



**CALIFORNIA
FARM WATER
COALITION**

6133 Freeport Boulevard, FL2
Sacramento, CA 95822-3534
(916) 391-5030 FAX (916) 391-5044

Board of Directors

Northern Region

Jeff Sutton
Ridgetop Rice Dryer
Don Bransford
Glenn-Colusa Irrigation District
Greg Johnson, President
Western Canal Water District

North Central Region

Brett Lauppe
CoBank
Bill Diedrich
San Luis Water District
Joe Alamo
Turlock Irrigation District

South Central Region

Robyn A. Black
Anderson Farms
Scott Rogers
Tulare Irrigation District
Bill Stone
Upper San Jose Water Company

Southern Region

Robert Krahn
Neil Jones Food Company
Bill Wulff
Kern County Water Agency
Peter G. Nelson
Coachella Valley Water District

At-Large

Gina Dockstader, Vice President
Imperial Irrigation District
Wayne Western, Sec./Treas.
Hammonds Ranch
Mark McKean
Kings River Conservation District
Randy Record
Metropolitan Water District
Stan Lester
Lester Farms
Sheridan Nicholas
Wheeler Ridge-Maricopa WSD
Johnny Amaral
Friant Water Authority
Diana Westmoreland
California Women for Agriculture

Executive Director
Michael Wade

TO: San Luis & Delta-Mendota Water Authority Board of Directors
FROM: Mike Wade, Executive Director
DATE: January 7, 2025
RE: Program and Activities Update

California Water Tour

CFWC held a tour this week for the Hanford FFA water competition team. It is the second year for this tour, which highlighted the C.W. "Bill" Jones Pumping Plant, San Luis Reservoir, and the Mendota Pool. Speakers on the tour included SLDMWA's Seth Harris, CCID's Jarrett Martin, and DWR's Laurie Rouch, who is also a former CCID and SLDMWA staff member. The team competes on February 1 and is hoping to win the state championship after placing second in the last two years of competition.



Public Outreach

As part of its fall social media content distribution, CFWC included a post questioning the State Water Resources Control Board's decision to raise fees for certain agricultural water permits. The increased permit fees for 180-day and 5-year high flow diversions were troublesome because of the potential that they could discourage participation by individuals or agencies. The State Water Board reduced some of the proposed fees by 50% to address those concerns.

Board Elections

CFWC board elections are underway with 8 directors representing all four regions currently up for reelection. The following individuals have been nominated to run for new three-year terms. Additional nominations may be submitted by CFWC members up to the February 24 board meeting.

Nominee	Region	Affiliation
Jeff Sutton	Northern	Ridge Top Rice Dryer
Becky Heckler Arellano	North Central	Turlock Irrigation District
Stan Lester	North Central	Lester Farms
Mark McKean	South Central	Kings River CD
Johnny Amaral	South Central	Friant Service Area
Randy Record	South Central	Nomination Pending
Peter Nelson	Southern	Coachella Valley WD
Gina Dockstader	Southern	Imperial ID

Ballots are being mailed this week to all eligible CFWC Voting Members and are requested back by February 14, however, votes will be tallied up until the board meeting on February 24.

For more information or if you have any questions, please contact the CFWC office at (916) 391-5030.

XIII

Blank

SOCIAL MEDIA REPORT DECEMBER 2024

Ashlee Pike, Director of Social Media
apike@farmwater.org, (916) 425-8404



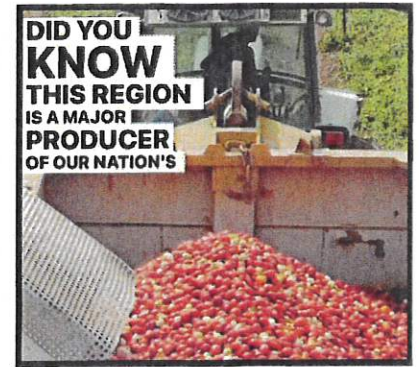
Cultivate California
Instagram Reel Ad 1 November

93,865 accounts reached



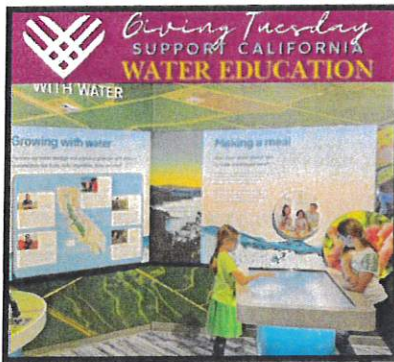
Cultivate California
Instagram Reel Ad 2 November

59,104 accounts reached



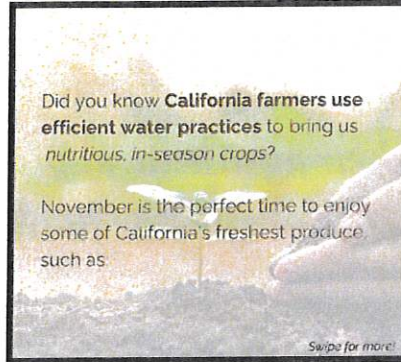
Sacramento Valley
Thanksgiving Reel

20,128 accounts reached



Giving Tuesday
MOSAC Post

11,600 accounts reached



In-Season Crops Post
Cultivate California

9,608 accounts reached



SWB Water Rate
Hike Article

7,460 accounts reached

From October to mid-December our social platforms...

