

Western States Federal Agency Support Team (WestFAST) is a collaboration between 12 Federal agencies with water management responsibilities in the West. WestFAST was established to support the Western States Water Council (WSWC) and the Western Governors' Association (WGA) in coordinating Federal efforts regarding water issues.

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WestFAST News

June 2017

Western States Water Council Summer Meetings

(WSWC/WestFAST 06/27-29/17)

On June 27-29, the Western States Water Council (WSWC) met for the 184th time in Rohnert Park, California. Here are some highlights including Edgar Ruiz, Executive Director of the Council of State Governments (CSG)-West addressed members. Washington State Senator Sam Hunt is the current CSG-West Chair, and will host their annual meeting in Tacoma, Washington on August 15-19. Edgar noted the close working relationship with the Western Governors Association (WGA) and the WSWC.



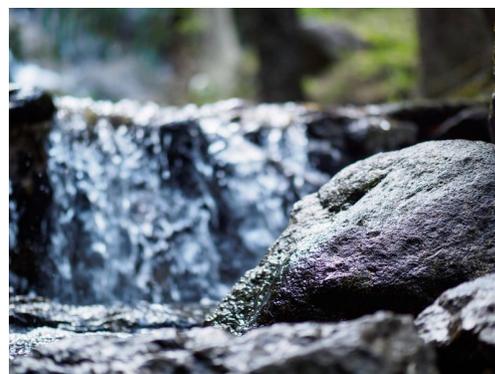
Jeanine Jones, California Department of Water Resources (CDWR), and WSWC Vice-Chair welcomed members and noted that it has been a very busy water year for California, wrapping up a drought emergency, coping with a flood emergency, and dealing with the Oroville Dam spillway incident. The state has been working on implementing the 2014 Sustainable Groundwater Management Act (SGMA), with the formation of local Groundwater Sustainable Agencies (GSAs) from various specialized districts with water supply responsibilities.

During the Water Resources Committee Meeting, Tom Farr and Cathleen Jones from the NASA Jet Propulsion Laboratory demonstrated measuring land subsidence using Interferometric Synthetic Aperture Radar (InSAR) data collected from satellites and aircraft radar.

Sonya Jones, U.S. Geological Survey (USGS) Water Availability and Use Science Program Coordinator, updated members on water mission activities and plans for the coming fiscal year. Since the budget structure change in 2016, Cooperative Matching Funds (CMF), which support both local science needs and federal programs, have been sepa-

rated into: (1) the Groundwater and Streamflow Information Program; (2) the National Water Quality Program; and (3) the Water Availability and Use Sciences Program. Congress has increased funding, but has been very specific about how those funds are applied. Ten western states are participating in the groundwater monitoring network, with additional state participation expected. The national water use compilation for 2015 is underway, and the full report should be completed by 2018. Water Use Data and Research (WUDR) grants will be distributed in coming months. USGS has started new regional level groundwater studies, with metamodeling of California's Coastal Basins. There is also a pilot project on coupled surface-groundwater flow models and the Colorado Plateau. A report was released on brackish groundwater showing geographic distribution and water chemistry. See <https://pubs.er.usgs.gov/publication/pp1833>.

Einev Henenson, Arizona Department of Water Resources (ADWR), summarized their automated Annual Water Use Reporting System. David Parker, CDWR, talked about the California Data Exchange Center (CDEC) and its objectives and capability to collect and disseminate real-time hydrologic and weather information. See <http://cdec.water.ca.gov>. In the Water Quality Committee, Kent Woodmansey talked about the unique features of South Dakota's general permits for concentrated animal feeding operations (CAFOs). Jim Macy, Director, Nebraska



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Department of Environmental Quality (DEQ), provided an update on online permitting in Nebraska. Next, Jennifer Wigal, Association of Clean Water Agen-



cies (ACWA) Vice Chair and WSWC Member, provided an update on the outreach efforts from EPA and the Corps on the development of a new Waters of the U.S. (WOTUS) rule and Jen Verleger, North Dakota, chaired the Legal Committee meeting and provided an update on legal developments related to the Army Corps of Engineers' water supply rule (still pending), and WOTUS litigation. Rod Walston, Of Counsel at Best, Best, and Krieger, and a former WSWC Member, provided an overview of the *Agua Caliente* case and the potential impact of the 9th Circuit's decision on federally reserved water rights in general, and the potential new application of the doctrine to groundwater. Michelle Bushman updated members on legislation and litigation. The Committee also held a roundtable discussion on groundwater recharge and recovery laws.

