

# MONTHLY REPORT TO THE COLORADO RIVER BOARD OF CALIFORNIA

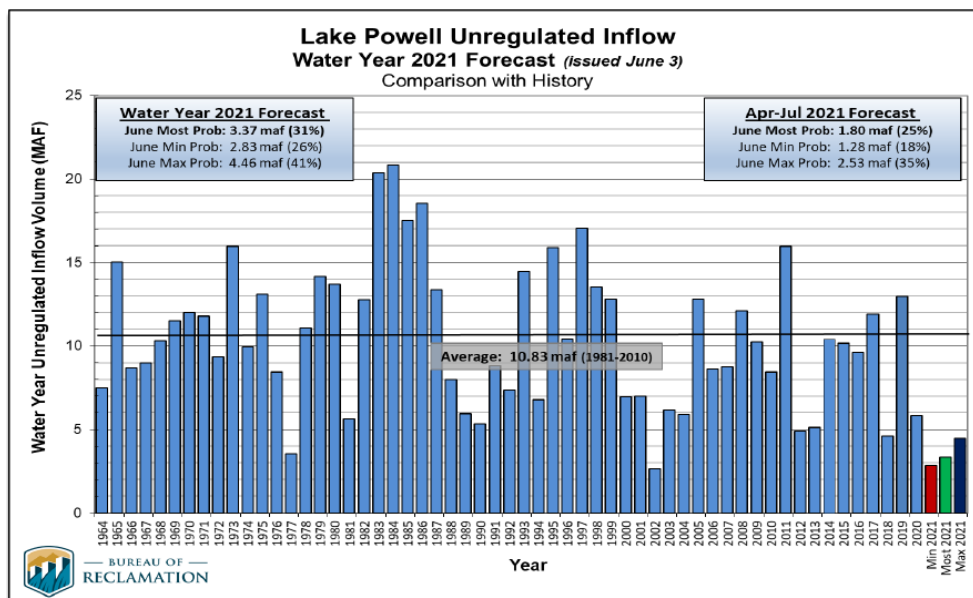
July 14, 2021

## COLORADO RIVER BASIN WATER SUPPLY CONDITIONS REPORT

As of July 12<sup>th</sup>, the surface water elevation at Lake Powell was 3,557.98 feet with 8.17 million-acre feet (MAF) of storage, or 34% of capacity. The surface water elevation at Lake Mead was 1,068.08 feet with 9.05 MAF of storage, or 35% of capacity. As of July 11<sup>th</sup>, the total system storage was 24.47 MAF, or 41% of capacity, which is about 6.65 MAF less than the total system storage at this same time last year.

As of July 5<sup>th</sup>, the Upper Basin reservoirs, excluding Lake Powell, ranged from 76% of capacity at Fontenelle Reservoir in Wyoming; 83% of capacity at Flaming Gorge Reservoir in Wyoming and Utah; 93% of capacity at Morrow Point, and 47% of capacity at Blue Mesa Reservoir in Colorado; and 65% of capacity at Navajo Reservoir in New Mexico.

As of July 1<sup>st</sup>, the forecasted unregulated inflow into Lake Powell for Water Year (WY) 2021 is 3.23 MAF (30% of normal). The forecasted April through July 2021 runoff into Lake Powell for Water Year-2021 is 1.75 MAF (24% of normal). For WY-2021, the June observed Lake Powell inflow was 0.81 MAF (30% of normal), and the July Lake Powell inflow forecast is 0.10 MAF (10% of normal). To date, WY-2021 precipitation is 74% of normal in the Upper Colorado River Basin. The WY-2021 unregulated inflow into Lake Powell is projected to be the second lowest on record, behind WY-2002 as shown in the figure below.



## Reclamation releases additional 5-year projections to support drought response planning efforts in the Colorado River Basin

On July 8, 2021, Reclamation released additional 5-year projections on the Colorado River System based on June 2021 conditions. The updated results suggest a 79% chance that Lake Powell will fall below its target water-surface elevation of 3,525 feet sometime next year. Lake Powell's target water-surface elevation of 3,525 feet provides a 35 vertical-foot buffer designed to minimize the risk of dropping below the minimum power pool elevation of 3,490 feet, and balances the need to protect the infrastructure at Glen Canyon Dam and to meet current operational obligations to the Lower Colorado River Division states of Arizona, California, and Nevada. Beyond 2022, there is a 5% chance that Lake Powell will fall below minimum power pool elevation of 3,490 feet in 2023 and 17% in 2024. The June projections continue to show a high likelihood of a first-ever shortage condition in the Lower Basin in calendar year 2022. Longer-term projections also show a 58% and 21% probability that Lake Mead will decline to the critical elevations of 1,025 and 1,000 feet by 2025, respectively.

