



MEMORANDUM

TO: SAN LUIS & DELTA-MENDOTA WATER AUTHORITY DIRECTORS
FROM: SAMANTHA BARNCASTLE, EXECUTIVE DIRECTOR
SUBJECT: UPDATE REPORT
DATE: MARCH 3, 2026

This executive director’s report is intended to keep you apprised as to what is happening behind the scenes on policy and other issues the Alliance is engaged in or is otherwise tracking, some of which we will discuss at our next **joint ZOOM meeting of the Board of Directors and Advisory Committee, scheduled for Friday, March 6, 2026 at noon (Pacific Time); 1:00 p.m. (Mountain Time, including AZ); 2:00 p.m. (Central Time); 3:00 p.m. (Eastern Time)**. This report is intended for your use, but I understand that you may wish to share this information with your local board members and close associates. I would ask that you be circumspect when you distribute this, however. Here is your update on activities during the month of January:

GOVERNMENT FUNDING – Congress Passes \$1.2T Spending Minibus

In early February, Congress passed a \$1.2 trillion spending package to fund nearly all federal agencies through September, ending the second government shutdown in four months. The Senate-passed bill passed the House 217–214. The deal leaves out the Department of Homeland Security (DHS), which is funded by a short CR only through next week, setting up a new “funding cliff” and likely another partial shutdown. Democrats are refusing to support longer-term DHS funding unless Republicans agree to major immigration enforcement reforms, citing recent fatal shootings and accusing Immigration and Customs Enforcement (ICE) agents of acting recklessly. Republicans have rejected Democrats’ proposed reforms, and negotiations remain stalled. No agreement was reached by the February 13 deadline, so DHS agencies like FEMA, TSA, the Coast Guard, and CISA are dealing with another shutdown, with particular concern over FEMA’s disaster recovery funding. Meanwhile, ICE will continue to be funded under the *One Big Beautiful Bill Act* funding approved by Congress last year.

TRUMP 47 ADMINISTRATION

1. **President Trump gives SOTU – urges second reconciliation package**

In his 2026 State of the Union address, President Trump highlighted his administration’s priorities, including the economy, immigration, energy, and other legislative goals, while promoting further use of reconciliation to advance GOP policy objectives. The speech’s emphasis on moving major parts of the Republican legislative agenda puts pressure on House Speaker Mike Johnson to revisit a second reconciliation package, though timing and bipartisan support remain uncertain.

2. **President Trump’s Make America Beautiful Again Commission Launches Strategy to Champion Conservation**

DOI announced the President’s Make America Beautiful Again Commission has launched a new national strategy to champion landscape stewardship, recreation access, and conservation partnerships across federal, state, tribal, and local lands. The initiative emphasizes voluntary conservation, enhanced outdoor recreation opportunities, and collaboration with private landowners and communities to improve land health and public enjoyment. This goes hand-in-hand with the America 250 initiative DOI is working on this year. Read the full release for details on the Commission’s priorities and planned actions: [President Trump’s Make America Beautiful Again Commission Launches Strategy to Champion Conservation | U.S. Department of the Interior](#)

3. **Public – private partnerships are all the rave**

A recent *Government Executive* commentary argues that recent rapid federal workforce cuts under the Department of Government Efficiency have significantly weakened agency capacity, eroded institutional knowledge, and left morale and operational performance in poor shape, while the accelerating adoption of AI is reshaping jobs and workflows in ways current HR systems can’t readily manage. To address these dual challenges, the author proposes expanding public-private partnerships that bring together government, private sector, professional associations, labor economists and technology experts to document essential skills, redesign roles, analyze workforce impacts of technology, share training resources, and co-develop solutions that benefit both sectors. These partnerships could also help mitigate talent shortages, support rotational programs, and inform modern civil service reform tailored for today’s AI-integrated work environment. Good thing we’re already working on this in practice with Reclamation’s team through our realignment work we continue to push forward!

4. **Steve Pearce sits for nomination hearing before Senate ENR**

At his Senate confirmation hearing held the last week of February, Steve Pearce, the President’s nominee to lead BLM, emphasized prioritizing local input in public lands decisions, opposing large-scale federal land sell-offs, and rejecting what he described as a Washington “absentee landlord” approach. For public land users—particularly ranchers, energy producers, and rural counties—his focus on grazing access, oil and gas development, and deference to state and local officials signals a management style likely to favor multiple use and economic activity on the 245

million acres BLM oversees. However, environmental groups and some senators expressed concern over his close past ties to the oil and gas industry, his prior opposition to methane waste regulations, and his lack of detailed answers on renewable energy permitting slowdowns, monument protections, and other conservation policies. While Pearce pledged not to pursue federal land sell-offs and said he does not plan to revisit existing national monuments, critics worry that under his leadership BLM could roll back conservation safeguards, accelerate fossil fuel development, and weaken climate and habitat protections—raising broader questions about the balance between resource production and long-term land and watershed stewardship. Chair of the Senate ENR Committee has scheduled a vote on his and other nominations for Wednesday of this week – the vote to approve the nomination is not expected to be bipartisan.