In addition, six sun-setting positions were revised and re-adopted. For further information, please see WSWC: <http://www.westernstateswater.org/wswc-summer-184th-council-meetings-ca/>.

Fire Season is Here!

(USFS/WestFAST 0705/17)

At the time I was writing this article, the National Interagency Fire Center (NIFC) was dealing with over 30 uncontained "large wildfires". For the latest information see <https://www.nifc.gov/>.

U.S. Forest Service (USFS) along with multiple other federal, state and local agencies work to better understand fire. Here are some basic information with respect to ongoing fire support:



Fire Technology:

<https://www.fs.fed.us/science-technology/fire>

When we see fire, our first response is to put it out. For decades, the Forest Service has done just that when it came to wildland fires. But science has changed the way we think about wildland fire and the way we manage it. We still suppress fires, especially if they threaten people and communities, but we understand that fire has a role in nature – one that can lead to healthy ecosystems. So we look for ways to manage it to play its role, for instance, by igniting [prescribed fires](#).

The USFS conducts cutting-edge research and develops tools to help land managers better understand and manage fire. Our scientists study fire behavior and the effects of fire on ecosystems and society, as well as offer management options.

Fighting Fire

More than 73,000 wildfires burn an average of about 7 million acres of private, state and federal land in the U.S. each year. USFS firefighters respond to a significant number of those, either because they are burning on National Forest Service or because they are providing assistance to another federal, tribal, state or local partner.



We need to be prepared with highly trained people, well designed tools and high performing equipment to respond safely and effectively to forest and grassland fires. Responding to fires often requires a mix of ground firefighters and aerial firefighting aircraft.

[Learn more about people in fire](#)

[Learn more about firefighting equipment and tools](#)

Fire Forecasting

[Predictive Services](#) (link is external) provides information about fire weather, fire danger/fuels, and intelligence resource status information that fire managers need to anticipate significant wildfire activity and determine where to position firefighters, engines, aircraft and other wildfire suppression assets to respond to it.

National Predictive Services products include weekly and monthly [significant wildland fire potential outlooks](#) (link is external), [intelligence reports](#) (link is external) that are produced daily or weekly depending on wildfire activity, and [annual reports](#) (link is external).

New Energy Policy Water Database Now Available

(WestFAST –Marc Kodack 6/6/17)

Marc Kodack, U.S. Army Corps of Engineers (USACE) provided an overview of a draft database that provides an extensive source of key information about state-level water policies and programs that are relevant to energy systems in the United States. The goals of the database are to facilitate improved policy analysis, modeling, "We are continue to make the implementation of the Clean Water Act Section 404 regulatory And in some cases dry it has been in part of the West.



visualization, and communication by states, industry, utilities, academia, federal agencies, and other stakeholders. There are more than 1,700 policy entries in the draft database, including:

- State and national pollutant discharge elimination system (PDES and NPDES) permitting programs affecting electricity generation and oil and gas production facilities
- Underground injection control permitting for the oil and gas sector
- Policies affecting surface water rights and groundwater rights
- Water quality standards affecting energy systems
- Hydraulic fracturing water regulations
- River and/or dam operations affecting hydropower and/or thermoelectric cooling
- Water regulations impacting electric generation

Each policy entry includes searchable fields such as jurisdiction, dates enacted, energy subsector affected, water body affected, relevant statute, contact information of implementing authority, and a concise summary of the policy. The full draft database is also downloadable in spreadsheet format.

[Click here for a link to the database](#)

EPA and USACE Move to Rescind 2015 “Waters of the U.S.” (EPA 06/27/17)

The Environmental Protection Agency (EPA), Department of Army, and Army Corps of Engineers (the agencies) are proposing a rule to rescind the Clean Water Rule and re-codify the regulatory text that existed prior to 2015 defining “Waters of the United States,” or WOTUS. This action would, when finalized, provide certainty in the interim, pending a second rulemaking in which the agencies will engage in a substantive re-evaluation of the definition of “Waters of the United States.” The proposed rule would be implemented in accordance with Supreme Court decisions, agency guidance, and longstanding practice.