Reclamation's Press Release has been posted on its webpages and can be found at <https://www.usbr.gov/newsroom/#/news-release/3912>

## Second and Third Annual Operating Plan Consultations

Reclamation has scheduled the second and third Annual Operating Plan (AOP) consultations for Thursday July 22, 2021, from 10:00 am to 1:00pm PDT, and Tuesday August 31, 2021, from 11:00 am to 2:00 pm PDT, respectively. Each year's AOP for Colorado River Reservoirs reports on both the past operations of the Colorado River reservoirs for the completed year as well as projected operations and releases from these reservoirs for the upcoming year. The AOP provides an integrated report on reservoir operations affected by numerous federal policies under the Law of the River.

## August 24-Month Study Webinar

Reclamation is planning a webinar to roll-out the results of the August 2021 Most Probable 24-Month Study on Monday, August 16 at 12:00 pm PDT. Results from the August 24-Month Study projections of January 1, 2022, reservation elevations set the 2022 operating tiers for Lakes Powell and Mead, including Lake Powell releases and specification of Lower Basin Drought Contingency Plan water contributions and shortage conditions. It is a foregone conclusion that Lake Mead will be declared to be Level 1 shortage condition requiring delivery reductions for the states of Nevada and Arizona. The August 24-Month Study will be distributed and posted online following the webinar, and a PDF of the presentation will be provided.

## Proposed Upper Basin Drought Operations

On July 8, 2021, Reclamation's regional directors for both the Upper and Lower Colorado Basin Regions met, via webinar, with the three Lower Basin state representatives to report that Reclamation's Upper Colorado Basin Region was contemplating implementation of emergency provisions of the Upper Basin Drought Response Operations Agreement (DROA) and make supplementary releases from Colorado River Storage Project reservoirs above Lake Powell. These supplementary releases, pursuant to Sections II.A.3.j. and II.A.4.e. of the DROA, are intended to bolster storage in Lake Powell and reduce the probability of Lake Powell reaching or going below elevation 3,490' (i.e., minimum power pool elevation). Reclamation is becoming increasingly concerned that because of the reduced inflow into Powell and the continued decline of storage in the reservoir that there is an increased risk of incurring cavitation-related damage to the turbines in the Glen Canyon powerplant facility. Reclamation believes that the risk of potential turbine damage begins to increase between elevations 3,525' and 3,490'. Consequently, over the period July through November or December, Reclamation is proposing to release an additional approximately 181,000 acre-feet of additional water supplies from Flaming Gorge Reservoir on the upper Green River, Blue Mesa Reservoir on the Gunnison River, and Navajo Reservoir on the San Juan River.

Specifically, Reclamation proposes to release an additional 125,000 acre-feet from Flaming Gorge in July through October; an additional 36,000 acre-feet from Blue Mesa in August through September; and 20,000 acre-feet from Navajo in the November and December timeframe. In order to determine the overall efficacy of these supplemental releases, Reclamation will include the proposed 181,000 acre-foot volume of supplementary releases in the July 24-Month Study Report model runs (scheduled to be electronically released and distributed on July 14, 2021). The intention is to reduce the probability of Powell reaching or going below elevation 3,490' to a negligible risk.

At the conclusion of the webinar, the Lower Basin states generally expressed support for taking the proposed emergency actions under the DROA, but indicated that there would need to be very close coordination and consultation with Lower Basin entities in the context of any potential future operations to recover the supplementary release volumes as there could be implications for future Lake Powell tier determinations. Reclamation indicated its commitment to work closely with the Lower Basin states should future recovery operations be contemplated. Finally, the seven Basin states representatives are in the process of developing a letter indicating general support for taking the emergency actions pursuant to the DROA. A draft of the proposed seven state letter has been circulated for review and comment and the intention is try and finalize that letter by close-of-business on July 13, 2021.