5. Karen Budd-Falen was back in the news

High Country News reported that Interior Department official Karen Budd-Falen is still facing mounting ethics scrutiny over her prior ties to mining interests and her involvement in agency decisions affecting public lands and water resources, raising concerns about potential conflicts of interest and transparency. The issue has drawn national attention, with *The New York Times* publishing a late January article titled “Nevada Mine Interior Department Karen Budd Falen Water Investigation,” highlighting her role in matters tied to a Nevada mining project and associated water impacts. Together, the stories underscore questions about ethics oversight and water stewardship within the Interior Department, but, also, consider the news sources...

6. USDA Water Saving Commodities Grant Update

A recent *Government Executive* report highlights that more than a year after Congress set aside roughly \$400 million in drought assistance for farmers under the Biden Administration, not a single dollar has been distributed, and USDA has not clearly explained what has happened to the funds. Despite having signed contracts in place, the money has been withheld and USDA has been mostly non-responsive to inquiries about it, citing, in large part, the lack of past personnel familiar with the project. The Alliance team and some of its members who received these grants participated in a meeting with USDA officials regarding the status of the program, which turned into a Q&A session where USDA quizzed the grant recipients about their projects, the process for receiving the grant, and optics related to the program (the non-competitive nature, the fact that many recipients were Alliance members, etc.).

The overall taste left in the mouths of many following that meeting and the *Government Executive* report that came out the same day was bitter. After the meeting I reached out directly to colleagues within USDA to attempt to further make the case for the distribution of this money to the recipients. One concern seems to be that the program looked like it was intended to produce payments directly to farmers, though many of the scopes for the grants were not direct farmer payments, but rather, solely irrigation system improvements. While benefits of system improvements trickle down to individual farmers, this is a hurdle because USDA is used to making direct payments to farmers, not water service providers. I also reached out to others industry partners who have a vested interest in seeing this money released, and many have worked our talking points into their Hill visits in the last week. We will continue to track this issue closely.

7. USDA plans to scrap HQ building in DC

Meanwhile, USDA is moving forward with plans to sell its headquarters building in Washington, D.C. as part of a broader effort to consolidate office space and relocate staff to more cost-efficient locations. The agency says the move will reduce overhead, modernize workspace, and better align USDA's footprint with its evolving mission, but the news reports the plan will displace hundreds of employees and require coordination with congressional appropriators and federal real estate authorities. This shift comes amid ongoing USDA workforce reductions and reshaping of office operations, raising concerns among some stakeholders about continuity, institutional knowledge, and service delivery to farmers and rural communities. Some of my colleagues in USDA are welcoming the changes – these 'displacements' the news refer to mean they will soon get to keep their jobs, but return home to New Mexico where they would prefer to be.

8. Administration's Expedited Permitting Agenda Moves Forward

a. DOI Rolls back NEPA

The Department of the Interior has finalized a broad rollback of environmental regulations governing public lands, including changes to how environmental reviews are conducted under the NEPA—reducing procedural requirements and shortening public comment periods in order to expedite energy, mining, grazing, infrastructure, and water projects on federal lands. The final rule rescinds more than 80 percent of DOI's regulations implementing the National Environmental Policy Act (NEPA), shifting many requirements into a streamlined guidance handbook. The new NEPA Handbook can be found here: [516 DM 1 - Handbook of National Environmental Policy Act Implementing Procedures](#).

The rule follows the White House's rollback of longstanding Council on Environmental Quality (CEQ) government-wide NEPA regulations and includes provisions to clarify lead agency roles while limiting certain public comment requirements. Interior Secretary Doug Burgum said the move will reduce bureaucracy, speed project approvals and restore NEPA to its original procedural intent, aligning with President Trump's push to expand energy and infrastructure development. This action is framed by DOI and administration officials as cutting red tape to "unleash American energy" and accelerate land use decisions, but critics warn it erodes critical safeguards for landscapes, watersheds, wildlife habitat, and public participation in federal decisions. Critics, including environmental groups and legal scholars, argue the changes unlawfully restrict public input and weaken environmental oversight, and ongoing lawsuits will challenge the rule in federal court.

Simultaneously, the U.S. House Committee on Natural Resources and the Congressional Western caucus released press statements outlining congressional oversight priorities related to DOI's regulatory rollbacks and permitting reforms. While lawmakers aligned with the changes argue they will reduce delays in approving projects that benefit rural economies, producers, and energy development, environmental advocates have expressed strong opposition, saying the moves weaken protections that help ensure clean water, healthy forests, and resilient watersheds for agriculture and public land users.

A recent (statistically limited) public opinion poll across eight Western states (Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, Utah and Wyoming) reflects concern about these trends, arguably showing that large bipartisan majorities view rollbacks of protections for land, water, and wildlife as a serious issue, underscoring that while some welcome increased access and reduced regulation, many fear long-term impacts on water quality, wildlife habitat, and outdoor recreation that are integral to rural and Western communities. The conversation here, however, seems to center around the fantastical idea that the Federal Government intends to sell large swaths of land to private enterprise, something officials have consistently rebuked. What is on the table – cleaning up the patchwork in certain areas and removing regulatory restrictions that prevent land use.

b. FERC also streamlining permitting

The Federal Energy Regulatory Commission (FERC) has adopted new measures to streamline its environmental review process for hydropower licensing and relicensing, aiming to reduce delays and provide greater predictability for project developers. Changes include clearer timelines, enhanced use of existing environmental assessments, and increased coordination with federal and state agencies to avoid redundancies. FERC says the reforms will help modernize the nation's hydropower fleet and support clean energy goals, but some stakeholders caution that faster reviews must still protect fish, wildlife, and water quality. Overall, the action reflects broader efforts across federal agencies to expedite infrastructure permitting and regulatory processes. Hydropower structures are often attached to the same structures that serve western producers, making them key to survival of the West.