Reached
1.75m
accounts.

Gained
5,629
followers.

& had
12,738
profile visits.

298



SOCIAL MEDIA REPORT DECEMBER 2024

In Review



A year to date review of our performance:

Reached
over 12m
accounts.

Gained
18,803
followers.

& had
84,730
profile visits.

Social Media Methods & Future Applications

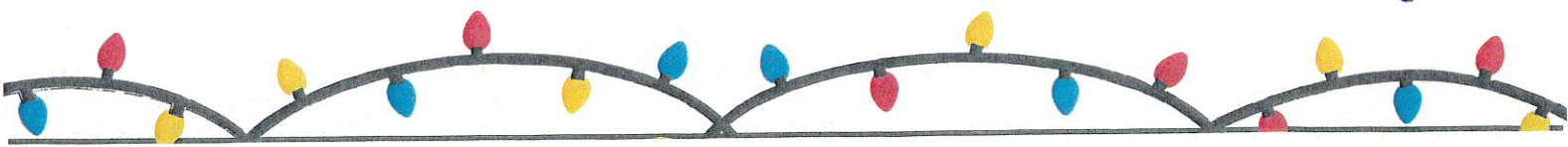
- *Posted bi-weekly Instagram/Facebook reels highlighting different regions, their agricultural production, and water use.*
- *Expanded audiences on our ads to increase engagement across all pages.*
- *Changed graphics on ads to incorporate less static imagery and more reels or infographics.*

Looking Ahead...

- *Content creator collaborations, on-farm interviews with industry professionals, continued influencer tours & reels.*



299





MEMORANDUM

TO: SAN LUIS & DELTA-MENDOTA WATER AUTHORITY DIRECTORS
FROM: DAN KEPPEL, EXECUTIVE DIRECTOR
SUBJECT: UPDATE REPORT
DATE: JANUARY 6, 2025

This memo is intended to keep you apprised as to what is happening regarding policy issues the Family Farm Alliance (Alliance) is engaged in. In the past month, much of our efforts have focused on completing detailed recommendations for the incoming Trump administration, tracking last-minute executive actions driven by the Biden Administration, coordinating a regional response to the California State Water Board's Bay-Delta water quality plan, public speaking, and media/public outreach. These issues and other matters important to our members are further discussed in this memo.

Trump 47 Transition

1. Key Appointments

President-Elect Donald Trump has announced his nomination of several cabinet members and other heads of various agencies, including: (1) former North Dakota Governor Doug Burgum to serve as the Secretary of the Department of the Interior (DOI) and head of the new National Energy Council; (2) Lee Zeldin as Administrator of the Environmental Protection Agency (EPA); (3) Brook Rollins as Secretary of the U.S. Department of Agriculture (USDA); (4) Howard Lutnick as Secretary of Commerce; (5) Chris Wright as Secretary of Energy; and (6) Russell Vought as Director of the Office of Management and Budget (OMB).

The incoming Trump Administration's transition team has been sending names of landing team members to the Biden White House as part of preparations to assume control of federal agencies after President-elect Donald Trump's inauguration on January 20. These teams, delayed due to a late transition agreement, will gather information and draft policy plans for the Administration's

first 100-200 days. The process echoes the prior Trump Administration's use of landing and "beachhead" teams to implement the president's agenda while awaiting permanent appointments. Kate MacGregor is leading the Trump transition team at the DOI. Previously, she served as Deputy Secretary, Deputy Chief of Staff, and Principal Deputy Assistant Secretary for Land and Minerals Management in prior Republican administrations. MacGregor worked on Capitol Hill for 10 years, serving for two Chairmen of the House Natural Resources Committee.

2. Family Farm Alliance Activities

Last month the Alliance board of directors approved the 2024 *Road Map for Western Water*, a report that details specific steps that the new Administration can take immediately upon assuming office. This report provides specific recommendations on how the Administration can modernize agency implementation of decades-old environmental laws. It provides guidance on how process and permitting can be streamlined and water project construction can be expedited. And it details measures that can expand our clean, hydropower production capability and revive our dead and dying Western forests in headwater regions. The *Road Map* document builds around these recommendations, with background information that focuses on global food insecurity and the unique nature of the American West. We also finalized a letter, signed by President Orme, outlining our initial round of recommended picks to feel potential appointed positions in the incoming administration. Just before the holidays, I shared these documents with some key contacts in the DOI transition team who will be directly briefing Governor Doug Burgum, the incoming nominee as Secretary of the Interior.

BIDEN ADMINISTRATION

The Biden-Harris Administration comes to an end on January 20, and a flurry of spending announcements and proposed regulations are being rolled out before the departing administration turns out the lights.

3. Bureau of Reclamation Funding Announcements

As you know, the Alliance was part of a five-organization steering committee that led over 220 water and agriculture organizations who played a critical role in securing the IJA and IRA funding for Western water infrastructure and drought mitigation efforts. The Bureau of Reclamation (Reclamation) to date has announced more than \$3.2 billion from Inflation Reduction Act (IRA) for 222 drought mitigation projects, 39 domestic water supply projects, seven emergency relief projects for Tribal communities and four canal improvement projects. Reclamation has also announced more than \$5.3 billion from the Infrastructure Investment and Jobs Act (IIJA) for almost 600 projects.

