

2022

Oka' Institute Water Sustainability Conference

Oculus Strategies

Agenda

- History of City of Ada's Water Sustainability Efforts
 - Coordination among Ada's stakeholders
- Current Lines of Efforts
- Congressional Support for Water Sustainability
- Over the Horizon Water Sustainability Issues
- Water Sustainability in a time of political change.

History

- Ada's efforts streamlined to work with stakeholders to advance common objectives.
- Water is not a competitive issue among Ada's stakeholders, but one that is cooperative.
- The City, the Chickasaw Nation, the Oka' Institute and the Ada Jobs Foundation have come together to advance a common goal of preserving the sustainability of the Arbuckle Simpson Aquifer.

History

- Over ten years, Ada has worked with EPA's Kerr Research Facility, ORD and the Office of Water Policy to advance a concept of Enhanced Aquifer Recharge (EAR).
- Congress, through the annual appropriations process, has shown consistent support for EAR research in the Interior Appropriations bill since FY17

History

House and Senate show initial support for EAR research in Surface Flow Water Diversion

2017

2018

House and Senate reiterate support for EPA to support EAR and to coordinate with other federal agencies

House and Senate direct continued EPA efforts in EAR development.

2019

2020

Congress adds \$2 million for EAR research.

EPA utilizes \$1 million for report to define EAR efforts.

Congress adds an additional \$2 million for EAR Research.

2021

Congress adds an additional \$4 million for EAR Research.

Drinking Water and Wastewater Infrastructure Act (P.L. 117-58) creates 5 year, \$5 million annual authorization for EAR.

EPA Funds first year in FY23 PRESBUD.

2022

House marks \$5 million to to PRESBUD with 5 year scalable research plan directed.

Senate adds \$4 million to EAR in Explanatory Statement

2023

2023 Current Status

FY23 PRESBUD EPA

Enhanced Aquifer Use and Recharge
 Program Area: State and Tribal Assistance Grants (STAG)
 Goal: Ensure Clean and Safe Water for All Communities
 Objective(s): Ensure Safe Drinking Water and Reliable Water Infrastructure

(Dollars in Thousands)

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
<i>State and Tribal Assistance Grants</i>	\$0	\$0	\$5,000	\$5,000
Total Budget Authority	\$0	\$0	\$5,000	\$5,000
Total Workyears	0.0	0.0	1.3	1.3

House

117TH CONGRESS <i>2d Session</i>	} HOUSE OF REPRESENTATIVES	{ REPORT 117-400
<p>DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2023</p>		

The bill provides \$5,000,000 for the Enhanced Aquifer Use and Recharge program. Given this is a new grant program for fiscal year 2023, the Committee directs the Agency, within 90 days of enactment of this Act, to provide a five-year, scalable budgetary research plan to assist local governments, universities, Tribes, and water related institutions, primarily located only rural communities, in advancing planning for sole source aquifers for research, monitoring, outreach, and implementation of Enhanced Aquifer Recharge (EAR). The Committee encourages the Agency, in producing such plan, to prioritize EAR research on the most promising systems that have focused on the use surface water diversion during high flow periods, and directly address conversion of storm-flow during times of excess supply, to base-flow and ground water-based drinking supplies, for times of high demand.

Senate

<p>EXPLANATORY STATEMENT FOR THE DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2023</p>

The Committee provides at least \$4,000,000 to be used for research for Enhanced Aquifer Use and Recharge and continues the directives included in the joint explanatory statement accompanying Public Law 117-103. The Committee reminds the Agency of its explanation of Enhanced Aquifer Recharge in Senate Report 116-123 including the definition of Enhanced Aquifer Recharge and “appropriate research center.”

EAR and ASR Authorizations

P.L. 117-58, Drinking Water and Wastewater Infrastructure Act

SEC. 50222. ENHANCED AQUIFER USE AND RECHARGE.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 124. ENHANCED AQUIFER USE AND RECHARGE.