## **PROPOSED CALIFORNIA GUIDING PRINCIPLES FOR DEVELOPMENT OF THE POST-2026 COLORADO RIVER SYSTEM OPERATING GUIDELINES**

The Colorado River Basin will be working over the next few years to develop a new set of operating guidelines for the Colorado River System reservoirs to replace the 2007 Interim Guidelines for the operation of Lakes Powell and Mead, which expire at the end of 2025. To help guide California's participation in upcoming discussions and negotiations among the Basin's stakeholders, senior technical and program management staff of the agencies represented on the Board have developed eleven consensus-based high-level guiding principles. These guiding principles are intended to describe California's general goals and objectives for the post-2026 guidelines. The principles are not intended to comprise California's overall negotiating strategy. These guiding principles are intended to be dynamic and may be adapted over the course of the next few years as the post-2026 guidelines are developed.

The draft guiding principles are being brought before the Board to seek input and general support and concurrence from members of the Board, other California Colorado River water users, and the general public. Comments on the draft principles should be provided via email to [crb@crb.ca.gov](mailto:crb@crb.ca.gov) before July 31, 2021. An updated set of principles, incorporating the input received over the next month, will be brought to the Board at its August 11, 2021, meeting.

## **COLORADO RIVER BASIN PROGRAM UPDATES**

### Minute No. 323 Implementation

Section III.E. of Minute No. 323 requires that "...at least 30 days prior to annual publication of any August 24-Month Study Report that projects low elevation reservoir conditions for the upcoming calendar year, the Commission will develop a communications plan that provides for simultaneous notification in both countries. Additionally, Section III.F. of Minute No. 323 states that "In years when Lake Mead is projected to be at or below the elevations identified in paragraph III.A. [i.e., at or below elevations 1,075', 1,050', or 1,025'] on January 1, the United States will furnish to Mexico, through the Commission, information on the natural causes for the projected reservoir elevation of Lake Mead."

Currently, all projections indicate that Lake Mead will begin calendar year 2022 at an elevation below 1,075', and the August 24-Month Study Report, which is scheduled to be released on August 16, 2021, via webinar, will corroborate this projection.

Both, the Minute Oversight Group (MOG) and the Minute No. 323 Hydrology workgroup have begun addressing both of these requirements. The MOG held a short webinar on July 8, 2021,

and discussed the Section III.E. and III.F. reporting requirements, received an updated Colorado River reservoir system update from Reclamation, and discussed the release of Reclamation's August 24-Month Study Report on August 16, 2021. Additionally, the United States Section of the International Boundary and Water Commission (USIBWC) shared a draft press release with the Mexican representatives. It is expected that the U.S. and Mexican Sections of IBWC will work to finalize the press release over the next few weeks.

The Minute No. 323 Hydrology workgroup met on June 29, 2021, via webinar, and Reclamation shared a draft of the proposed hydrology report addressing the Section III.F. reporting requirement regarding providing Mexico with "...information on the natural causes for the projected reservoir elevation of Lake Mead." After Mexico has had an opportunity to review the report and provide feedback, the report is expected to be finalized and made available to the MOG and then more broadly.

The MOG is tentatively scheduled to meet again, via webinar, on August 13, 2021, prior to the August 16<sup>th</sup> release of Reclamation's August 24-Month Study Report, and finalize the joint press release and communications plan referred to in Section III.E. of Minute No. 323.

### Colorado River Basin Salinity Control Program

#### *Colorado River Basin Salinity Control Program Implementation*

Board staff participated in virtual meetings of the Colorado River Basin Salinity Control Forum, Advisory Council, and Forum Work Group on June 4, 7, 9, and 10, to further implementation of the Salinity Control Program. The Forum coordinates salinity control efforts among the states and federal agencies and works with Congress on program authorization and funding. Governors of each state appoint up to three representatives to the Forum, which is managed by an Executive Director. The Advisory Council advises the federal agencies in program administration. As a federal advisory committee, the Advisory Council provides implementation recommendations to the Secretary of the Department of the Interior, the Secretary of the Department of Agriculture, and the Administrator of the EPA.