“We are taking significant action to return power to the states and provide regulatory certainty to our nation’s farmers and businesses,” said Administrator Scott Pruitt. “This is the first step in the two-step process to redefine ‘waters of the U.S.’ and we are committed to moving through this re-evaluation to quickly provide regulatory certainty, in a way that is thoughtful, transparent and collaborative with other agencies and the public.”

This proposed rule follows the February 28, 2017, Presidential Executive Order on “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.” The February Order states that it is in the national interest to ensure that the Nation’s navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution. To meet these objectives, the agencies intend to follow an expeditious, two-step process that will provide certainty across the country.

The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit’s stay of the 2015 rule. Therefore, this action, when final, will not change current practice with respect to how the definition applies.

The agencies have also begun deliberations and outreach on the second step rulemaking involving a re-evaluation and revision of the definition of “waters of the United States” in accordance with the Executive Order.

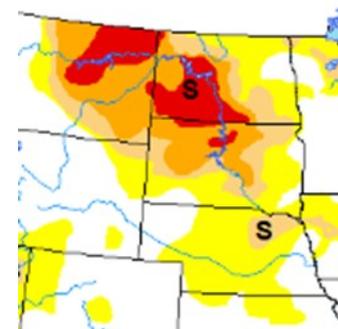
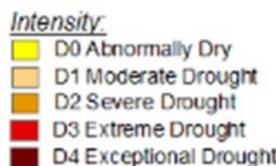
“The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public,” said Mr. Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

For the pre-publication *Federal Register* notice and additional information: <http://www.epa.gov/wotus-rule>

Hot Early Summer in Much of the US Includes Expanding Drought in the Plains

(WestFAST 06/30/17)

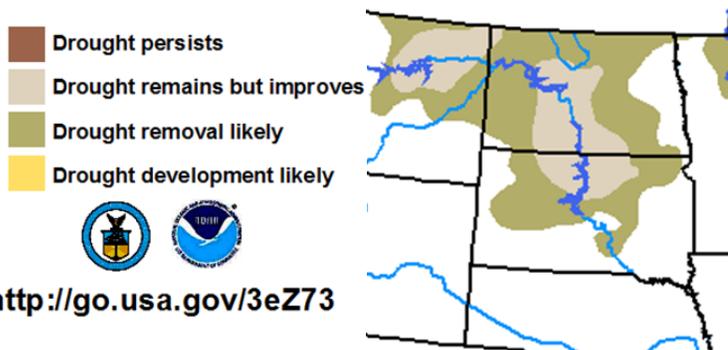
Multiple press releases and news articles have been written in June by the National Oceanic and Atmospheric Administration (NOAA), National Aeronautics and Space Administration (NASA), and I’m sure others discussing how warm



USDA, NDMC, SRE, FIRM
<http://droughtmonitor.unl.edu/>



The latest outlook (below) from the NOAA, National Weather Service Climate Prediction Center is for continuing or expanding drought in portions of the Northern Plains.