In its latest round of funding announcements, Reclamation last month awarded nearly \$12.1 million to support collaborative planning and design projects to improve water sustainability and efficiency. Reclamation selected a total of 43 projects in 11 states to receive the funding from the

IJA, IRA and annual appropriations through Reclamation's WaterSMART program. Partners will plan and design a variety of water supply enhancement projects including those to enhance groundwater discharge, design recycled water infrastructure, pipe water to reduce water losses, design backup infrastructure to domestic water supply and expand water reuse. To view a full list of projects, visit the [Reclamation website](#).

Reclamation in December also announced a \$13 million investment from the IJA in two projects to improve ecosystems, increase resilience and remove barriers to fish passage in California. To date, Reclamation has allocated nearly \$150 million in funding to these types of "transformational ecosystem restoration projects" through the WaterSMART Aquatic Ecosystem Restoration Program. A funding opportunity to allocate an additional \$100 million in funding was posted to [grants.gov](#) on December 10th, 2024.

4. Reclamation Increases Max Grant for Recycling Projects

In response to a July 2024 request made by Senator Alex Padilla (D-CALIFORNIA) and nearly 30 other lawmakers, Reclamation has increased federal funding for large-scale water recycling projects to \$40 million per project, up from \$30 million, to address rising construction costs. The cap increase, authorized under a 1996 law, follows a prior adjustment in 2022. The funding boost aims to strengthen local water supplies, reduce dependence on the Colorado River and other drought plagued river basins, and improve drought resilience in the West.

5. EPA: \$1.6 B for Environmental & Climate Justice Grants

EPA last month announced it has selected 105 applications for the Community Change Grants Program, totaling nearly \$1.6 billion in IRA funds to advance local, on-the-ground projects that reduce pollution, increase community climate resilience, and build community capacity. Of the 105 total selections, 32 are for Target Investment Areas, totaling \$600 million. Target Investment Area funding is intended to ensure that Community Change Grants Program funding is directed towards disadvantaged communities with unique circumstances, geography, and needs. The agency received approximately 2,700 applications, totaling over \$40 billion in requested funds and over 2,495 requests for technical assistance. EPA is on track to obligate the majority of selected Community Change grants by January 2025.

6. Recent Agency ESA Decisions

Federal Endangered Species Act (ESA) protections for four West Coast salmon and steelhead species will remain in place for at least five more years, as NOAA Fisheries' reviews show some recovery progress but highlight ongoing challenges. The species—California coastal chinook salmon, central California coast steelhead, California Central Valley steelhead, and Southern Oregon/Northern California coast coho salmon—continue to face habitat loss, climate change impacts, and historical degradation, according to NOAA Fisheries. NOAA emphasized the need for continued restoration efforts, including dam removal and habitat improvements, while

acknowledging threats from climate change. The announcement coincided with the Biden Administration's \$99 million commitment to salmon conservation and climate resilience projects.

The U.S. Fish and Wildlife Service (FWS) has proposed new ESA protections and critical habitat designations for multiple species, including mussels, salamanders, and monarch butterflies (*see related discussion, Item 12*), with potentially wide-ranging ecological impacts. Nearly 4,000 river miles are proposed as critical habitat for the rayed bean, sheepnose, snuffbox, and spectaclecase mussels, all listed as endangered since 2012. The habitat designation aims to address threats like pollution and habitat loss, with recovery costs estimated at \$166.4 million over 50 years. The FWS plans to list the eastern hellbender salamander (also known as a “snot otter”) as endangered due to habitat loss, declining water quality, and illegal collection. Critical habitat designation was deemed imprudent to avoid revealing locations to pet trade collectors. According to the FWS, these actions aim to protect species vital to freshwater ecosystems and raise awareness of broader conservation challenges tied to habitat loss and environmental degradation.

In response to the perceived accelerated rulemaking being advanced by the outgoing administration, House Committee on Natural Resources Chairman Bruce Westerman (R-Ark.) last month sent five letters to outgoing Biden administration agency officials to ensure they comply with all record retention requirements and avoid last-minute partisan rulemaking in advance of the incoming Trump administration. One such letter was directed at the Department of Interior (DOI), which houses FWS.

7. EPA to Finalize Wetlands Permitting Rule Soon

The Biden Administration is finalizing a rule that intended to streamline the process (not updated since 1988) for states and tribes to assume authority over federally regulated wetlands permitting, a responsibility currently managed by the EPA and Army Corps of Engineers in most states. The proposed rule aims to clarify and improve state-level permitting but has raised concerns among environmental advocates about insufficient safeguards. Critics cite Florida's controversial takeover of wetlands permitting under the previous Trump Administration as an example of potential risks, which was revoked by a court as running afoul of the ESA. The final rule's release date remains uncertain.

8. White House: PCAST Groundwater Report

With just over one month of control remaining for the Biden-Harris Administration, the White House finalized a controversial report that calls for a “comprehensive and informed” federal approach to groundwater management, while suggesting that depletion of groundwater used in the Western U.S. for agricultural purposes has “national and global consequences”. The report was finalized in December, despite requests from several Western government officials and stakeholders to pause further action on the report until PCAST answered key questions. A discussion on the December 1, 2023 Zoom meeting found on the White House’s website references projects in California, Arizona, Colorado, and Idaho and refers to agriculture as “the elephant in

the room” and “the culprit” of depleted aquifers. The Alliance and others in Western agriculture throughout the past year expressed concerns with this type of characterization, which found its way into the final PCAST report:

“In the western U.S., groundwater resources are being depleted at alarming rates, mostly from agricultural withdrawal,” the final report states. “....The depletion has national and global consequences as non-renewable groundwater in the west is embedded in agricultural products transported to the rest of the U. S. and in agricultural commodities exported globally.”