c. PFAS remains a hot topic

PFAS policy remains highly dynamic at both the federal and state levels. As the Trump EPA delays and seeks to partially roll back elements of the Biden-era drinking water rule — including rescinding limits for four PFAS chemicals and extending compliance timelines for others — states are moving ahead with their own standards. Washington, Maine, Vermont and Delaware have already codified stricter limits, and at least 31 states are expected to pursue PFAS legislation in 2026, ranging from product phase-outs and firefighter protections to drinking water standards, biosolids restrictions, industrial discharge limits, and cleanup funding. Environmental groups argue that in the face of federal uncertainty, state action is necessary to protect public health and water supplies, while industry continues to seek regulatory clarity and push back on broad, class-based definitions of PFAS.

For agriculture, a new framework from the National Academies (NASEM) highlights significant data gaps regarding PFAS contamination on farmland, particularly from biosolids and other sources, and calls for federal guidance, improved monitoring, and adaptive conservation planning through USDA programs such as EQIP and CSP. The panel stopped short of recommending specific agricultural thresholds or a working definition of PFAS, underscoring the lack of consensus and the need for additional research on soil fate, plant uptake, livestock impacts, and mitigation strategies. Together, these developments point to continued regulatory uncertainty for farmers and ranchers, especially where water quality, land application of biosolids, and liability concerns intersect.

d. Blue States Prepare to Litigate Proposed CWA Sec. 401 Permitting Rule

Democratic attorneys general from 16 states and Washington, D.C., are preparing to sue if the Trump Administration finalizes a proposed rule limiting states' authority under the Clean Water Act Section 401 to review and potentially block energy infrastructure projects. The draft EPA rule would narrow state reviews to specific discharges into federally protected waters and restrict states' ability to impose conditions or request permit revisions. The states argue the proposal violates federal law and Supreme Court precedent, noting that very few projects have been delayed under current rules.

DEVELOPMENTS IN THE 119TH CONGRESS

9. Farm Bill (Finally)

Congressional efforts to complete a long-overdue five-year farm bill remain fluid, with House Agriculture Chair Glenn Thompson introducing the Farm, Food, and National Security Act of 2026 (H.R. 7567) and initially targeting a late-February markup. That markup was postponed to the week of March 1, adding to uncertainty around timing and floor consideration. While major spending for nutrition, conservation, and commodity programs was partially addressed in last year's reconciliation package, Thompson has emphasized that the remaining bill contains the bulk of underlying agricultural policy. Senate Agriculture Committee leaders, including Ranking Member Amy Klobuchar, say bipartisan discussions continue, though broader political headwinds and USDA workforce reductions could complicate implementation. House Agriculture Ranking Member Angie Craig has warned that certain GOP provisions—particularly around pesticide labeling and liability—may erode Democratic support, raising questions about the bill's path forward in a narrowly divided Congress.

From a western water and irrigation perspective, the Conservation and Forestry titles carry significant implications. The bill would streamline and expand the Watershed and Flood Prevention Operations (PL-566) program, increase federal cost-share for dam rehabilitation to as much as 90 percent, and prioritize aging small watershed infrastructure—critical for irrigation districts managing flood control and sedimentation. The Regional Conservation Partnership Program would broaden its statutory focus to explicitly include flood resiliency, groundwater protection, drought mitigation, and drinking water source protection, reinforcing its relevance to basin-scale water planning. The Environmental Quality Incentives Program (EQIP) would expand incentives for precision agriculture and water conservation practices, including new 90 percent cost-share tiers that could benefit producers investing in efficient irrigation systems and soil health measures.

On forestry and watershed health, the bill reauthorizes and expands cross-boundary wildfire mitigation programs, hazardous fuels reduction authorities, and collaborative restoration efforts aimed at protecting headwaters and drinking water supplies. Expanded categorical exclusions under NEPA and provisions addressing the "Cottonwood" ESA consultation issue are intended to accelerate forest management projects, with direct implications for reducing catastrophic wildfire risk in upstream watersheds that supply agricultural communities. However, with the markup delayed, ethanol provisions stalled, and the Senate yet to signal a clear timeline, final passage

remains uncertain—leaving producers navigating drought, wildfire risk, and aging water infrastructure without the policy certainty a new farm bill is intended to provide.

House Ag has scheduled a markup session on the bill for today, so watch here: [Full Committee Markup: Farm, Food, and National Security Act of 2026 | House Agriculture Committee](#).

