



# Western States Water

## Addressing Water Needs and Strategies for a Sustainable Future

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### **ADMINISTRATION UPDATE/WATER QUALITY** **Bureau of Reclamation/Water Reuse**

On May 10, the Bureau of Reclamation (USBR), in collaboration with the Environmental Protection Agency and others, announced a prize competition for water treatment technology that detects and monitors pathogens to improve health protections for indirect and direct reuse of wastewater. For more information, see [www.usbr.gov/research/challenges/pathogen.html](http://www.usbr.gov/research/challenges/pathogen.html).

### **CONGRESSIONAL UPDATE** **House/FY2019 Appropriations-Agriculture**

On May 16, the House Appropriations Committee approved the FY2019 Agriculture Appropriations bill by a vote of 31-20. Total discretionary funding would be \$23.3B, a \$14M increase above FY2018.

The bill would appropriate \$6.5M for wellhead or groundwater protection activities (16 USC §3839bb-2); \$890M for Natural Resources Conservation Service (NRCS) soil and water conservation operations (16 USC §590a-f); \$150M for watershed and flood prevention operations (16 USC §1001 et seq.), with an emphasis on regional and shovel-ready projects; and \$10M for the watershed rehabilitation program, emphasizing projects in states with high hazard dams and recent flooding events. It also includes \$65M for grants, loans, and loan guarantees for rural water and waste disposal systems, and \$22M for technical assistance grants.

### **House/FY2019 Appropriations-Energy and Water**

On May 16, the House Appropriations Committee approved the FY2019 Energy and Water Development and Related Agencies Appropriations bill by a vote of 29-20. The bill would appropriate \$44.7B, an increase of \$1.5B above FY2018. (See WSW #2295).

### **House/Commerce, Justice and Science**

On May 17, the House Appropriations Committee approved the FY2019 Commerce, Justice, and Science Appropriations bill by a vote of 32-19. The bill provides \$62.5B in discretionary funding, an increase of \$2.9B above FY2018. NASA is funded at \$21.5B, an increase

of \$810M, and NOAA would receive \$5.2B, a reduction of \$751M.

Under the Committee's recommendations, the hydrology and water resource programs under NOAA's National Weather Service would continue to be funded at \$6M, for research activities to improve fine and large-scale measurements of snow depth and soil moisture data for the National Water Model. The recommendations also include \$408M for the Geostationary Operational Environmental Satellite-R (GOES-R) program, and \$3M for improving atmospheric river forecasting.

The Committee also recommended appropriating \$1.9B toward NASA's Earth Science programs, including \$132M for the NASA-ISRO Synthetic Aperture Radar mission. The Committee supported the National Academy of Sciences "Earth Science and Applications from Space Decadal Survey" report, and directed NASA to implement its findings. (See WSW #2286).

### **WRDA/Infrastructure**

On May 18, the House Transportation and Infrastructure Committee leadership introduced a bipartisan Water Resources Development Act (WRDA) (H.R. 8). Notably, the House bill does not include reauthorization for the Water Infrastructure Finance and Innovation Act (WIFIA).

Title I provides full use of funds from the Harbor Maintenance Trust Fund for harbor maintenance purposes (§102). It reauthorizes the Levee Safety Initiative and National Dam Safety program through 2023 (§104, §105). The bill requires a report on the pilot program at Coyote Valley Dam (California) for forecast-informed reservoir operations (FIRO), with an assessment of whether FIRO is viable for other Corps dams (§107). It also requires the Corps to directly engage stakeholders in the development of implementation guidance (§114). The bill directs the National Academy of Sciences, in consultation with DOD, EPA, OMB, and other agencies, to study the ability of the Corps to carry out its mission, including the potential effects of moving the Corps from the Department of Defense to a new or existing federal agency (§118).

Title II authorizes studies for future water resources improvements included in the Army Corps of Engineer's annual reports to Congress (§201, §202). It directs the Corps to expedite feasibility studies for various projects, including (1) a flood diversion project in Seward, Alaska; (2) a flood control and flood risk management projects at Coyote Valley Dam, South San Francisco, and Tijuana River, California; (3) a project for ecosystem restoration at the Kansas River Weir, Kansas; (4) a water resources improvements project at Willamette River Basin, Oregon; and (5) a navigation project at Tacoma Harbor, Washington (§203).