Over the four days of meetings, discussion topics included preparation of the 2023 Triennial Review of Water Quality Standards for Salinity Colorado River System, status of Paradox Valley Unit salinity control project, federal agency program updates, and recommendations to Reclamation and the U.S. Geological Survey on areas of future salinity control study and program funding. During the meeting Mr. William Hasencamp with the Metropolitan Water District of Southern California and Ms. Rebecca Mitchell with the State of Colorado's Water Conservation

Board were elected to serve as Chairperson and Vice Chairperson respectively for another year. A few items of special note from the meetings are highlighted below.

### *Paradox Valley Unit*

The Dolores River is showing the negative impacts associated with the continued shutdown of the existing Paradox Valley Unit (PVU) brine injection well. High salinity brine has concentrated in the Dolores River under the current low flow conditions. In June 2021, the salt load in the Dolores River was approximately 200 tons per day with an extremely low flow of less than 10 cubic feet per second. Reclamation reported that it will likely not restart the existing brine injection well until after completion of a seismic risk and hazard assessment, which could continue through the end of 2023. Reclamation has selected a firm to evaluate potential effects of the extended shut down of the brine injection well and to provide recommendations to prevent further degradation if degradation has occurred.

Reclamation's Upper Colorado Basin Regional Director, Wayne Pullan, provided a summary of potential long-term options for the Salinity Control Program under consideration given the existing brine injection well shut down. Options under consideration include revisiting a landfill option for extracted brine, new public-private partnerships, expansion of the Basinwide Program for off-farm salinity control projects in the Upper Basin, and consideration of new salt control projects for other point sources such as Pah Tempe Springs located in Utah.



*High salinity brine in the Dolores River under low flow conditions*

### *Recommended Studies*

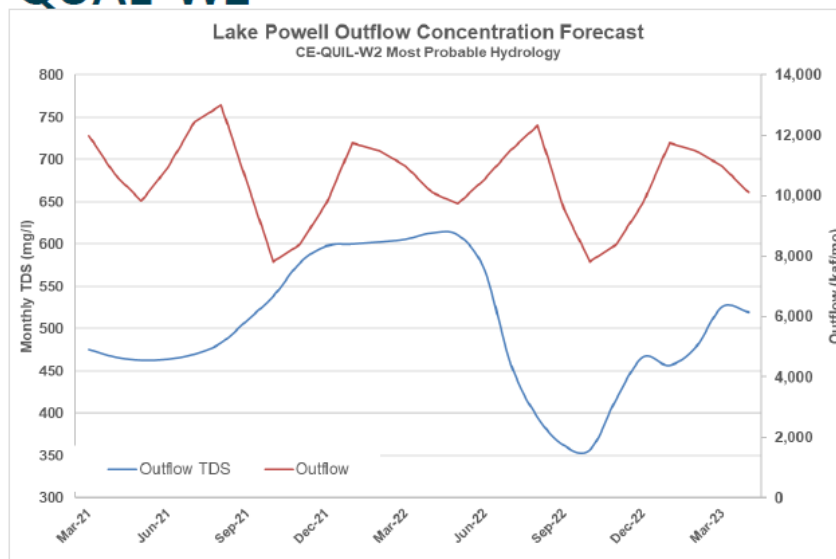
The Advisory Council approved funding for two new salinity studies under the Basinwide Studies, Investigations and Research Program. Both studies will fund the USGS to collect two years of quarterly water quality data during 2022 and 2023. The data will be used determine a salt budget for the study areas, which could then be used to determine the viability of salinity projects in the future. The first study, with a cost of \$28,000, will support the USGS to conduct salinity sampling and analysis in the Lower Colorado River at a location below the Colorado River Indian Tribes

(CRIT) lands, Arizona. The second study, with a cost of \$20,000, will support the USGS to conduct salinity sampling and analysis in the Upper Basin near Squaw Gulch, Colorado at the Cimmaron Canal.

### Salinity Conditions under Lower Reservoir Levels

Reclamation provided a report on the current state of analytical tools to provide short-term forecasts of salinity conditions under low reservoir levels. It was reported that there is a time lag of approximately two years between when high salinity levels reach Lake Powell and when they are observed downstream at Lake Mead. Reclamation has a tool, CE-QUAL-W2, that is primarily used to estimate short-term changes in temperature and dissolved oxygen. Additionally, the tool does have the ability to consider total dissolved solids as well, once verified. Reclamation is working to update the model to support TDS evaluation.