10. Senate ENR Approves Legislation Without Democratic-Led Bills

In early February, the Senate Energy and Natural Resources (ENR) Committee advanced a limited set of public lands, wildfire, and water-related bills, while dropping several higher-profile conservation and water measures, frustrating ENR Committee Democrats. On water policy, the committee approved Sen. Alex Padilla's (D-CA) Lower Colorado River Multi-Species Conservation Program (MSCP) Amendment Act (S. 291), which would create an interest-bearing account for nonfederal contributions to the long-running Lower Colorado River MSCP program. However, several major water bills were pulled from consideration, including a bill from Sens. Martin Heinrich (D-NM) and Ben Ray Lujan (D-NM), the Pecos Watershed Protection Act, which would block mining and leasing in the Upper Pecos River watershed in New Mexico, as well as legislation from Sen. Heinrich (S. 1476) to expand Wild and Scenic River protections on New Mexico's Gila River system and a bill (S. 1413) that would provide additional funding for the San Joaquin River Restoration Settlement Act (from Sens. Padilla and Hoeven (R-ND)). Also left out was the Bolt's Ditch Act (S. 365) from Sens. John Hickenlooper (D-CO) and Michael Bennet (D-CO) that would authorize additional entities to be eligible to complete the maintenance work on Bolts Ditch and the Bolts Ditch Headgate within the Holy Cross Wilderness in Colorado. Several ENR Democrats criticized the markup, noting that most conservation- and watershed-focused legislation was largely sidelined in favor of narrower or less controversial measures.

11. On the House side, Bipartisan Efforts Continue to Support Permitting Reform

“Permit certainty” has become the central focus of bipartisan permitting reform efforts, as industry, labor, and some environmental groups push Congress to limit permitting delays and ensure approved infrastructure projects can move forward without being reversed by future administrations. Support continues to build around the bipartisan CERTAIN Act, by Reps. Scott Peters (D-CA) and Gabe Evans (R-CO), which would require agencies to follow clear permitting timelines, and the House-passed SPEED Act, which overhauls NEPA reviews and includes provisions to protect issued permits. Additional legislation, including the proposed draft Fighting for Reliable Energy and Ending Doubt for Open Markets (FREEDOM) Act, sponsored by Reps. Josh Harder (D-CA), Mike Lawler (R-NY), Adam Gray (D-CA) and Don Bacon (R-NE) among others, would further shield companies from sudden permitting reversals and hold agencies accountable for permitting delays. Energy producers, renewable developers, and labor unions argue that certainty and durability in permitting decisions are essential for investment and job creation. While Senate negotiations remain stalled amid disputes over renewable energy under the Trump Administration, lawmakers from both parties say there is growing agreement around the principle that once a permit is issued, it should be reliable and final.

12. House Electronic Permitting Bill Gets Senate Companion

A bipartisan group of senators introduced the ePermit Act, a bill aimed at modernizing the federal government's outdated, paper-based energy permitting system. Led by Sens. John Curtis (R-UT)

and Cory Booker (D-NJ), the legislation would create a cloud-based permit portal to improve transparency, coordination, and public engagement without weakening environmental standards. The bill is the Senate companion to H.R. 4503, which already passed the House last year with unanimous support, and sponsors hope it can move quickly as Congress continues broader debates over permitting reform.

13. Senate ENR Subcommittee Postpones Legislative Hearing on Drought/Water Bills

The Senate Energy and Natural Resources (ENR) Subcommittee on Water and Power has postponed a hearing set for Tuesday, February 24, on 18 bills focused on drought relief and water infrastructure, as Western states struggle with a west-wide drought, with seven states trying to reach agreement on a long-term Colorado River management plan. The legislation covers a wide range of proposals, including studies to improve hydropower at Glen Canyon Dam, expanded water recycling programs, new agricultural water-saving demonstration projects and small-scale water storage and aquifer recharge efforts. The Subcommittee will also consider measures to improve snowpack forecasting, create a Bureau of Reclamation position to help communities secure federal grants and authorize feasibility studies for major rural water supply projects in the Midwest and Great Plains. Additional bills address watershed restoration, hydropower licensing transparency, micro hydrokinetic energy development, and financial stability for the Southwestern Power Administration. The hearing is expected to be rescheduled this week. The Alliance submitted written testimony to the committee covering most of the legislation slated to be heard.

14. CA Senator leads with water focus

A pair of bills dropped by Senator Alex Padilla (D-CA) made quite a splash in February by targeting longstanding water supply challenges in California's agricultural regions. The proposals would streamline permitting for water storage projects and boost funding for groundwater recharge and conveyance improvements, aiming to strengthen drought resilience and secure more reliable supplies for growers. Supporters say the bills could help modernize the state's water infrastructure, while critics caution about environmental impacts and the complexity of implementation.

IN THE COURTS

15. California Sportfishing Protection Alliance et al. v. Nickels, U.S. Supreme Court Case No. 25-989 (Feb. 17, 2026)

Petition for Writ of Certiorari to review a decision of the Ninth Circuit of Appeals, which upheld the irrigation return flow exemption as applied to several nonpoint sources of pollution that entered into an irrigation drain. As this was just recently filed, a decision is not imminent. The Alliance may want to explore opportunities to participate in an amicus curiae brief to support the Ninth Circuit's decision.

16. Learning Resources, Inc. v. Trump, U.S. Supreme Court Case No. 24-1287 (Feb. 20, 2026).

Question presented: Whether the International Emergency Economic Powers Act ("IEEPA") authorizes the President to imposed tariffs. Held: IEEPA does not authorize the President to impose tariffs. Key points from decision (authored by Chief Justice Roberts): The power to impose tariffs,

as part of the power to levy taxes, is a Constitutional power granted to Congress. Any delegation of this power to the President must be clear and unambiguous, pursuant to the major questions doctrine. There is no "emergency" exception to the doctrine. The IEEPA does not include such a delegation of power from Congress and therefore the President's tariffs are invalid. Key points from dissenting opinions (by Justices Thomas and Kavanaugh, joined by Alito): as a matter of statutory construction, the power to "regulate. . . importation" has been understood to include the power to impose tariffs. As a result, the IEEPA did delegate tariff power to the President and the majority was wrong to conclude otherwise. The major questions doctrine is not implicated because the delegation from Congress was clear.