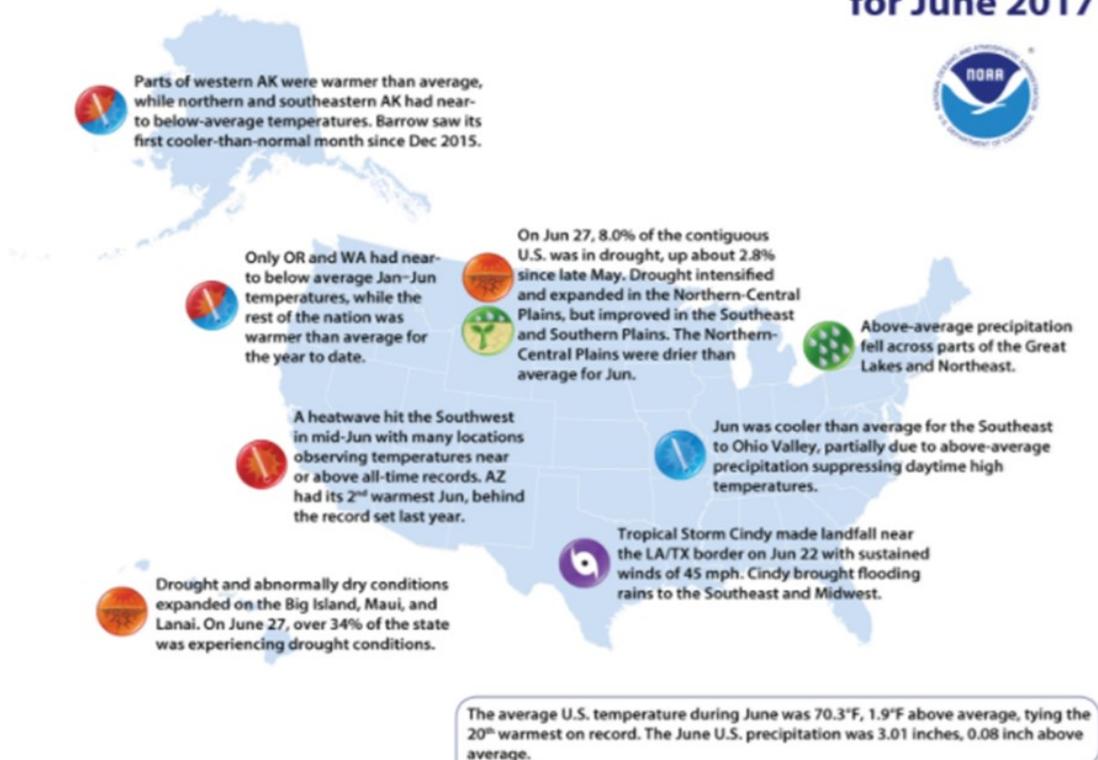


NOAA/CPC Seasonal Drought Outlook 6/15/17

<http://go.usa.gov/3eZ73>

These anomalies in the northern Plains are just among many that have been noted. Below is a selection of anomalies from across the US in June mapped by NOAA.

U.S. Selected Significant Climate Anomalies and Events for June 2017



Please Note: Material provided in this map was compiled from NOAA's State of the Climate Reports. For more information please visit: <http://www.ncl.noaa.gov/sotc>

Stream Gauges at Risk Do to Funding Cuts *(Water Deeply 06/21/17)*

It's common knowledge among the hydrologic forecasting and research organizations that USGS river gauges are at risk of being cut with the ongoing budget constraints and even more may be at risk in 2018. The streamgages track data vital for water supply and flood protection. But lack of stable funding it's going to be impossible to keep all of them operating.

Here is part of an article from "Water Deeply" on the river gauging situation. When it comes to managing water in uncertain times, few things are more important than knowing how much is flowing in the river alongside your city, or filling the reservoir that irrigates local farms. That information is crucial to deciding how much water is available to irrigate crops, whether to declare a flood emergency or whether to launch a lazy rafting excursion. But this basic information is at risk across the West because the nation lacks a reliable funding source for the simple stream gages that measure river flows. The USGS, which handles most stream monitoring across the country, must rely on annual appropriations by Congress to maintain its network of stream gages.

As a result, dozens of gages across the West are at risk of being shut down every year. This network of is already considered too thin in most states, leaving huge gaps in stream-flow data in areas of critical habitat or serious flood risk. "The USGS does not have a line item in the federal budget to use at our discretion for stream gaging," said Kirk Miller, a supervisory hydrologist at the agency's Wyoming-Montana Water Science Center. "When you start talking about life and property hinging on access and timeliness of the streamflow data, it's pretty important."

According to Water Deeply, "The USGS operates about 8,200 stream gages across the country at an annual cost in 2016 of \$184 million. That works out to an annual average of about \$16,300 per gauge".

There are 68 gages around the nation currently at risk of being shut down. An additional 131 were recently discontinued because of funding



shortfalls. Some had been gathering streamflow data for decades, representing the death of an important environmental record. At an average annual cost of \$16,300 per gage, it would cost just \$2.7 million annually to keep these devices running.