## CE-QUAL-W2



- Salinity appears to be increasing in 2022
- Note: Forecast for 12/2021 on is median ESP trace (1981-2015)



### Salinity Spikes in the Lower Colorado River

Board staff have been tracking the recurrence of spikes in the total dissolved solids (TDS) concentrations in the Lower Colorado River since 2019 when an increase in TDS concentrations was observed in the water supplies conveyed in the All-American and Coachella Branch Canals. Historically, occasional increases in TDS have been observed in these canals in the November to

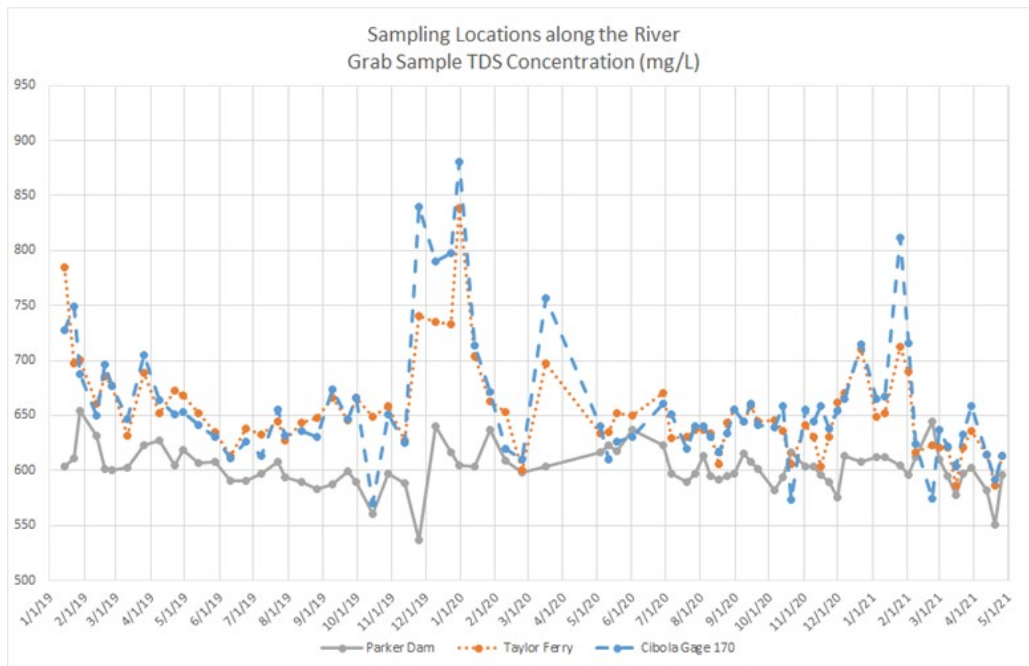
January timeframe. For example, this trend was observed in 2009, 2010, 2011, and 2013. To better understand the source of the TDS increases, Board staff evaluated the TDS data associated with various water quality sampling locations along the Lower Colorado River from January 2019 through May 2021 and evaluated historical information as far back as 2010.

The map shows a subset of locations where water quality grab samples are conducted by Reclamation along the Colorado River at Parker Dam, Taylor Ferry and Cibola Gage. The Taylor Ferry Gage is located 12.4 mi south of Blythe. The Cibola Gage is located 27.4 mi south of Blythe.



As shown in the chart, most recently TDS spikes were observed in December 2020 and January 2021 at the Taylor Ferry and Cibola locations, which are located downstream of Parker Dam. The salinity spikes are not present in the Parker Dam samples.





There may be several factors contributing to the spikes observed in this section of the Colorado River. During the winter months of November through January, water orders tend to be smaller with reduced flows being released out of Lake Mead. During the same months, either periodic winter precipitation or discharge of bank-storage may be flushing sediments from the local geologic outcrops into the Colorado River. Lower water flow and sediment-flushing into the river may be contributing to the TDS increases that have been observed during the winter periods. As an on-going monitoring effort, Board staff will continue to evaluate available water quality data from Reclamation and will keep the Board and its member agencies informed of any observances of abnormal TDS increases associated with Lower Colorado River water quality. A potential next step could be to engage with other Lower Basin agencies, Reclamation, and the USGS to review existing data and information, and potentially conduct additional data collection and evaluation along the Lower Colorado River below Parker Dam, and then develop remediation or mitigation options.

