environmental Council of States (ECOS).

WATER RESOURCES

Utah/Navajo Water Rights Settlement

On January 31, the Utah Seventh Judicial District Court issued an interlocutory decree that confirmed and quantified all Navajo Nation rights to the use of surface and underground water in Utah, totaling 81,500 acre-feet per year. The decree also gave administrative authority to the Tribe and protected reserved water rights in perpetuity. The decree affirms provisions of the Navajo-Utah Water Rights Settlement, approved by Congress in 2020 (P.L. 116-260). Congress and the State of Utah contributed significant funding for water infrastructure development, the Navajo Water Development Trust fund, and the Navajo Operation, Maintenance, and Replacement Trust Fund.

The Navajo Nation, state leadership, and water managers celebrated the decree at the Utah State Capitol on February 19. Lt. Governor Deidre Henderson said: "In Utah, the Beehive State, the beehive symbolizes communities coming together to achieve greater things than the sum of all parts. This demonstrates that we can overcome challenges and work together to bring life and hope to all communities in Utah." Navajo Nation Chief Legislative Counsel Michelle Espino said: "There are approximately 6,000 Navajo residents on the Utah side of the Nation, and half of these residents live without running water. We need to be able to move this water like the states do, and this settlement is a critical step forward in fulfilling our vision of providing water infrastructure." Utah State Engineer and Division of Water Rights Director, Teresa Wilhelmsen said: "Three years ago, we signed the Utah-Navajo Nation Water Right Settlement Agreement. It was a meaningful step in the right direction, but a lot of technical and administrative work still needed to be done. I'm grateful to our adjudication team that carefully and fairly completed this adjudication."

PEOPLE

EPA Administrator Lee Zeldin has appointed **Jim Macy**, former director of the Nebraska Department of Environment and Energy (NDEE), as EPA Region 7 Administrator. "It is an honor to be appointed by President Trump to implement a common-sense approach to protecting clean air, water, and land, while promoting economic development," Macy said. "Under Administrator Zeldin's leadership, I will work with Region 7 staff, our state and tribal partners, and community stakeholders to expand environmental stewardship and conservation efforts across our region."

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.