



# Western States Water

## Addressing Water Needs and Strategies for a Sustainable Future

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### **ADMINISTRATION/CONGRESS** **Coronavirus (COVID-19) Relief**

On March 27, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748) into law (PL 116-136). The Senate amended a House bill already on the Senate floor calendar – originally about health benefits and excise taxes. The amended bill passed the Senate by a vote of 96-0 on March 25. The House agreed to the Senate amendment by voice vote on March 27.

The Coronavirus Relief Fund was established, appropriating \$150B for states, tribes, and local governments for expenses incurred due to the public health emergency, with a minimum payment of \$1.2B to each state and further payments based on population.

Under Division B, several federal agencies received appropriations for preparing for and responding to the coronavirus, with funds designated “as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.” The emergency funds are to remain available until September 30, 2021.

The Corps received \$50M for operations and maintenance, and \$20M for other expenses. The Department of the Interior received \$158.4M for departmental operations, including cleaning and disinfecting public areas. The USBR received \$12.5M for water and related resources, with \$500,000 of that amount to be transferred to the Central Utah Project Completion Account. USBR received another \$8.1M for policy and administration.

The Environmental Protection Agency (EPA) received \$2.2M for science and technology “for research on methods to reduce the risks from environmental transmission of coronavirus via contaminated surfaces or materials.” Another \$3.9M is for environmental programs and management, including funds for operational continuity of EPA programs and for “expediting registration and other actions related to pesticides to address coronavirus.” A portion of each EPA appropriation may also be used for cleaning and disinfecting facilities, as well as a \$300,000 appropriation specifically for buildings and facilities.

The Forest Service received \$3M to continue forest and rangeland research following employee restrictions due to coronavirus; \$34M for the National Forest System “for cleaning and disinfecting of public recreation amenities and for personal protective equipment and baseline health testing for first responders;” and \$7M for wildland fire management, “including for personal protective equipment and baseline health testing for first responders.”

The National Oceanic and Atmospheric Administration received \$20M for operations, research, and facilities, to support continuity of operations, including National Weather Service life and property operations. The National Aeronautics and Space Administration received \$60M for safety, security, and mission services.

### **ADMINISTRATION/WATER QUALITY** **COVID-19/Drinking Water/Wastewater**

On March 27, EPA sent letters to the governors “to request that water and wastewater workers, as well as the manufacturers and suppliers who provide vital services and materials to the water sector, are considered essential workers and businesses by state authorities when enacting restrictions to curb the spread of COVID-19.” The letter notes that handwashing and cleaning at homes and hospitals depends on safe, reliable drinking water and effective treatment of wastewater, and that a safe supply of water that depends on “treatment chemicals, laboratory supplies, and related goods and materials.” The Department of Homeland Security issued its “Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response,” which “specifically recognizes water and wastewater workers and suppliers to the water sector” as essential critical infrastructure workers. The guidance and additional resources are available at [www.epa.gov/coronavirus](http://www.epa.gov/coronavirus).

With the COVID-19 pandemic impacting communities throughout the world, water providers are reminding customers that it is safe to continue drinking and using tap water as normal, as the virus has not been detected in drinking water supplies. According to the Centers for Disease Control and Prevention and EPA, conventional water treatment methods that use filtration

and disinfection, such as those in municipal drinking water systems, should remove or inactivate the virus that causes COVID-19. See [www.cdc.gov](http://www.cdc.gov).

In addition, water systems prepare for natural disasters and pandemics through emergency planning processes that evaluate how critical functions would be covered. A recent survey of American Water Works Association (AWWA) members found that absenteeism and continuity of operations are the major expected challenges facing water utilities. Other concerns include impacts on field operations and interruptions of treatment chemical supply chains. AWWA also recommends utilities postpone water shut-offs for the duration of the pandemic, given the importance of proper hygiene in combating the spread of the virus. <https://www.awwa.org/Resources-Tools/Resource-Topics/Coronavirus>.

The World Health Organization says: "Frequent and proper hand hygiene is one of the most important measures that can be used to prevent infection with the COVID-19 virus. <https://www.who.int/publications-detail/water-sanitation-hygiene-and-waste-management-for-covid-19>.

### **ADMINISTRATION/WATER RESOURCES** **Corps/Water Supply Rule**

On March 23, the Army Corps of Engineers (Corps) published its official withdrawal of the 2016 proposed rule on the Use of Corps Reservoir Projects for Domestic, Municipal, and Industrial Water Supply (85 FR 16307). R.D. James, Assistant Secretary of the Army (Civil Works) made a policy decision to withdraw the proposed rule in January (see WSWC Position #431; WSW #2384).

### **Reclamation/Project Transfers**

On March 23, the Bureau of Reclamation (USBR) issued its guidelines for streamlining the transfer of eligible federal facilities to local ownership. The John D. Dingell, Jr. Conservation, Management and Recreation Act (P.L. 116-9) authorized USBR to transfer title of certain facilities without further legislation from Congress. Local communities and water managers have greater flexibility to leverage financial tools with ownership of water facilities, enabling them to maintain aging infrastructure in ways that best meet local needs. The transfers also reduce liability for the federal government.

Before transferring title, USBR must determine that the transfer: (1) is in the financial interest of the United States; (2) protects public aspects of the facility, e.g., water rights, flood control, fish and wildlife; (3) complies with all federal and state laws; (4) will have no adverse impact on existing water or power delivery obligations; and (5) does not conflict with interstate compacts and agreements, tribal and international treaties, or trustee

responsibilities toward federally recognized tribes. The guidance covers public outreach requirements, valuation of facilities, environmental requirements, land requirements, facility inspection, eligibility criteria, how to initiate the process and the tasks to be completed to finalize the transfer.

Secretary of the Interior David Bernhardt said: "Title transfers are a win for local communities and a win for the American taxpayer. The Department looks forward to continuing our work with local water users to reduce title transfer costs, stimulate infrastructure investment through local ownership with the bottom-line goal of making this streamlined approach a major success."

### **WATER RESOURCES** **Drought**

The Journal of the American Water Resources Association published a study on long droughts in the southwest across 600 or more years, titled "A Long View of Southern California Water Supply: Perfect Droughts Revisited." The term "perfect drought" refers to the concept that the impact of drought can be buffered by water supplies from different source regions, but simultaneous drought in all major source regions poses the most serious water management challenges. The California Department of Water Resources supported the research, which used tree-ring reconstructions of precipitation and streamflow to examine the three water sources available to Southern California: local precipitation and imported surface water from the Colorado and Sacramento Rivers.

"Perfect droughts have occurred five times since 1906, lasting two to three years, except for the most recent event, 2012-2015. This number and duration of perfect droughts is not unusual in the context of the past six centuries." The authors point out that the modern droughts have been evenly distributed rather than clustered together as in past centuries, and notes that in the 12th Century, perfect droughts "were both longer (up to nine years) and more widespread." The causes of perfect drought are not clear, as they have "occurred under different oceanic/atmospheric patterns, zonal and meridional flow, and ENSO [El Niño–Southern Oscillation] or non-ENSO conditions."

Perfect droughts are likely to continue, and they may become more common and last longer with warmer temperatures and increasing water demand. "Projections for Colorado River flow point to decreasing runoff, even if precipitation remains the same, with an increasing risk of decadal and multi-decadal drought. Likewise, water supplies in the central and northern parts of California are anticipated to be negatively impacted by warming temperatures, which will also cause shifts in seasonality of flow and a greater mismatch between timing of reservoir storage and water demand."

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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.**