### Glen Canyon Dam Adaptive Management Program

The Technical Work Group (TWG) of the Glen Canyon Dam Adaptive Management Program met June 16-17 via webinar. The TWG reviewed the FY-2022 budget and work plan for the program and passed a resolution recommending a series of minor modifications to the Fiscal Years 2021-2023 triennial budget. The recommendation includes a prioritization of projects to be implemented should funds become available. The highest ranked of these projects is an investigation to identify key drivers affecting juvenile humpback chub survival in the western Grand Canyon.

The TWG discussed the resource implications of a potential 7.48 MAF release from Glen Canyon Dam in WY-2022. The TWG reviewed the ecological conditions observed during and after the only previous release of 7.48 from Glen Canyon Dam, which occurred in 2014. The potential WY-2022 low release volume will likely coincide with unusually warm water temperatures, which could result in a number of biological effects. Although warm, low releases may benefit native fish, which thrive and reproduce best in warmer water, they may also offer an advantage to warmwater nonnative fish that prey upon native fish. Researchers will be monitoring the system closely to determine what effects, if any, future low release volumes have on the Grand Canyon ecosystem.

The Adaptive Management Work Group (AMWG) is scheduled to meet August 18-19 via webinar.

### Lower Colorado River Multi-Species Conservation Program

The Steering Committee for the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) met via webinar on June 23<sup>rd</sup>. The group considered and approved the *Final Implementation Report, FY-22 Work Plan and Budget, FY-20 Accomplishment Report*. This plan describes the activities implemented in FY-2020, those underway in FY-2021, and those planned for FY-2022. It also includes a description of the covered activities that occurred in FY-2020, including reductions in flow. The LCR MSCP includes environmental compliance for reductions in flow in three different reaches of the river: between Hoover and Davis Dams, between Davis and Parker Dams, and Between Parker and Imperial Dams. Reductions in flow in FY-2020 were well within these coverage limitations. The Final Implementation Report can be found at [https://www.lcrmscp.gov/workplans/imp\\_2022.pdf](https://www.lcrmscp.gov/workplans/imp_2022.pdf).

### U.S. Fish and Wildlife Service Announcements

On July 7<sup>th</sup>, the U.S. Fish and Wildlife Service (USFWS) published a rule that proposed to reclassify the razorback sucker from an endangered species to a threatened species. The razorback sucker is found throughout the Colorado River watershed, with ongoing stocking and protection efforts occurring in both the Upper and Lower Basins. The species was listed as endangered in 1991 and originally ranged from the headwater of the Colorado River to the Colorado River Delta. There are currently four populations of razorback sucker in the Upper Basin, with an estimated combined population of approximately 53,000 fish, and three populations in the Lower Basin, with an estimated combined population of approximately 7,800 fish. However, only one of these populations (the Lake Mead population, comprising about 350 fish) demonstrates successful recruitment. The other populations are maintained by extensive stocking, which is carried out by the LCR MSCP in the Lower Basin and the Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program in the Upper Basin. The USFWS predicted that the population of razorback sucker would decline precipitously without

continued stocking. The LCR MSCP has a commitment to continue stocking through 2055, but both Upper Basin programs are set to expire in 2023, although discussions are currently underway on continuation of these programs after 2023.

The USFWS stated that the condition of the razorback sucker is currently such that it is not at risk of extinction throughout its range in the foreseeable future and should therefore be downlisted from endangered to threatened. As part of the downlisting process, the USFWS also described the protections the species would be afforded as a threatened species. The proposed rule would generally prohibit take of the species, defined as harassing, harming, hunting, killing, or capturing the species, but exceptions would be available for harm that arises from species management activities such as stocking, public education, habitat creation, and nonnative fish control. The comment period for the proposed downlisting of the species closes on September 7, 2021.

The USFWS also published a final rule removing the Kanab Ambersnail from the Federal List of Endangered and Threatened Wildlife. The Kanab Ambersnail was listed as endangered in 1992 and was thought to be present only in two small, isolated areas, one of which was within the Grand Canyon. The final rule is based on the finding that the Kanab Ambersnail is not genetically distinct from other regional ambersnail populations and therefore cannot be listed as an endangered entity under the Endangered Species Act. The rule goes into effect on July 26, 2021.