17. Top Environmental Law Cases of 2025

I ran into this article this past month and admittedly spent more time on it than I maybe should have. It was a great primer on all of the key environmental law cases from last year. [Key Supreme Court Environmental Law Rulings: 2025 Highlights and 2026 Outlook - Lexology](#). This is much more than just water, but it foreshadows some of what we might expect from the Supremes in 2026, so I recommend giving it a read.

ALLIANCE INITIATIVES

18. Muscles clogging water systems

In early February there was an uptick in news stories related to invasive mussel species. Colorado state natural resource officials warned that invasive zebra mussels—already detected throughout the Colorado River and in several irrigation systems—are now prompting expanded containment efforts that include private ponds on the Western Slope. Colorado Parks and Wildlife staff and partners are planning surveys of more than 1,000 private waterbodies near Grand Junction this summer to detect and prevent further spread of the fast-reproducing mussels, which attach to infrastructure and disrupt ecosystems and water delivery systems. The escalated focus reflects persistent detections of mussels and larvae in rivers, canals, and small ponds despite ongoing boat inspections, decontaminations, and earlier treatment efforts, underscoring the difficulty of controlling this aquatic nuisance species and the need for broader monitoring and education. Federal, State, and local water agencies are all involved in the effort.

The Idaho State Department of Agriculture (ISDA) has developed and implemented a multi-year, science-driven treatment program to eradicate invasive quagga mussels detected in the Snake River near Twin Falls. Since the initial detection in 2023, ISDA has carried out repeated chelated copper treatments (“Natrix”) in fall 2023, 2024, and 2025, targeting mussels across affected river sections and significantly reducing the infestation footprint. In addition, a potassium chloride (potash) treatment was applied in early 2025 to address mussels in isolated still water pools that weren’t fully reached by the copper application. These coordinated approaches, shaped by extensive monitoring and river dynamic analysis, aim to maintain effective concentrations while letting copper dissipate to background levels downstream. Ongoing sampling continues to guide strategy and assess effectiveness in reducing quagga mussel populations.

The worst one of all, the golden mussel (*Limnoperna fortunei*), is an invasive freshwater bivalve first detected in North America in October 2024 in the Sacramento-San Joaquin Delta. Unlike quagga and zebra mussels, golden mussels can thrive in a broader range of temperatures and salinities, increasing the number of vulnerable waterbodies. They are also capable of detaching and reattaching when the infrastructure they choose to make a home out of no longer serves its required purpose. Quite a bit more sturdy than the other mussels, these compete with Quagga, Zebra and native species for food, contribute to harmful algal blooms, and can cause costly damage to water infrastructure, recreation, and fisheries by clogging pipes, screens, and intake systems. The news stories out of California are nothing short of terrifying!

In the last days of February, the U.S. Bureau of Reclamation has launched the “Halt the Hitchhiker: Invasive Species Challenge,” a national prize competition to spur development of innovative solutions that prevent the spread of aquatic invasive species (including zebra, quagga, and golden mussels) in watercraft ballast systems. Traditional inspection and decontamination efforts are effective but resource-intensive, so this challenge aims to identify safe, scalable technologies to inactivate or exclude organisms in ballast water without harming boats or users. The three-phase competition will award funding for concept papers, virtual pitches, and prototype development, with the goal of complementing existing invasive species control programs and reducing the significant economic and environmental impacts these mussels cause to western U.S. water infrastructure. For more information please visit: <https://haltthehitchhiker.yet2.com/>.

19. Geothermal energy development

Recent federal and regional coverage highlights how the Administration’s push to “unleash American energy” is accelerating investment and policy attention around geothermal power—particularly in the West, where energy and water systems are closely linked. The U.S. Department of Energy announced \$171.5 million to expand domestic geothermal deployment, emphasizing enhanced geothermal systems (EGS) and next-generation technologies capable of tapping heat resources in new geologic settings. Reporting from Nevada Current underscores ongoing debate in Nevada over perceived “groundwater loopholes” that allow certain geothermal projects to inject and withdraw water under regulatory frameworks that differ from traditional consumptive groundwater uses—raising concerns about aquifer accounting and long-term basin impacts. Coverage from KNPR describes emerging geothermal discoveries in the Desert Southwest that could significantly expand the region’s energy portfolio, while analysis from MIT and a new white paper from the University of Houston detail both the promise and the technical challenges of scaling advanced geothermal systems, including induced seismicity risks, reservoir management, and the need for careful groundwater monitoring where fluid injection and withdrawal occur.

Taken together, these developments suggest geothermal will play a growing role in federal energy strategy, particularly in western states rich in subsurface heat resources—but they also raise important questions about how aquifer integrity, water accounting, and basin sustainability will be protected as energy development expands. This conversation sets the stage for the next emerging pressure point in the West: the rapid growth of AI and data centers, and the intensifying competition for both energy and water resources that could directly affect farmers, ranchers, and irrigation-dependent producers if not thoughtfully managed.