The report’s recommendations, however, are fairly benign and not particularly revelatory. They include investing in research, data collection, modeling and prediction, as well as innovative technologies to understand and protect groundwater reserves. The report also recommends federal incentives to encourage the planning and sustainable management of groundwater, as well as active collaboration with stakeholders and training of the workforce.

The Alliance last July wrote a letter to PCAST in response to the Council’s request for public input on America’s groundwater challenges. The Alliance’s letter emphasized that groundwater should remain regulated by states and local interests, not the federal government. Later that month, the PCAST Groundwater Working Group hosted a one-day workshop at Arizona State University (ASU) in Tempe to aid in the formulation of the policy recommendation report. Several Alliance members from the Southwest participated in that forum.

A few weeks after the event in Tempe, the *New York Times* ran a guest column authored by ASU professor Dr. Jay Famiglietti, who asserted that the Northeastern U.S. would have their water poached by Western states if a national water policy isn’t adopted. The *Chicago Tribune* in September ran a similar scare piece – “No, American West, You Can’t Have Our Great Lakes Water” - driven by the *New York Times* opinion piece. Supporters of the PCAST report like Mr. Famiglietti – who is listed as an “external expert” consulted as the report was being prepared – continue to cheerlead the effort. The report is “a beacon for the future of groundwater management,” Mr. Famiglietti told the *Los Angeles Times* last month. “Its recommendations are comprehensive and forward looking, and if implemented over time, can be a game-changer for groundwater sustainability in the United States.” He told the *Times* he thinks the White House report is “one of the most important groundwater documents ever written in the United States.”

Other Western interests had differing views. Western House Republicans later in the year raised concerns with the PCAST effort, stating they “staunchly oppose this effort to impede state, local, and Tribal regulatory authority”. We question the timing of the report and its ultimate usefulness. The reality is that it is extremely difficult to see how the Trump administration would lend any credence to a rushed report released so late in the lame duck term.

9. FWS Withdraws Controversial BIDEH Refuge Rule

FWS last month announced the withdrawal of their proposed Biological Integrity, Diversity, and Environmental Health (BIDEH) rule, a move that was supported by the Alliance and other Western water interests. The fact that some of the most litigious anti-farming and ranching organizations were supportive of this regulation speaks volumes. If it had been finalized, the rule would have made sweeping changes to the ability of refuge managers to utilize key management tools. The rule stated that certain practices, such as native predator control and cooperative agriculture, would be prohibited unless refuge managers fully evaluate the potential environmental effects of the management activity in accordance with the National Environmental Policy Act (NEPA). In addition, refuge managers would have also been required to complete a comprehensive analysis to justify that utilizing the management practices is necessary to meet statutory responsibilities, fulfill refuge purposes and ensure BIDEH. This would have created further management paralysis.

The House Natural Resources Committee conducted a series of oversight and legislative efforts on the rule since it was proposed in February. These included an oversight hearing in April held by the Subcommittee on Water, Wildlife and Fisheries where representatives from State game and fish agencies, agriculture producers, and conservation organizations testified in opposition to the proposed rule. The Alliance submitted written testimony for the hearing, which was incorporated into the public record.

10. FWS Proposes “Threatened” Listing for Monarch Butterfly

FWS last month opened a 90-day public comment period on listing the monarch butterfly as threatened under the federal Endangered Species Act (ESA), citing population declines of 80% for eastern monarchs and 95% for western monarchs since the 1980s. The proposal includes designating 4,395 acres in California as critical habitat for overwintering western monarchs. Listing the butterfly as “threatened” provides FWS with more flexibility on implementing ESA regulations, something that was noted with cautious optimism by farm organizations.

The Alliance was one of several Western agricultural organizations who participated in a November 2024 virtual briefing with FWS leaders on the pending listing announcement. The threatened listing is much more flexible than an endangered designation and allows the use of Section 4(d) of the ESA. In this case, agricultural practices and forest management practices will be exempt, and hopefully FWS can apply a light touch to regulating land uses. Take, as defined under the ESA means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Incidental take is an unintentional, but not unexpected, taking. This form of take occurs when a listed species is “taken” (i.e., harassed, harmed, pursued, etc.) incidentally to an otherwise lawful activity. In other words, while taking of the listed species occurs as a result of the activity, taking of the listed species is not the primary intent of the activity.

While the “prohibitions” in the proposed 4(d) rule for the monarch butterfly would generally protect the monarch butterfly from almost all take (if finalized), the proposed 4(d) rule allows some forms of take to occur through its inclusion of “exceptions.” In short, if the 4(d) rule were to be finalized as proposed, as long as there is no federal nexus, private citizens, private entities, and states would be able to carry out the activities listed in the proposed listing, whether or not they result in the take of monarch butterflies.