## **GENERAL ANNOUNCEMENTS AND UPDATES**

### Basin States Technical Committee Meetings, June 28-30, 2021, Denver, Colorado

Technical representatives of the Basin states met in Denver, Colorado, on June 28-30, 2021, to kick-off a process to develop and review technical assumptions and parameters to be utilized in modeling long-term Colorado River reservoir system operations and identification of impacts to the water supply conditions of the Colorado River System. The purpose of the meetings was to receive an overview and develop a common understanding of how the Colorado River Simulation System (CRSS) model is being currently used, and the key variables, metrics, and current policies utilized in the model. The proposed CRSS sensitivity analysis will evaluate and identify key drivers, including hydrologies, depletion demand schedules, existing CRSS operational policies (e.g., 2007 shortage guidelines, 2019 DCPs, and existing reservoir operating records of decision, etc.); and then identify key metrics, including impacts to Lakes Powell and Mead elevations and annual release volumes. The Basin States technical representatives are also recommending that Reclamation's technical modeling staff responsible for operating CRSS and the mid-term operations model (CRMMS) should also be involved in the technical workgroup process going forward. The technical workgroup is expected to continue to meet and develop the CRSS sensitivity analysis over the course of the summer.

## U.S. Geological Survey Webinar: Trends in Recent Historical and Projected Climate Data for the Colorado River Basin and Potential Effects on Groundwater Availability

On June 16, 2021, Board staff hosted a webinar with presentations from the U.S. Geological Survey and Reclamation to learn about the report published in November 2020 on groundwater trends in the Upper and Lower Colorado River Basins. The purpose of this report is to document the data, methods, and results from the investigation of recent historical and projected climate data, and simulated, projected groundwater infiltration in the Colorado River Basin. Historical (1896–2019) precipitation and temperature data for the upper and lower Colorado River Basins were analyzed to better understand recent trends in climate data that may affect groundwater resources in the area. Projected climate data from Coupled Model Intercomparison Project phase 5 (CMIP5) ensemble members across the full range of Representative Concentration Pathway (RCPs) from water years 1951 through 2099 were evaluated to understand what current global climate models are projecting about future conditions in the Colorado River Basin, and what this might mean for groundwater systems in the region. A key finding of the report is that for the lower basin, precipitation and simulated groundwater infiltration are projected to be consistently less than the recent historical period for most of the remaining 21st century. In the upper basin the precipitation and simulated groundwater infiltration are estimated to be above-historical average through the end of the 21st century. The report can be downloaded here: <https://pubs.er.usgs.gov/publication/sir20205107>

### Washington, D.C. Report

#### *Nominations*

The U.S. Senate voted unanimously to confirm Ms. Tanya Trujillo to be the Department of the Interior's Assistant Secretary for Water and Science, which oversees Reclamation and the USGS. Mr. Tommy Beaudreau was also confirmed as the Deputy Secretary of the Interior along with Ms. Radhika Fox as the Assistant Administrator for Water at EPA. On June 18th, the White House announced Ms. Camille Touton's nomination to be the Commissioner of the Bureau of Reclamation; her confirmation hearing has not been scheduled.

#### *Appropriations*

The House has begun moving its appropriations bills through the legislative process. Markups of the 12 appropriations bills began on June 25<sup>th</sup> and will continue through mid-July. The text of the

Energy and Water bill, which provides funding for Reclamation and U.S. EPA, is anticipated to show increases in funding for the EPA.

### *Six States Colorado River Basin Letter*

On June 28<sup>th</sup>, the Colorado River Basin States Representatives for six of the seven Basin States sent a letter to Chairman Grijalva, the Chair of the House Natural Resources Committee, expressing support for the investments and opportunities identified by the Southern Nevada Water Authority in oral testimony and in written responses to questions for the record following the May 25<sup>th</sup> western water hearing. The letter was well received by congressional offices tracking Colorado River Basin federal funding.