20. AI and Data Centers in the Desert

National and regional reporting this month underscores how the rapid build-out of AI data centers—strongly encouraged under the President’s “unleash American energy” agenda—is intensifying competition for both electricity and water across the West. Coverage in The New York Times highlights the substantial water footprint of major facilities, including evaporative cooling systems used by companies such as Microsoft, raising concerns in arid regions where aquifers and river supplies are already over-allocated. Reporting The Administration’s push to accelerate AI infrastructure while pressing tech firms to prevent electricity price increases from being passed on to consumers dominated the news in the last week of the month. At the same time, lawmakers in states such as Oklahoma and New Mexico advanced legislation to regulate energy sourcing, grid impacts, and microgrid development tied to data centers. I assisted within NM’s legislature when it was working on the Micro-Grid legislation earlier this year, and the trend seems to be more oversight is coming, which means the potential for traditional political fights over land use planning, priority of water uses and the doctrine of prior appropriation, and environmental laws.

In Congress, bipartisan concern is emerging over grid reliability and consumer costs. Sens. Josh Hawley and Richard Blumenthal introduced the “Guaranteeing Rate Insulation From Data Centers (GRID) Act,” which would require new data centers to rely on separate power sources and transition existing facilities off the grid within 10 years. Other proposals—from Sen. Tom Cotton to Sen. Chris Van Hollen and Sen. Bernie Sanders—range from incentivizing isolated generation to calling for a construction moratorium. It’s clear there’s a lot of work still to be done here.

For western producers, the implications extend beyond electricity rates, though that remains a major concern for some. In my case, in an effort to modernize, all of our wells/pumps and farm homes have been converted to electric-only – so even a nominal price increase can have a large impact. Additionally, data centers often seek large tracts of flat, well-served land—frequently some of the most productive irrigated acreage—and require significant, reliable water supplies for cooling. As AI infrastructure expands into rural western states, thoughtful planning will be essential to ensure that agricultural water users are not disadvantaged by new industrial demands on aquifers, surface supplies, and transmission capacity that underpin farm and ranch operations. In many cases, these companies are proving to be good neighbors, so partnerships and opportunities exist to produce win-win scenarios for producers and data centers, allowing both to serve the American public.

Water utilities and tech companies are divided over how much EPA and the federal government should shape water reuse policies for AI data centers, which require large amounts of water for cooling. Tech industry representatives, including Amazon Web Services, are urging the creation of national standards to avoid a patchwork of differing state regulations that can delay projects. In contrast, water utility officials argue regulation should remain primarily a state responsibility, with EPA serving as a convenor to share best practices and promote incentives rather than impose federal rules.

The debate comes as EPA prepares to update its Water Reuse Action Plan to support data centers, amid growing public concern about the facilities’ heavy water use and affordability impacts. Water reuse, particularly using treated wastewater, is seen as a “win-win” solution, and congressional

lawmakers in the House have introduced bipartisan legislation ([H.R. 2940](#)) to create a 30 percent tax credit for water recycling projects to encourage infrastructure development.

So, why the lengthy report on this – well, it’s an election year, so expect to see much more on AI and Data Centers from the politicians seeking office this year!

WESTERN WATER “HOT SPOTS”

21. Drought – especially when it comes to mountain snowpack

Across the Mountain West, record snow drought conditions persist despite recent storms, with much of New Mexico and neighboring states still far below historical snowpack levels—setting the stage for continued water shortages as snowmelt is a critical source for irrigation, river flows, and aquifer recharge. In Colorado, similar deficits are contributing to heightened wildfire risk and water stress, prompting multi-agency coordination through a new wildfire season task force aimed at preparedness and mitigation efforts as fire season approaches early and with greater intensity.

A regional report on 2025 summarized a year marked by historic drought, wildfires, and windstorms, illustrating how climate-driven extremes are increasingly disrupting natural systems that farmers and ranchers depend on for water and forage. These evolving conditions not only threaten crop and livestock production but also exacerbate competition for already scarce water supplies and increase the likelihood of catastrophic wildfire impacts on agricultural landscapes and rural communities.

22. Wildfire, because just drought is not enough!

Expanding drought now covers more than 45% of the contiguous United States, with extreme and exceptional conditions reported across parts of New Mexico, Colorado, Utah, Wyoming, Montana, Nebraska and the Four Corners region. Forecasters warn that below-average precipitation and above-normal temperatures are accelerating vegetation drying, increasing the risk of early and potentially severe wildfires across the West, even outside the traditional summer fire season. With more than 5 million acres burned nationwide last year, experts caution that prolonged aridification and shifting precipitation trends are compounding risks for agricultural producers who depend on healthy rangelands, forests and reliable water supplies.

In Washington, wildfire policy remains a focal point. The Trump administration is advancing a proposal to consolidate federal wildfire operations under the Interior Department, with Congress directing an independent study to assess impacts on forest management, timber harvests, fuels reduction and state and tribal coordination. Meanwhile, debate continues over the “Fix Our Forests Act,” with House Republicans emphasizing streamlined environmental reviews and expanded thinning to reduce fuel loads, while Democrats raise concerns about weakening environmental safeguards and insufficient agency staffing. Senate action on forest legislation and the outcome of the wildfire consolidation study will shape federal wildfire strategy heading into what could be another challenging fire season.

23. California things

a. The CA weather is wild this winter!