The 4(d) rule stays silent on pesticides. However, EPA will administer Section 7 consultation on herbicide, insecticide and pesticide product registrations under the Federal Insecticide, Fungicide, and Rodenticide Act, which could take a number of years. EPA’s recent herbicide guidelines are finished, and insecticide guidelines should be done by March. The agency’s strategies regarding pesticide and herbicide use have raised concerns with agricultural organizations and agencies across the country.

FWS is actively seeking input on its proposed rule during the 60-day comment period. Among these asks are feedback on specific prohibitions and exceptions contained in the proposed 4(d) rule, including exceptions included related to milkweed management and pesticide use. Final rulemaking anticipated for December 2025. Western Republicans in Congress used the listing announcement as an opportunity to highlight the need for reforming the ESA.

11. EPA Updates Process for Developing Maps to Protect Endangered Species

EPA is taking another step to reduce potential impacts to farmers from implementing endangered species protections while continuing to protect endangered species by [publishing a process](#) it will use to develop maps for protecting species designated as threatened or endangered (listed) by the FWS and their designated critical habitats. These maps allow EPA to protect listed species from the use of pesticides through geographically specific mitigations. The process identifies areas where listed species are likely to be located and areas where they are not, which ensures that additional measures to protect listed species are only required in these areas. [more...](#)

FINAL ACTIONS OF THE 118TH CONGRESS

The U.S. Senate passed and President Biden signed a House-passed Continuing Resolution (CR) through March 14, 2025, barely averting a government shutdown. Just days earlier, Congress passed the 2024 Water Resources and Development Act (WRDA), sending it to President Biden’s desk to sign into law. In the 118th Congress’ last action of the year, the Senate passed a funding patch early in the morning of December 21 with more than \$110 billion in disaster aid. The end result retained some of the initial bipartisan accord negotiated earlier, including funding the government at current levels through March 14, more than \$110 billion in disaster aid and a one-year farm bill extension of agriculture and food policy. The slimmed-down plan from House Republicans, led by Speaker Mike Johnson (R-La.), was the third attempt at passing a stopgap spending bill.

12. Continuing Resolution

Key components of the CR include short-term funding of the government until March 14, 2025, disaster relief, funding for farmers and ranchers struggling without a new farm bill, and extensions to certain key government programs. Republican negotiators in the 119th Congress will now be in a position to push through some of their priorities on climate and nutrition policies in the farm bill, although they'll still need bipartisan support to pass the reauthorization. The package included \$100.4 billion in supplemental emergency assistance for disaster relief programs following the hurricane and flood seasons. An additional \$10 billion is provided in economic aid to farmers. Full text of the CR can be found [HERE](#). Congress must now pass full FY 2025 appropriations bills by April 30, 2025, to avoid an automatic 1 percent spending cut across the board under the June 2023 debt-limit deal.

13. 2024 Farm Bill

After passing a farm bill extension in a stopgap funding deal in December, Congress will have to get back to the bargaining table this year to hammer out a farm bill reauthorization. Republican leaders Senate Ag Chair John Boozman (R-Ark.) and House Ag Chair G.T. Thompson (R-Pa.) said last summer that they were hopeful that GOP election victories would boost their chances of pushing through major Republican priorities in the next farm bill. Those priorities include proposals to significantly expand farm safety net programs and boost crop reference prices. The farm bill stalled in 2024 due to partisan disagreements over nutrition and climate policies that Republican negotiators could now push past with GOP control in Washington. Democrats are in a tough spot with the farm bill talks pushed into 2025. Top Ag committee Democrats in both chambers, Sen. Amy Klobuchar (D-Minn.) and Rep. Angie Craig (D-Minn.), are new to those elevated roles and will have to take over the high-stakes discussions. (1/6/05 *POLITICO*).

14. Permitting Reforms Out of Spending Package

Efforts to attach energy permitting reform to the bill also faltered due to disagreements over changes to NEPA. Negotiations on permitting reforms, led by Senators Joe Manchin (I-WV), John Barrasso (R-WYOMING), and Tom Carper (D-DE), and House Natural Resource Chairman Bruce Westerman (R-AR), made progress but were halted by House Speaker Mike Johnson (R-LA). Democrats aimed to use reforms to facilitate renewable energy projects, while House Republicans sought pro-fossil-fuel provisions, with both sides unable to reach consensus.

15. Congress Passes 2024 WRDA

A few days before the CR passed, the Senate approved the [2024 Water Resources Development Act \(WRDA\)](#), which was previously approved by the House on December 10 by a vote of 399 to 18. It now goes to the President to be signed into law. WRDA authorizes the Army Corps to undertake locally-driven infrastructure and water resources projects that also deliver regional and

national benefits, move goods throughout the country, protect communities from flooding, and more. It passed the House overwhelmingly, 399-18. Please let me know if you would like to see a more detailed WRDA summary for additional details on WRDA sections of interest, which I can share with you.

16. Other Western Water Legislation

On December 23, the President Biden signed a number of bills into law including: (1) the Drought Preparedness Act (H.R. 4385), introduced by Rep. Joe Neguse (D-COLORADO); (2) the Water Monitoring and Tracking Essential Resources (WATER) Data Improvement Act (H.R. 5770), introduced by Neguse; and (3) the Wildlife Innovation and Longevity Driver (WILD) Reauthorization Act (H.R. 5009), introduced by Rep. David Joyce (R-OH). H.R. 5009 reauthorizes through FY2028 several conservation programs for wildlife species and their habitats, including the U.S. Fish and Wildlife Service's Partners for Fish and Wildlife Program, a program long supported by the Alliance. The Alliance also supported H.R. 4385, which would extend the authorization of the *Reclamation States Emergency Drought Relief Act of 1991*, also referred to as the "Drought Act, which provides Reclamation with the tools it needs to help states plan for and mitigate the impacts of droughts in the West. Many of our members have benefited from the Drought Act in the past to help drill wells, install temporary pipelines and haul water during drought periods.