Title III offsets new project authorizations by deauthorizing other projects, and sunsets inactive project authorizations (§301, §302). Title IV authorizes water resources infrastructure projects, consistent with the reports the Corps submitted to Congress.

## **WATER RESOURCES**

### **Colorado River Basin/Drought**

On May 9, USBR issued a press release regarding the increased need for state and federal action in light of ongoing drought conditions in the Colorado River Basin. Snowpack levels for the 2017-2018 season were at record lows in many parts of the Basin, continuing the decline of reservoir water elevations. Although the infrastructure is working, and voluntary conservation efforts by the agency, states, water districts, and Mexico have delayed the onset of reductions to lower Basin states, the forecast models are still predicting shortage conditions at Lake Mead in the near future.

Commissioner Brenda Burman said: "We need action and we need it now. We can't afford to wait for a crisis before we implement drought contingency plans. We all – states, tribes, water districts, non-governmental organizations – have an obligation and responsibility to work together to meet the needs of over 40 million people who depend on reliable water and power from the Colorado River. I'm calling on the Colorado River basin states to put real – and effective – drought contingency plans in place before the end of this year."

The press release includes statements from the Governors' representatives of the Basin states. Pat Tyrrell, Wyoming's State Engineer stated: "This is a critical juncture and we must complete drought contingency plans in both the Upper Basin and the Lower Basin prior to crisis. Further delay is not an option, and I have to believe we can get to 'yes.' Full implementation of Minute 323 with Mexico is only possible when the drought contingency plans are complete, and with Lower Basin shortages likely by 2020, we have no other palatable solution."

James Eklund, Of Counsel with Squire Patton Boggs, Colorado's appointed representative, said:

"Colorado is heartened by Commissioner Burman's call to action, stands at the ready to move drought contingency planning forward, and agrees that the situation is urgent. Paraphrasing Ben Franklin, the states must hang together or we'll hang separately."

Eric Millis, Director of the Utah Division of Water Resources said: "With the threat of this unprecedented drought continuing, the Colorado River Basin States and Mexico need to complete drought contingency planning efforts in the near future. We need the participation of all these parties in order to ensure this goal's accomplishment. It has never been more important to work together."

Tom Blaine, New Mexico State Engineer said: "New Mexico believes that drought contingency plans are a key step to surviving this exceptional drought. Now is the time for us to come together and establish a path for the future of the Colorado River Basin."

John Entsminger, Southern Nevada Water Authority General Manager said: "This ongoing drought is a serious situation and Mother Nature does not care about our politics or our schedules. We have a duty to get back to the table and finish the Drought Contingency Plan to protect the people and the environment that rely upon the Colorado River."

California's Colorado River Commissioner, Bart Fisher, stated that, "California's Colorado River agencies recognize the continuing poor hydrologic conditions within both California and the Colorado River Basin, and remain fully committed to collaborate with our partner states in completing the Lower Basin Drought Contingency Plan and ensuring activation of the Mexican Binational Water Scarcity Contingency Plan contained within Minute No. 323."

Thomas Buschatzke, Director of the Arizona Department of Water Resources said: "The completion of the lower basin states' Drought Contingency Plan is vitally important to Arizonans. The plan reduces the likelihood of Lake Mead declining to critically low levels and incentivizes the use of tools to conserve water in the Lake so that reductions in delivery of Arizona's Colorado River supplies are avoided or lessened."

## **PEOPLE**

Montana Governor Steve Bullock has named **Jan Langel**, Acting Administrator, Water Resources Division, Montana Department of Natural Resources and Conservation, and **Tom Livers**, Director, Montana Department of Environmental Quality to the WSWC.

Texas Governor Greg Abbott has appointed **Peter Lake**, Chairman, Texas Water Development Board to replace Bech Bruun on the WSWC.

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**The WESTERN STATES WATER COUNCIL is an organization 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.**