California's recent February storms delivered a much-needed boost to snowpack and reservoir levels, but overall statewide snowpack remains well below average for this time of year, keeping long-term water supply concerns in play. At one point during the month of February, snowpack in CA increased by 17% over four days! Department of Water Resources officials noted that while the precipitation helped, dry conditions persist across much of the state and more sustained storms are needed to significantly improve drought outlooks. Reservoir storage gains are positive, but water managers continue to monitor conditions closely as spring runoff approaches. California's snowpack remains well below historical averages this winter, limiting crucial runoff that normally sustains reservoirs and water supplies into the spring and summer, and raising concerns about water availability for farms, cities and ecosystems. State and regional water managers are urging flexibility in voluntary water agreements and cautioning that strict regulatory flow requirements could further strain groundwater and surface supplies if implemented without balance. At the same time, state officials are advancing comprehensive planning efforts, including a new statewide water plan and discussions around storage and conveyance projects, to address long-term water reliability amid climate-driven extremes.

But, somehow some allocations remained low! California farmers, lawmakers and water officials south of the Sacramento-San Joaquin River Delta were recently "underwhelmed" by the U.S. Bureau of Reclamation's initial allocation of only 15% of contracted Central Valley Project water for the coming season considering the region's ample rainfall and full reservoirs. Many quickly pointed out that Reclamation had enough water to allocate more, but because of internal processes, the allocation remains low for this month. There is hope for improvement later in the spring. Otherwise, Friant announced that it received a 100% allocation of its Class I water.

b. California Bay-Delta Plan

The California Bay-Delta Plan, administered through the State Water Resources Control Board, remains an ongoing discussion. The Bay-Delta Plan, now nearing final approval, would require more freshwater to remain in rivers and estuaries, limiting how much can be pumped south during much of the year. Recent public hearings underscored how consequential the plan is: conservation groups say the Delta's ecological collapse demands urgent action; agricultural districts and urban water agencies warn it could reshape supply chains, decimate the ag industry, and raise household water bills.

The existing regulations contain numerous regulatory triggers embedded in standards that have not been substantively updated in 30 years. In early February, pumping in California was curtailed under those standards. However, due to the timing of an incoming storm event, operators expected to temporarily scale up pumping operations, noting that the outdated regulatory standards are projected to result in the loss of approximately 600,000 to 800,000 acre-feet of exports, as well as associated upstream reservoir releases. These foregone supplies are tied to food web protection provisions that have effectively been overtaken by ecological changes in the Bay-Delta, including

a clam infestation. Despite these changed conditions, the underlying regulations remain in effect because they have not been updated.

In response, several water users contacted members of the California congressional delegation, which transmitted a letter to the Governor calling for a more rational regulatory approach. The Westlands Water District submitted a letter to the State Water Resources Control Board outlining the impacts associated with this issue. Stakeholders are focused on elevating public awareness of the issue with the goal of laying groundwork for potential regulatory revisions over the next year. Meanwhile, central valley farmers also made the news last month because they are again (or still) pressing the administration to increase storage capacity at Shasta Dam.

c. California releases Statewide water plan

California Governor Gavin Newsom unveiled the state's 2028 water plan, outlining strategies to boost water capture, storage, and conservation in response to persistent drought and growing demand. The plan emphasizes investments in surface and groundwater storage, expanded recycling, improved conveyance, and drought preparedness to enhance long-term water resilience for cities, farms, and ecosystems. State officials say the effort aims to move beyond crisis mode toward a more sustainable and secure water future. His administration intends to identify enough new water to fill up the equivalent of two Shasta Reservoirs, or 9 million acre-feet, by 2040 to offset expected losses to climate change. The 2028 Water Plan, a result of last year's SB 72, is a blueprint of sorts for new reservoirs, groundwater recharge and conservation projects.

24. Colorado River Basin (AZ/CA/CO/NE/NM/UT/WY)

a. Federal February Runoff Forecasts Predict Very Low Colorado River Inflows This Spring

Federal forecasters sharply reduced projections for Colorado River runoff this year, warning that poor snowpack and unusually warm temperatures could push Lake Powell toward dangerously low levels sooner than expected. Lake Powell is expected to receive only half of its normal supply this year (and that is said to be stretching it). The new February 1 forecast predicts inflows into Powell will be about one-third lower than already bleak January estimates. The worsening outlook, and lack of consensus among the seven Colorado River Basin States, puts the Trump Administration and Interior Secretary Doug Burgum under pressure to make tough decisions about how to operate the river's dams. To prevent Powell from dropping below levels that could damage Glen Canyon Dam's hydropower infrastructure, the Bureau of Reclamation may need to either release more water from upstream reservoirs like Flaming Gorge or cut releases from Powell to Lake Mead.