The Senate on December 19 passed the *Urban Canal Modernization Act*, which would allow Reclamation aging infrastructure funding to help address repairs for urban canals with extraordinary maintenance issues. In addition to Idaho Republican Senators Risch and Crapo, the *Urban Canal Modernization Act* was cosponsored by U.S. Senator Jeff Merkley (D-OREGON). The urban canal bill will now go into the next Congress in good shape. There is also a good basis for a federal lands and water package to move in the next Congress, as well.

Another Western water bill that was signed into law over the past weekend by President Biden is H.R. 7938, led by Senator Ron Wyden (D-OREGON) and Rep. Cliff Bentz (R-OREGON), which fulfills financial and regulatory commitments made years ago to Klamath Project irrigators. The Republican-led urban canal legislation needed to be tied to a Democrat-led bill for realistic passage in the Senate on the evening of December 19. Senator Wyden quickly stepped up on the Senate floor, made a motion, and the Senate passed H.R. 7938, as well as the urban canal bill. Under the legislation, federal agencies would not be allowed to pass on the costs of operating or maintaining Link River and Keno Dams. With this legislation being enacted, farmers and ranchers cannot be stuck with that financial burden. Rep Cliff Bentz (R-OREGON) carried the legislation in the House of Representatives, where it passed on December 19.

17. House Passes 'Midnight Rules' Legislation

The House passed the contentious "*Midnight Rules Relief Act*" (H.R. 115) which would allow Congress to overturn multiple Biden Administration regulations in a single resolution. Introduced

by Rep. Andy Biggs (R-ARIZONA), the bill expands the Congressional Review Act (CRA) to target rules issued during the last 60 legislative days of a president's term. Currently, CRA resolutions can only address one rule at a time. The measure, which did not get traction in the Senate, would give the incoming GOP-led Congress and Trump administration sweeping power to scrap recent Biden administration regulations. Critics, including environmental groups, oppose the measure, citing concerns over rapid regulatory rollbacks.

DEVELOPMENTS IN THE 119TH CONGRESS

Republican leaders in the 119th Congress are debating how best to advance President-elect Donald Trump's agenda, as both parties tee up their choices for committee leadership slots for the next legislative session. Speaker Mike Johnson (R-LA) picked up a key endorsement from President-elect Donald Trump in his bid to serve another term. Mr. Johnson faced some resistance from Hill conservatives ahead of the January 3 vote, but Mr. Trump's backing helped stifle other opposition, and Speaker Johnson was re-elected.

18. Speaker Johnson Navigating Budget Reconciliation

Speaker Johnson is navigating a tough decision on advancing President-elect Donald Trump's legislative agenda in the 119th Congress, particularly on budget reconciliation bills addressing border security, tax cuts, and other GOP priorities. Trump allies and Senate GOP leaders favor two separate bills, starting with border security, but House Republicans, led by Ways and Means Chair Jason Smith (R-MO), are pushing for a single comprehensive package to include tax cuts, energy policy, and spending reductions. Supporters of a single bill argue it simplifies negotiations among GOP factions and increases the chances of passing Trump's tax plan. Senate leaders, including Lindsey Graham (R-SC), advocate prioritizing a security-focused bill to address urgent border and national security concerns. Mark Limbaugh reports that it remains to be seen what policy changes will be able to be legislated in the reconciliation process as the Senate Parliamentarian will be the official gatekeeper to decide which provisions will be included or not pass the test, called a "Byrd-Bath" named after the late Senator Robert Byrd (D-WV). Provisions in budget reconciliation must affect revenues or spending to be considered in order. Although politically convenient, the reconciliation procedure exacts a price. Check out this interesting [Bloomberg commentary](#) for more inside perspective on reconciliation.

19. House GOP Chairs of T&I and E&C Committees

Rep. Sam Graves (R-MO) has secured a second term as chair of the House Transportation and Infrastructure (T&I) Committee, with oversight over the Department of Transportation, the Army Corps of Engineers and the Environmental Protection Agency, after the Republican Steering Committee granted him a waiver to bypass term limits. Rep. Graves, who previously served two terms as ranking member and one as chair, emphasized his ability to quickly implement President-elect Trump's infrastructure priorities, including a surface transportation bill. Rep. Graves hinted at changes within subcommittee leadership, with Rep. David Rouzer (R-NC), a loyal ally, likely

to see a promotion. Kentucky Republican Rep. Brett Guthrie was approved as the next House Energy and Commerce (E&C) Committee chairman by his GOP colleagues over his lone competitor, Rep. Bob Latta (R-OH), during a House Republican Steering Committee vote last month. The incoming chair has pledged to focus on "energy dominance" in leading the panel and plans to push permitting reform and climate rollbacks in the next Congress. He is set to replace retiring Chair Cathy McMorris Rodgers (R-WASHINGTON).

