



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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CONGRESS/WATER RESOURCES

House Appropriations/Water Programs

On April 8, the House Appropriations Subcommittee on Energy and Water Development held a member day hearing, allowing members to highlight priority programs and projects. Representative Jim Costa (D-CA) emphasized reservoir management, advancing western water storage projects, and upgrading aging infrastructure in his State. He advocated for the Water Operations Technical Support Program (WOTS) and its tools, including Forecast-Informed Reservoir Operations (FIRO). He noted FIRO's importance, considering the increasing role of atmospheric rivers as a water source for the West. He requested the Committee fund the WOTS program at \$14M for FY26. He urged the Committee to fully fund Water Infrastructure Investments for the Nation (WIIN) Act projects in FY26 at \$134M, noting the investments would be necessary to capture water during wet years and be adequately prepared for dry years. He urged the Committee to support report language that could provide up to \$30M to repair Reclamation Canals. He also encouraged the Committee to continue the San Joaquin River Restoration Program and to provide \$7.8M to finish two anadromous fish screens on the Sacramento River.

ORGANIZATIONS/WATER QUALITY

ECOS/PFAS

On April 17, the Environmental Council of States (ECOS) released a Compendium of State PFAS Actions. The document showcases policies and science from all 50 States regarding per- and polyfluoroalkyl substances (PFAS) including action plans, task forces and workshops, partnerships, and PFAS definitions. It outlines PFAS legislation and regulations across environmental media including drinking water, groundwater, surface water, soil, air, fish and wildlife, and biosolids. It then outlines methods used by states for sampling, source identification, monitoring, and testing, as well as remediation techniques. Finally, it includes infographic summaries for each State. See <https://www.ecos.org/documents/ecos-compendium-of-state-pfas-actions/>

CIFA/SRFs

On April 11, WSWC joined a coalition of 28 other national and state organizations writing to House and Senate Appropriations Subcommittee on Interior, Environment and Related Agencies leadership and to EPA Administrator Lee Zeldin, urging them to fully fund the Clean Water and Drinking Water State Revolving Funds (SRFs) at congressionally authorized levels of \$3.25 billion each. They wrote: "Clean, safe water is essential to human health.... [Full funding] 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 across the nation every year. Adequate federal funding for this basic public health infrastructure is needed to reduce the risk of preventable waterborne diseases from poor water quality and water scarcity, which increase healthcare costs and cause a loss of economic productivity."

WATER RESOURCES

Utah/Great Salt Lake

On March 3, the Utah Division of Water Rights announced a coordinated effort with the Central Utah Water Conservancy District (CUWCD), in partnership with the Utah State Engineer and the Utah Lake Water Users Association, to initiate the release of about 70,000 acre-feet of runoff from Utah Lake to the Great Salt Lake. The opening of the control gates allows an estimated 500 million gallons of water per day down the Jordan River towards the Great Salt Lake. This is the third time in 10 years that the gates have been opened to facilitate flow from Utah Lake. In 2024, Utah Lake reached its "compromise level" – an elevation mandated by court order – for the first time since 2011, requiring the State Engineer to activate control gates to mitigate flooding. The release will continue for several weeks, based on snowpack forecasts. Gene Shawcroft, General Manager of CUWCD said "This release allows us to responsibly manage spring runoff, ensuring the health of Utah Lake and the Great Salt Lake." <https://waterrights.utah.gov/FromTheField>

WESTERN STATES/LEGISLATION

Kansas

On April 10, Kansas Governor Laura Kelly (D) signed HB2085 into law, which allows state-issued water pollution control permits for eligible facilities to extend up to ten years. The change will only apply to certain facilities that do not discharge to streams (non-Q), and would not apply to facilities that discharge wastewater under dual state and federal (NPDES) permits at this time. The bill passed both chambers unanimously.

Kelly also signed the State's FY25-28 budget (SB125) which provides an additional \$6M annual investment to safeguard Kansas' water supply; a \$1.75M increase in matching funds for local conservation districts; and \$3M for a pilot project to manage sedimentation in John Redmond Reservoir. Kansas also passed HB2113 which increases annual funding from the state general fund for the State Water Plan by \$20M, which would bring the total to \$55M beginning July 1, 2025. HB2172 also passed, establishing a Water Program Task Force to evaluate the State's water program and ensure financial resources are adequate. The task force will include 29 appointed members.

New Mexico

On April 8, New Mexico Governor Michelle Lujan Grisham (D) signed HB137, establishing the Strategic Water Supply program which will develop projects and grants for treating brackish water. She also signed SB21, which establishes a state-level permitting system for waters no longer federally protected under the Clean Water Act (CWA) following *Sackett v. EPA*, and grants authority for the State to seek surface water permitting authority.

HB212 will prohibit the sale of certain consumer products containing intentionally added PFAS starting in 2027, with more products being prohibited starting in 2028 and 2032. The legislation exempts critical applications in medical, electronic, and manufacturing sectors while requiring inventories of PFAS-laden firefighting foams and restricting their use to emergencies. HB140 designates discarded firefighting foams containing PFAS chemicals as hazardous waste, enabling state-level regulation.

South Dakota

South Dakota's legislative session ended March 31, during which Governor Larry Rhoden (R) signed HB1072, which modernizes the procedure for establishing water development districts. The legislature passed SJR501 which asks lawmakers to agree with a decision by the State's Water Resources Board to grant

the Western Dakota Regional Water System's permit for the use of Missouri River water in its pipeline plans. The water allotment in the system's pipeline application (20,765 acre-feet of Missouri River water annually) is large enough to trigger a clause in state law requiring legislative approval. The system will take decades and significant federal investment to complete.

Utah

On March 24, Governor Spencer Cox (R-UT) signed HB274, which sets definitions for reasonable rate-setting and requires water providers to consider conservation measures, including tiered pricing to incentivize water conservation. It also eliminates language that once limited a political party from holding more than five of the nine positions on the Board of Water Resources. He also signed HB446 which gives the Great Salt Lake (GSL) Commissioner power to negotiate agreements, leases, or other means to acquire or lease water or water rights for the GSL pursuant to the procurement exemption. HB446 mandates that the commissioner consult on state-funded projects designed to acquire or lease water or water rights for the GSL. Additionally, the bill requires a comprehensive management plan for the GSL consistent with the Commissioner's Great Salt Lake Strategic Plan. The State's appropriations included \$1M of the requested \$16M for the Great Salt Lake Long-Term Water Program, which will be used to lease sufficient water to stabilize lake elevation levels. It also authorized an additional \$30M in ongoing federal funds for the GSL Commissioner.

HB41 established new policy addressing groundwater quality, encouraging monitoring of watersheds, promoting state water planning, and accounting for regionally appropriate water reuse. Cox also signed HB243, which authorizes research funds for the Agricultural Water Optimization (AWO) Committee, and modifies eligibility for AWO grants. SB36 modified the Utah Water Quality Act to establish a process for the Utah Water Quality Board to review settlement negotiations between the director and a party in alleged violation and issue a final order establishing a reasonable penalty.

Wyoming

On March 12, Wyoming Governor Mark Gordon (R-WY) signed SF43 which extended the period of a temporary water right transfer from two to five years, and removed specified purposes for a temporary water right. During the session he also signed SF80 which allows the owner of a dam or diversion system to request an extension of the five year nonuse period when appropriated water is unused due to necessary repairs or replacement.

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.