



To: Mesa Water District
From: Van Scoyoc Associates (VSA); Geoff Bowman, Pete Evich, and Ashley Strobel
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Subject: December 2022 Report

Bipartisan Senators Letter to USDA on Western Drought and Conservation

On December 7th, Senators Michael Bennet (D-CO), and Mitt Romney (R-UT), along with 14 of their Senate counterparts, sent a [letter](#) to USDA Secretary Tom Vilsack addressing concerns over Western drought and the threat it poses to farms and ranchers. The letter highlights the drought impacts across Western river basins and how the water shortage threatens farming production capabilities. The letter encourages Secretary Vilsack to direct the USDA to assist farmers in Western states by supporting water conservation projects; improving water infrastructure resiliency; protecting lands impacted by drought; and offering technical assistance to farmers in drought-heavy regions. Additionally, the letter calls on USDA to direct funding provided through the Bipartisan Infrastructure Law toward irrigation efficiency projects. The letter comes as negotiations on the 2023 Farm Bill have begun to pick up.

Bureau of Reclamation Colorado River Environmental Impact Review

On October 28th, the Department of Interior and Bureau of Reclamation (BoR) announced plans to prepare a new environmental review of the operating guidelines for Hoover and Glen Canyon Dams in 2023 and 2024. These plans could lead to federal action to protect the shrinking water supplies in Lakes Mead and Powell. BoR published a Federal Register [Notice of Intent](#) to issue a Supplemental Environmental Impact Statement to modify the 2007 plan governing Colorado River dams and its reservoirs. The federal government's review will also consider potential changes to the 2019 drought contingency plan for Colorado River basin States. The public has until December 20th to comment on three options that seek to keep the Hoover and Glen Canyon dam reservoirs from dropping to a point they are unable to provide water or produce power that seven Western states, Mexico and tribes have relied on for decades. The three alternatives under consideration include:

- Directing the Secretary of the Department of the Interior to take unilateral action to implement mandatory water use curtailment plans in the seven basin states.
- Allow states, tribes, and non-governmental organizations to reach consensus, and
- A “no action” option of staying with the current rules and agreements

The announcement comes more than four months after Reclamation Commissioner Camille Touton told Congress that water use must be cut dramatically as drought and overuse impact the river — an essential supply of water for farmers, cities and tribes in the U.S. West, as well as Mexico. The seven States that tap the river failed to reach Commissioner Touton's August deadline and have been working ever since to reach a compromise, though it appears unlikely an agreement can be reached. The Administration's action represents a renewed push to scale back water use along the Colorado River, which has shrunk significantly in the face of a 23-year megadrought.

Republicans Vote to Approve Earmarks in 118th Congress

On November 30th, the House Republican Conference voted 158-52 to reject a proposed earmark ban during a conference meeting. The House will continue accepting Community Project Funding requests, or earmarks, in the 118th Congress — as will the Senate. VSA will begin conversations with Mesa Water to identify any potential projects that could be eligible for Community Project Funding in Fiscal Year 2024.

EPA Issues State Guidance on PFAS Pollution

On December 6th, EPA issued a [memorandum](#) to States providing guidance on ways to use pollution discharge permitting guidelines to remove per- and polyfluoroalkyl substances (PFAS) pollution in detected surface water. The memo outlines management practices for PFAS discharges, including using the most up to date sampling and analysis methods in States' respective National Pollutant Discharge Elimination System (NPDES) programs to identify PFAS and take remediation action by using pretreatment and permitting authorities. The memo is part of EPA's action to address the chemicals under the PFAS Strategic Roadmap.

Water Resources Development Act of 2022

On December 8th, the House passed the [Water Resources Development Act of 2022](#) by a vote of 350-80 as part of the National Defense Authorization Act. The biennial legislation would authorize U.S. Army Corps of Engineers water resources projects, including those for the purposes of navigation, flood control and aquatic ecosystem restoration. Timing of Senate passage of the bill is uncertain. VSA will keep Mesa Water apprised as developments are made.

New Justice40 Environmental Justice Screening Tool

On November 22nd, the White House released an [Environmental Justice Screening Tool](#) (Version 1.0) as part of the Biden Administration's Justice40 Initiative to ensure that 40 percent of all federal investments are directed to underserved communities burdened by impacts from climate change. The new tool and map outline a variety of information, such as air pollution and flood risk, with economic and health indicators like energy costs and rates of asthma and diabetes. The tool uses census tracts to identify more than 27,000 communities as "disadvantaged," a 14 percent increase from the draft version released earlier this year. The Administration plans to update the map continuously and include additional data on items such as urban heat islands effect and sea-level rise. Additionally, the tool identified four

disadvantaged communities within Mesa Water's service area, totaling approximately 24,000 residents, or 22% of the total service area population.

Senator Sinema Leaves Democratic Party

On December 9th, Arizona Senator Kyrsten Sinema announced plans to leave the Democratic Party and register as an Independent. Sinema will be the third Independent in the U.S. Senate, along with Sens. Bernie Sanders (VT) and Angus King (ME). Sinema has been considered a "moderate" Democrat over the past few years in Congress and has stated that she does not believe the party switch will change the Senate power structure. It is undetermined at this time whether she will continue to caucus with the Democrats during the 118th Congress.

Members Begin to Express interest in Feinstein's Senate Seat

California Senator Dianne Feinstein has yet to publicly state whether she will run for another term in 2024. Feinstein is currently the oldest Member of Congress and the longest-serving woman in Senate history. There are speculations that California Reps. Ro Khanna and Katie Porter will run, and Rep. Adam Schiff has publicly expressed interest in running. Senator Feinstein has held the seat since 1992, and while she has not announced retirement plans, it is speculated that she will not seek reelection.