20. House Dems Decide Contested Ranking Member Races

House Democrats are challenging the long-standing seniority system for committee leadership, with several races for top Democratic spots on key panels. The Democratic Steering Committee has decided ranking member roles on the Natural Resources, Agriculture, and Oversight and Accountability Committees. Natural Resources Committee: Rep. Jared Huffman (D-CALIFORNIA), an environmental attorney was chosen over Rep. Melanie Stansbury (D-NEW MEXICO), despite her claim of significant federal experience. The Center for Biological Diversity, CalTrout and other environmental organizations formally endorsed Mr. Huffman in the race to lead Democrats on the Committee. Agriculture Committee: Rep. Angie Craig (D-MN) beat Jim Costa (D-CALIFORNIA) in unseating ranking member David Scott (D-GA), whose ability to continue to serve in committee leadership has raised concerns. Mr. Costa received key endorsements from the Family Farm Alliance and over 70 agricultural organizations when he made a similar, and also unsuccessful bid to chair the committee in 2020. Oversight and Accountability Committee: Rep. Gerry Connolly (D-VA), a ten-year veteran, won out over Rep. Alexandria Ocasio-Cortez (D-NY), even though she had support from the Progressive and Hispanic caucuses.

IN THE COURTS

21. *Smith, et al. v. Tumalo Irrigation District, et al.*

A three-member panel of the U.S Ninth Circuit Court of Appeals on December 18 issued an opinion in *Smith, et al. v. Tumalo Irrigation District, et al.*, affirming U.S. District Court for Oregon rulings concerning the piping of irrigation district canals and laterals. This ruling clarifies that Tumalo Irrigation District (TID) does have the right to make necessary improvements to modernize its water infrastructure within the district's easements. TID is located in Deschutes County (OREGON) and serves irrigation water for growing grass, hay, lavender, vegetables, and forages for livestock. The district serves 700 patrons on over 7,400 acres of land. The ruling provides certainty to the district and to other districts throughout the West who are undertaking similar projects. This case resulted from a group of TID patrons challenging TID's right to pipe in federal court. The U.S District Court did not agree with the plaintiff's allegations and the matter was appealed to the US. Ninth Circuit.

The Ninth Circuit also affirmed the October 2023, U.S District Court decision clarifying that the NRCS did not violate NEPA, and the court's previous findings that the NEPA analysis adequately addressed the alternatives to piping, the economic impacts, and the cumulative effects. The

decision also confirms that piping the canals does not constitute a private nuisance and TID is not responsible for property devaluation, if any, resulting from the conversion. Now that the Ninth Circuit has agreed with the lower court rulings, TID is focused on moving forward with completing its multi-phase infrastructure improvements. Once completed, the improvements will result in increased water efficiency for farmers and water conservation that benefits federally protected endangered species and provides other benefits.

ALLIANCE INITIATIVES

22. Executive Director Recruitment

The recruitment time frame for the Alliance executive director position closes at 5:00 p.m. (Mountain Time) on Friday, January 31, 2025. As you know, the Alliance board of directors last October announced that it has initiated a nationwide search for a new executive director. A job announcement webpage, which includes a link to the recruitment brochure and related press announcements, can be accessed at <https://www.familyfarmalliance.org/ed/>. Establishing a transparent process to hire a new executive director and board leadership transition were identified as top Alliance priorities last February. A strategic board retreat was held in Colorado in July, where a search committee was established to develop timelines, mileposts and deliverables associated with finding a new executive director by mid-summer 2025. An executive director recruitment package, which provides information about the organization, request for proposal, qualities emphasized by the board of directors for the ideal candidate, qualifications, and nomination and application procedures, can be downloaded from the Alliance job search webpage. Candidates are encouraged to apply by emailing a compelling cover letter, comprehensive resume, and list of three references to KAulenbacher@parsonsbehle.com.

WESTERN WATER “HOT SPOTS”

U.S.. Coastal areas of the Pacific Northwest, from Washington to northern California, reported weekly rainfall totals between 2 to 15 inches last week. Moderate to severe drought conditions were improved in western Montana and eastern Idaho, while moderate drought was removed in southeast Oregon and trimmed in the northeastern part of the state. Abnormal dryness was improved in northeast Oregon and in small parts of eastern Washington and southern Idaho. Since the lake level reached its lowest point of the year on Nov. 18, Shasta Reservoir in Northern California has bounced back, rising about 40 feet since then, according to the California Department of Water Resources (DWR). [The snow pack is twice the average level](#) right now across Southern Oregon and Northern California. DWR has announced it has increased water allocations to the 29 public water agencies served by the State Water Project.

Conversely, weekly precipitation totals were below normal in areas of the southwestern U.S. According to the latest U.S. Drought Monitor report, drought and abnormal dryness were expanded or intensified in portions of the Southwest and in small pockets of the High Plains. Los Angeles ended 2024 with one of its driest periods on record – a result of La Niña’s effects. Despite

beginning the year with historic rainfall levels, an extended dry spell has covered Southern California since spring, bringing severe drought conditions that have fueled several large wildfires in recent months. In the downtown L.A. metro area, from May 6 to Dec. 31, the area only received 0.16" of rain, making the seven-month stretch the second driest in recorded history, according to data from the National Weather Service.