33 USC 1276.

“(a) **IN GENERAL.**—Subject to the availability of appropriations, the Administrator shall provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers, of which—

“(1) not less than 50 percent shall be used to provide 1 grant to a State, unit of local government, or Indian Tribe to carry out activities that would directly support that research; and

Grants.

“(2) the remainder shall be provided to 1 appropriate research center.

“(b) **COORDINATION.**—As a condition of accepting funds under subsection (a), the State, unit of local government, or Indian Tribe and the appropriate research center that receive funds under that subsection shall establish a formal research relationship for the purpose of coordinating efforts under this section.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000 for each of fiscal years 2022 through 2026.”.

Research and Cooperation

- The City of Ada, the Chickasaw Nation, East Central University, and the Ada Jobs Foundation in coordination with the Kerr Research Facility, is uniquely situated to work together in support of Enhanced Aquifer Recharge research
- The stakeholders know each other, trust one another, and have coordinated together to work in support of securing the local water supply.

Research and Cooperation

- We look forward to jointly working together with EPA's Kerr Research Facility, ORD and the Office of Water Policy to advance research in the critical area of water sustainability.

Water Cluster

- The City of Ada, concurrent with the EAR research effort, has focused on developing a Water Cluster to support the economic development of businesses supporting water-based infrastructure.
- Assessing the local businesses and providing for business acceleration in this area will create an environment that creates new opportunities for EPA to invest in groundwater and other water-based research.

Over the Horizon

- The issue of water sustainability will grow significantly in the near future.
- The ongoing drought, and exhaustion of the Lake Mead and other reservoirs will act as a forcing function for government to address both water sustainability and energy sustainability issues.
- Both Executive and Legislative will be forced to act. Politically unsustainable not to.

Changing Political Environment

- What impact will 2022 elections have on EPA's budget and efforts?
- What will the political environment do to the annual appropriations process?
- How will Oklahoma's position be changed politically in the new Congress?
- What opportunities does this create for City of Ada, the Chickasaw Nation, ECU, Ada Jobs Foundation and other stakeholders?

2022 Elections and EPA

- Assuming a Republican House and a 50/50 Senate being best outcome for President Biden, one should expect a return to an “All of the above” energy policy fight.
- This will include a legislative deregulation effort with respect to EPA.
- More oversight with respect to EPA’s budget and how dollars are outlayed.
- Focus on slowing down EPA’s regulations and rules.

2022 Elections and Appropriations Process

- Return of “budget control”.
- Annual Bills set up for Veto showdown with President.
- Cutting Biden priorities.
- Upside: Water Sustainability issues are uniquely positioned for bipartisan support

2022 Elections and Oklahoma

- Immediate change in Congress will be Republicans capturing all Chairmanships and ability to set the legislative agenda.
- Biden budget proposals *Dead on Arrival*.
- Rep. Tom Cole (R-OK-4) will be House Rules Committee Chair and senior Appropriator and Labor/HHS Cardinal.
- Rep. Frank Lucas (R-OK-3) will be House Committee on Science Space and Technology Chair.

2022 Elections and Oklahoma

- Rep. Markwayne Mullin (R-OK-02) is likely to become Senator Markwayne Mullin (R-OK).
- Will almost certainly have some type of Subcommittee Chairmanship on one of his committees.
- Large shift of power towards Oklahoma.

2022 Elections and Opportunities

- Water sustainability issues are likely to be a unique opportunity for genuine bipartisanship both in Congress and between the Executive and Legislative.
- Rep. Kevin McCarthy, likely Speaker of the House, has had significant water sustainability issues in his own district. While California is a 'water war' state, he will be open to building on water sustainability issues that could have bipartisan support. EAR research is one of those.

2022 Elections and Sustainability in Time of Change

- In the near-term, we are likely to see 2 major authorization bills that will significantly impact water sustainability.
- The biannual reauthorization of the Water Resources and Development Act
- The 5 year reauthorization of the “Farm Bill”.
- Decent likelihood of stand-alone drought relief legislation.