Many also gather other kinds of important data, such as water temperature and specific water quality information. These days, many gages upload their data automatically every 15 minutes via satellite link.

[Full Article](#)

High Plains Aquifer Groundwater Levels Continue to Decline *(USGS 6/16/17)*

Here is an article and link with recent WSWC meeting in Nebraska, which has access to a large portion of the Ogallala Aquifer. Marc Kodack, USACE also sent along a link from two years ago, with a similar declining story. [USGS 2014](#)

WSWC Upcoming Meetings

Symposium on the Settlement of Indian Reserved Water Rights Claims will be held in Great Falls, Montana on August 8-10.

Federal Non-Tribal Water Claims Workshop will be held on October 18, in conjunction with the WSWC Fall Meetings in Albuquerque, New Mexico on October 18-20

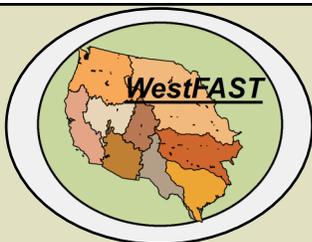
For further information, please see:
<http://www.westernstateswater.org/upcoming-meetings/>.

Federal News *(control click to links)*

[Standing link here from NRCS 6/#Fridaysonthefarm Features](#)

- [6/01: Oregon Rancher Nurtures Milkweed, Lures Monarchs](#)
- [6/1: Where Ocean Meets Sky: New NASA Radar Gets a Try-out](#)
- [6/07: USDA Announces More than \\$22 Million in Conservation Innovation](#)

- [6/8: 'Monster' Lahontan Cutthroat Making a Comeback](#)
- [6/9: NASA Data Suggest Future May Be Rainier Than Expected](#)
- [6/12: Water is Life for the Swinomish Indian Tribal Community](#)
- [6/12: Smoke from Wildfires Can Have Lasting Climate Impact](#)
- [6/13: World's Muddiest Academic Contest Introduces Students to Soil and Range Health](#)
- [6/15: May 2017 Was Second Warmest May on Record](#)
- [6/16: High water across county roads forces temporary closure of BLM recreation areas](#)
- [6/17: This Farmer's convinced: "Ugly" Fields Have Higher Yields](#)
- [6/18: <http://www.noaa.gov/stories/excessive-heat-silent-killer>](#)
- [6/19: USDA Program Helps Nonprofits Innovate New Certification for Bee-Friendly Farms](#)
- [6/19: USDA Announces \\$20 Million for Jobs for Young People, Veterans](#)
- [6/26: Lightning Sparking More Boreal Forest Fires](#)
- [6/21: Distribution Plan Available for FY 2017 Funding for Bureau of Reclamation](#)
- [6/21: Red Dye Study Will Examine Water Flow in Yellowstone River near Glendive, Montana](#)
- [6/21 New App Helps Officials, First Responders in 9 States Find Well Locations and Their Histories](#)
- [6/22: Los Angeles, Calif. & Nogales Ariz. Receive EPA Assistance to Improve Health, Environment and Local Economy](#)
- [6/22: Secretary Zinke Announces Delisting of Yellowstone Grizzly Bear](#)
- [6/23: EPA awards Wyoming Department of Environmental Quality \\$850k grant to protect water quality](#)
- [6/20: NOAA, USGS and partners predict third largest Gulf of Mexico summer 'dead zone' ever](#)
- [6/26: Human Activity Alters Streamflow Throughout Kansas](#)
- [6/26: Gazing at Earth's Light Show from Space](#)
- [6/27: Maintaining healthy Timber Forests Takes Teamwork](#)
- [6/27: U.S. EPA Awards \\$91,000 to Groundwork San Diego to Educate Students and Community on Water Conservation](#)
- [6/27: Elected Leaders Praise The Trump Administration's Move To Rescind WOTUS](#)
- [6/28: BLM Issues Public Safety Measures for 2017 Burning Man](#)
- [6/28: EPA and the State of Colorado release proposed plans for environmental cleanup at the Eagle Mine Superfund site in Eagle County, Colorado](#)



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