22. Colorado River Basin

a. Colorado River Post-2026 Operations

As reported last month to you, the Department of Interior (DOI) on November 20 released five proposed alternatives to be analyzed as part of the Post-2026 Operations for the Colorado River: (1) No Action; (2) Federal Authorities; (3) Federal Authorities Hybrid; (4) Cooperative Conservation; and (5) Basin Hybrid. In a press release, DOI highlighted the Basin Hybrid Alternative saying: "[It] is designed to reflect components from the proposals and concepts submitted by the Upper Division States, Lower Division States, and Tribal Nations to present elements that could provide a basis for coordinated operations and may facilitate greater agreement across the Basin."

b. CRWUA Conference

On December 4-6, the Colorado River Water Users Association (CRWUA) held its annual conference in Las Vegas, Nevada, and by most accounts, the atmosphere at the conference was "divisive" and tense, particularly between Upper and Lower Basin interests. Following the CRWUA Conference, the Upper Colorado River Commission (UCRC) State Commissioners issued a public statement noting its commitment to "working toward a sustainable solution that manages the use of the river within the available supply" recognized the following facts and values as they continue negotiations with the Lower Basin States in 2025:

- There are acute hydrologic shortages in the Upper Basin every year – there simply isn't enough water in any year to satisfy current needs in the Upper Basin every year.
- The Upper Basin has made uncompensated cuts to their water users every year for the past 24 years. The Upper Basin already lives within the means of the river through its management of water rights and uses.
- The Upper Basin supports a supply-based approach that shares the water we have through the sustainable operations of Lake Powell and Lake Mead. The Upper Basin and its uses are a vital part of the basin-wide system.
- The Upper Basin is committed to finding basin-wide solutions to build a sustainable future for all Basin States water users, Tribes, stakeholders and ecosystems.

- “We must plan for the river we have, not the river we want.”

The Upper Basin Commissioners expressed commitment to meaningful conversations, creative solution-based discussions and open dialogue on the existing alternatives currently on the table while exploring new ideas.

“The harsh rhetoric and distractions must stop because time is of the essence,” the Commissioners noted. “And now, we are more committed than ever to finding a solution that works for everyone. A solution based on supply — not demand. It is the only way to ensure the vitality and longevity of our River.”

ADMINISTRATIVE & MISCELLANEOUS

- As we enter into the New Year, the travel schedule picks up once again. Mark Limbaugh and I will be tag-teaming a federal affairs presentation at the Idaho Water Users Association annual conference in Boise on January 15. Later in the month, I’ll be speaking to the California Irrigation Institute annual conference in Sacramento on California water management and Klamath River dam removal. Later that week, I’ll be moderating an “Inside DC” panel at the Mid-Pacific Water Users Conference in Reno, featuring Mr. Limbaugh, Garrett Durst (Natural Resource Results) and Annick Miller (House Water and Power Subcommittee). This will likely be my last MP conference, and I’ll miss it; I’ve served on the conference planning committee for 26 years!

This is a quick summary of just a few of the issues the Alliance has been engaged in. Please do not hesitate to contact me at 541-892-6244 or dan@familyfarmalliance.org if you would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.

State Water Project Allocation Increases Following Recent Storms in Northern California

Published: Dec 23, 2024

Above average precipitation and snowpack allow for an increase in planned water deliveries for 2025

SACRAMENTO, Calif. – Today, the Department of Water Resources (DWR) announced an update to the State Water Project (SWP) allocation forecast for 2025. The allocation has increased to 15 percent of requested supplies, up from the initial allocation forecast of 5 percent announced earlier this month. The SWP provides water to 29 public water agencies that serve 27 million Californians.

Strong storms in late November and early December have helped boost statewide precipitation to just above average for this time of year. Reservoir levels have also increased because of the storms. The initial allocation forecast announced on December 2 had not accounted for these storms because the data was not yet available to water managers. Prior to the second half of November, the start of the water year had been dry and warm.

“The past several weeks has brought welcome rain and snow to Northern California and these improved conditions have allowed the State Water Project to increase the allocation forecast to the benefit of millions of Californians,” said DWR Director Karla Nemeth. “While we typically wait to provide an update until January, we felt it important to let our State Water Contractors know of the increase as soon as possible to allow them to better plan their water supply for the year ahead.”

State water managers will continue to monitor precipitation and snowpack conditions as well as account for dry soils that may soak up some of the spring runoff following record heat this past summer. Additionally, Southern California remains very dry and has not benefited from the atmospheric rivers experienced so far this season.

“California is still in the early months of our wet season and as recent history has shown, conditions can change quickly,” said Dr. Michael Anderson, State Climatologist. “While Northern California has benefitted from early season storms, dry conditions in the new year can leave us with below average totals when warmer weather arrives.”

Each year, DWR provides SWP allocation forecasts based on available water storage, projected water supply, and water demands. Allocations are updated monthly as snowpack, rainfall, and runoff information is assessed, with a final allocation typically determined in May or June. As the winter progresses, if California sees an increase in rain and snowfall, the allocation forecast may increase. The next update will likely come in January and will use information from the first snow surveys of the season.

The allocation forecast notice to State Water Contractors and historical data on SWP allocations are available at <https://water.ca.gov/programs/state-water-project/management/swp-water-contractors>.

Contact:
Ryan Endean, Public Affairs, Department of Water Resources
media@water.ca.gov

314

Blank