### *White House Infrastructure Negotiations*

The White House recently reached agreement with a bipartisan group of 22 Senators on the framework of an infrastructure proposal. There have been very few details released about the framework except for the topline funding levels previously discussed. Legislative text for this framework is currently being written. The bipartisan group of 22 Senators is now tasked with selling the proposal to their colleagues in Congress.

### *House Transportation Bill*

Last week, the House passed the INVEST Act, which reauthorizes the nation's surface transportation funding programs (roads, bridges, airports, etc). The bill also includes drinking and wastewater provisions.

H.R. 1915 – The INVEST Act includes H.R. 1915, the Water Quality Protection and Job Creation Act of 2021 which authorizes:

- \$40 billion for the Clean Water State Revolving Fund;
- \$2 billion for grants to municipalities to capture, treat, or reuse sewer overflows or stormwater;
- \$2.5 billion in grants for States to implement State water pollution control programs;
- \$1 billion for Clean Water pilot programs for watershed-based efforts to address wet weather discharges, to promote stormwater best practices, to undertake integrated water resource management, and to increase climate resiliency;
- \$1 billion in grants for alternative water source projects, such as wastewater or stormwater reuse, to augment the existing water supplies;

- \$1 billion in Clean Water Act grants to municipalities to implement treatment standards for PFAS and other emerging contaminants; and
- \$2.5 billion in wastewater infrastructure assistance to address the backlog of critical needs for Indian Tribes.

The \$715 billion INVEST Act has little chance of passage in the Senate.

### *Western Water Legislation*

Recently, there have been several bills introduced in Congress to address the ongoing western drought crisis.

California U.S. Senator Dianne Feinstein continues to circulate a discussion draft of her legislation, the STREAM Act. Senator Feinstein is expected to introduce the legislation sometime in mid- to late-July. The bill would authorize:

- \$750 million for grandfathered storage projects (storage projects funded under the WIIN Act) and non-federal storage projects;
- \$250 million for water recycling projects;
- \$250 million for ecosystem restoration;
- \$100 million for desalination projects;
- \$100 million for drinking water assistance to disadvantaged communities; and
- \$50 million for natural water retention and release projects.

West Virginia U.S. Senator Joe Manchin introduced a discussion draft of a bill that is seemingly intended to be the Senate Energy and Natural Resources Committee’s piece of an infrastructure package (potentially folded into the infrastructure framework outlined above). The bill includes a section on western water. The western water section is a placeholder, meaning that the language is in the bill to show that Manchin intends to address water issues but needs to do more work on the specifics. Currently, the bill provides \$5 billion for “eligible programs and projects” which are defined as:

- Water storage projects that have been authorized by Congress;
- Rural water projects that have been authorized by Congress;
- WaterSMART;
- Title XVI; and
- Desalination projects.

It is currently expected that Senator Feinstein will work with Senator Manchin to include some of the provisions from her STREAM Act in this broader package.

Wyoming U.S. Senator John Barrasso introduced S. 2158, the Western Water Infrastructure Act which would reauthorize the WIIN Act storage provisions and provide:

- \$300 million for WaterSMART;
- \$5 billion to eliminate Reclamation's deferred maintenance backlog;
- \$1.6 billion for surface and groundwater storage; and
- \$500 million for water recycling and desalination.

This legislation is intended to be the Republican counter to Senator Feinstein's STREAM Act.

California Congresswoman Grace Napolitano, along with Representatives Grijalva (AZ), Huffman (CA), and Lee (UT), introduced H.R. 4099, the Large-Scale Water Recycling Investment Act. The bill would establish a fund within the Department of the Interior for large scale water recycling projects that have an estimated total project cost of over \$500 million. The bill authorizes \$750 million through fiscal year 2027.

California Congressman David Valadao introduced the NEED Water Act which would extend the WIIN Act in its entirety and:

- Mandates that Reclamation manage reverse flow in Old and Middle Rivers at -5000 cubic feet per second (cfs) unless doing so would harm listed species;
- Allows Central Valley Project (CVP) North of Delta agricultural service contractors with unused Central Valley Project water to take delivery of such unused water through April 15 of the contract year immediately following the contract year in which such water was allocated-; and
- If the State Water Project (SWP) incidental take permit prevents the SWP from exporting as much water as the CVP, then the CVP shall provide the difference to the SWP.

It is anticipated that this legislation has little chance of passage in the House given the Democratic majority.

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