



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

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WESTERN GOVERNORS/WATER RESOURCES

California

On April 29, California Governor Gavin Newsom ordered California agencies to develop a new portfolio approach on water to protect the future health of communities and the environment. "California's water challenges are daunting, from severely depleted groundwater basins to vulnerable infrastructure to unsafe drinking water in far too many communities. Climate change magnifies the risks," said Newsom. "To meet these challenges, we need to harness the best in science, engineering and innovation to prepare for what's ahead and ensure long-term water resilience and ecosystem health. We'll need an all-of-above approach to get there." A news release adds to the range of existing challenges major flood risks threatening public safety, agricultural communities coping with uncertain water supplies and threatened native fish populations.

The Order "...declares water is a human right." It also says, "Climate change is having a profound impact on water and other resources, making the climate warmer and more variable, which reduces mountain snowpack, intensifies drought and wildfires, and drives shorter, more intense wet seasons that worsen flooding." With California continuing to grow and its population projected to reach 50 million in the next several decades, "...the future prosperity of our communities and the health of our environment depend on tackling pressing current water challenges while positioning California to meet broad water needs through the 21st Century."

It continues, "Providing clean, dependable water supplies to communities, agriculture, and industry while restoring and maintaining the health of our watersheds is both necessary and possible. Achieving this goal requires a broad portfolio of collaborative strategies between government, sovereign tribes, local communities, water agencies, irrigation districts, environmental conservationists, academia, business and labor leaders, and other stakeholders."

The order directs the Secretaries of the California Natural Resources Agency, California Environmental Protection Agency and the California Department of Food and Agriculture to reassess priorities in the 2016

California Water Action Plan, update projected climate change impacts, identify key priorities for the Newsom Administration's water portfolio moving forward, and identify how to improve integration across state agencies to implement these priorities.

The agencies are directed to first inventory and assess: (1) existing demand for water on a statewide and regional basis and available water supply to address this demand; (2) existing water quality of our aquifers, rivers, lakes and beaches; (3) projected water needs in coming decades for communities, the economy and the environment; (4) anticipated impacts of climate change to water systems, including growing drought and flood risks, and other challenges to water supply reliability; (5) work underway to complete voluntary agreements for the Sacramento and San Joaquin river systems regarding flows and habitat; (6) current planning to modernize conveyance through the Bay Delta with a new single tunnel project; (7) expansion of the state's drinking water program to ensure all communities have access to clean, safe and affordable drinking water; and (8) existing water policies, programs, and investments.

Any water resilience portfolio is to embody these principles: (1) prioritize multi-benefit approaches that meet multiple needs at once; (2) utilize natural infrastructure such as forests and floodplains; (3) embrace innovation and new technologies; (4) encourage regional approaches among water users sharing watersheds; (5) incorporate successful approaches from other parts of the world; (6) integrate investments, policies and programs across state government; and (7) strengthen partnerships with local, federal and tribal governments, water agencies and irrigation districts, and other stakeholders.

North Dakota

On April 25, North Dakota Governor Doug Burgum signed into law SB 2020 to appropriate funds for the State Water Commission. The bill includes \$82.5M for Mouse River flood control and \$66.5M for flood control in the Fargo area, including the Fargo-Moorhead Area Diversion Project. It also includes up to \$1M toward implementation of a pilot project combining water conveyance, flood control, and other water projects from

various water resource districts in the State. The Commission may select a cooperative basin-wide water plan, apply funds under cost-share requirements, provide monitoring and oversight, and report back to the Legislature on the results of the pilot project.

Governor Burgum noted that appropriations were less than the funding requested. "Citizens across North Dakota will benefit from these investments through clean, reliable drinking water supplies and the protection of lives, property and livelihoods from catastrophic flooding... Moving forward, we will continue to make the case for long-term funding and work collaboratively with the Legislature to ensure the residents of our state's largest metro area aren't burdened with major property tax increases to receive the same level of flood protection that other North Dakota communities enjoy. In the meantime, the considerable efforts made to this point will enable the start of diversion construction and continuation of work to improve in-town protection."

Missouri River

On April 26, Nebraska Governor Pete Ricketts, Kansas Lt. Governor Lynn Rogers, Iowa Governor Kim Reynolds, and Missouri Governor Mike Parson met for a second time with the Army Corps of Engineers and the Federal Emergency Management Agency to assess flood damage along the Missouri River. They discussed regional solutions for flooding and levee repairs. Governor Ricketts said: "Over the past few weeks, Nebraskans have continued to recover and rebuild after the most widespread natural disaster in our state's history. My fellow Governors and I have been urging the Corps to give states a role in river management. This meeting was a productive conversation discussing short-term, mid-term, and long-term plans to put people first and protect communities. I look forward to continued engagement as the Corps works to make positive changes." <https://governor.nebraska.gov/press>. At a press conference following the meeting, Governor Ricketts said the States are considering a Missouri River management group of state representatives. He pointed, as an example, to the Mississippi River Commission, which recommends policy regarding flood control, navigation, and environmental projects. (*Associated Press*, 4/26/19)

ADMINISTRATION/WATER RESOURCES **White House/Infrastructure**

On April 30, President Trump and Congressional Democrats met in the White House and agreed to invest \$2 trillion to revitalize the Nation's infrastructure – but have not yet decided how to pay for it. Those attending included: Senate Minority Leader Chuck Schumer (NY); House Speaker Nancy Pelosi (CA); Senator Ron Wyden (OR), Ranking Member, Senate Finance Committee; and

Rep. Peter DeFazio (OR), Chair, House Transportation and Infrastructure Committee. "It was a good positive meeting," said DeFazio. "I would say that 80% of it focused on infrastructure writ large [clear and obvious]... Probably the largest chunk would go to roads, bridges, transit, but we're also going to do wastewater, harbors, [and] probably include airports."

Corps of Engineers/Infrastructure

On April 29, the Army Corps of Engineers published a notice in the Federal Register (84 FR 18009) to request proposals from non-federal entities seeking Congressional authorization for new project feasibility studies, or modifications to existing projects, studies, or environmental infrastructure program authorities. In the 2014 Water Resources Reform and Development Act, Congress established a process for the Corps to solicit and review non-federal proposals, then include eligible proposals in the Corps' Annual Report to Congress. Proposals must be received at www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/WRRDA7001Proposals.aspx by August 27.

EPA/WIFIA

On April 5, the Environmental Protection Agency (EPA) posted a Notice of Funding Availability in the Federal Register (84 FR 13657), opening the third round of credit assistance under the Water Infrastructure Finance and Innovation Act (WIFIA) program. Congress provided \$60M for the program in the February 2019 Consolidated Appropriations Act. EPA estimates that these funds will provide \$6B in credit assistance and may finance \$12B in water infrastructure investment. EPA will host several one-day information sessions in May about the WIFIA program and application process. Letters of interest are due by July 5. See: <https://www.epa.gov/wifia/wifia-resources#information>.

PEOPLE

Deborah Lawler has been selected as the new WSWC and Western States Federal Agency Support Team (WestFAST) Federal Liaison. Lawler, U.S. Bureau of Reclamation (USBR), will serve a two-year detail. She has nearly 35 years of federal experience, and previously served as Special Assistant to the USBR's Deputy Commissioner for Operations. Most recently, Lawler served as the liaison between the USBR's Commissioner and the Assistant Secretary for Water and Science, where she was involved in major water resources activities including legislation, policy, construction, planning, operation and maintenance, administration, and program coordination. We congratulate Deborah and look forward to working with her. She replaces John D'Antonio, former WestFAST Liaison, who was appointed New Mexico State Engineer in February.

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.