Both options risk triggering major interstate conflict: Upper Basin states fiercely protect their reservoirs, while Lower Basin states could sue if Powell releases drop enough to threaten what they see as compact-required deliveries. With a new long-term water-sharing deal also due within days and the seven basin states still deeply divided, the forecast intensifies the likelihood of legal and political battles over the West's most critical river system. But hope springs eternal as weather

patterns begin to shift more rain- and snow-laden storms towards the Western U.S. this week with colder temperatures forecast.

b. Colorado River's missed deadline – United States steps in

Colorado River negotiations missed the Feb. 14 federal deadline without a basin-wide agreement on post-2026 operating rules, escalating tensions between the Upper and Lower Basin states. Arizona officials publicly warned they could pursue a rarely used “compact call” under the 1922 Compact if deliveries fall below required levels, potentially forcing curtailments upstream and triggering protracted litigation. In response to the missed deadline, the Department of the Interior announced it will move forward with the Post-2026 NEPA process to finalize new reservoir operating guidelines by Oct. 1, 2026, emphasizing that it cannot delay action despite the lack of consensus. Lower Basin governors (Arizona, California and Nevada) issued a joint statement expressing continued willingness to negotiate, while public positioning and stakeholder outreach have intensified across the region.

Hydrologic conditions are compounding the urgency. February forecasts show Lake Powell inflows dropping sharply, with continued low snowpack raising the risk of critically low reservoir elevations that threaten water deliveries and hydropower production. Reclamation's Draft Environmental Impact Statement evaluating post-2026 operational alternatives was open for public comment through March 2, 2026, and federal officials are consulting with tribes and coordinating with Mexico under the broader “Law of the River” framework. Absent a negotiated compromise, Interior is poised to assert greater operational control—raising the prospect of litigation from states and tribes, and prolonging uncertainty for agricultural, municipal and power users across the basin.

MISCELLANEOUS

- House Committee on Agriculture Chairman Glenn “GT” Thompson (PA-15) announced Rep. Dan Newhouse (WA-04) as the new chairman of the Subcommittee on Forestry and Horticulture. Newhouse fills the open seat left in the wake of the passing of Doug LaMalfa.
- Floating Solar is back on the radar this month. Check out this cool article on one of our western irrigation districts who is trying something new: [Ochoco Irrigation District pursuing floating solar project | Central Oregonian](#) and this one on a CA district who went BIG!: [California farming irrigation company's reservoir covers get solar boost](#)
- Another honorable mention for this month is Desalination – both inland and oceanfront. This topic is going to continue to heat up as more begin to recognize the benefit of looking at other water sources, such as inland brackish desalination, to take the pressure off of dwindling surface water supplies. Also, San Diego is planning a water swap on the Colorado River using oceanfront desal! Imagine a world where we are not competing for water resources because we have cost effective technologies to treat water to support all uses...we will continue tracking these exciting technological advances!
- The *Oklahoma Farm Report* ran a cool story last month that I highly recommend reading and which you can access here: [Top Ten Agricultural Law Stories of 2025 - Oklahoma Farm Report](#). On the list were updates to WOTUS and ESA regulations, and the One Big Beautiful Bill, with the CO River also receiving an honorable mention.

- Please see the following FR Notice if you are interested in sitting on the Wild Horse and Burro Advisory Board – nominations for open positions are Due April 11: [Federal Register :: Call for Nominations for the National Wild Horse and Burro Advisory Board](#)
- 2026 is the International Year of the Woman Farmer. A variety of events will be held to commemorate the event throughout the year while raising awareness surrounding involvement of women in food production and the food supply chain. I started our engagement in this initiative by filling out a comprehensive survey that is seeking to gather data on women in agriculture. If you know anyone interested in taking the survey, or other information related to this initiative, it can be found at: [Celebrating International Year of the Woman Farmer - NASDA](#)

ADMINISTRATIVE

- Among the things I’m working on is a “deep dive” into research and facts that exist to support our initiatives. The ultimate plan is to start incorporating facts into our advocacy that support our overall goals. This is part of how we will focus on talking to the ‘court of public opinion.’ One of the better pieces I connected with this past month via a person I met when I attended the Oregon Water Resources Congress Annual Meeting last December, which I would like to share with you, is this one: [Irrigation Infrastructure and Modernization – Setting a Baseline \(Technical Report\) | OSTI.GOV](#).
- Travel was slower this month, but writing assignments were busier. I’m quietly working behind the scenes to develop a strong foundation for our public facing campaign, and slowly starting to roll out what that will look like on social media and otherwise. But, when I say travel was slower, I mean I only had a handful of events and trips! The two largest were a trip to Yuma Arizona for their annual Southwest Ag Summit and the Yuma Fresh Vegetable End of Harvest Festivities and the other was the Western Pecan Growers 60th Anniversary conference in Las Cruces, NM that saw massive attendance from growers and support businesses from multiple states and two countries!
- This month I start the Colorado River Cohort through the Water Education Foundation. We kick off our program with a tour of the Lower Colorado River, then throughout the year we’ll have a variety of other meetings and events. I’m also headed to Utah to their Annual Water User Association Spring Workshop where I will represent the Alliance and seek to gain new membership.
- Our Boots on the Ground Campaign development is still underway, and I am still collecting digital images from our members – if you have cool pictures of your farms, ranches, or local water districts, please share them with us and you may see your projects featured in our public media soon!
- I submitted a nomination application for myself, on behalf of the Alliance, to the following: [Federal Register :: Farm, Ranch, and Rural Communities Advisory Committee \(FRRCC\); Notice of Charter Renewal](#). Fingers crossed...

This is a quick summary of just a few of the issues the Alliance has been engaged in, some of which has come directly from other authors, such as Alliance Contractors. Please do not hesitate to contact me at 575-202-2705 or samantha@familyfarmalliance.org if you have specific questions or would like further information about what the Alliance is doing to protect water for Western irrigated agriculture.