

# Trump Administration Executive Order on California Water Resources

February 13, 2025

On January 24, 2025, the Trump Administration issued [Executive Order 14181 \(E.O.\)](#), “Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas,” which in part addresses federal water policy in California. Section 2 of the E.O. directs multiple agencies to ensure adequate water supplies for California and to take immediate actions to override activities that “unduly burden” efforts to maximize water deliveries. The E.O. followed a presidential [memorandum](#) calling for increasing water supplies to California users.

California’s water infrastructure includes an extensive interconnected network of federal, state, local, and private facilities. California’s two most extensive water projects are the federal [Central Valley Project \(CVP\)](#) and the [State Water Project \(SWP; Figure 1\)](#). Both projects move water from California’s wetter northern regions to users in drier areas, and their operations are intertwined. The CVP, managed by the Department of the Interior’s Bureau of Reclamation (Reclamation), primarily serves agricultural users in California’s 450-mile long Central Valley; the SWP is operated by the state and primarily serves public water agencies in the southern part of the state. Other federally owned water infrastructure in the state includes multiple dams operated by the U.S. Army Corps of Engineers (USACE). In California, Reclamation holds the water rights for its projects and distributes water based on its contracts, while USACE at some of its reservoirs and in authorized circumstances stores water for water supplies. Users of such USACE-stored water must hold the appropriate right to that water.

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**Figure I. California Water Infrastructure**

The amount of water delivered by the CVP and the SWP depends heavily on dam releases and pumping, which are regulated by federal and state operations plans. Actual deliveries of water from federal and state water projects in California are typically less than their capacity due to factors such as hydrology and state water rights. Environmental laws and regulations, including [state water quality requirements](#), the

[Endangered Species Act](#) (ESA; 16 U.S.C §§1531 et seq.), and the [Central Valley Project Improvement Act](#) (CVPIA; P.L. 102-575), also affect water availability.

The federal government has undertaken efforts to [increase water deliveries](#) through [legislation](#) and administrative changes to the operations of the CVP and SWP. A [2020 record of decision](#) (ROD) for the combined operation of the SWP and CVP during the first Trump Administration was rescinded and eventually replaced with a [December 2024 ROD](#) during the Biden Administration.

## Executive Order

With respect to water deliveries, [E.O. 14181](#) aims to increase water resources for California disaster response by directing multiple Cabinet secretaries (Defense, Homeland Security, Commerce, Interior, and Agriculture) and the Attorney General to take emergency measures to ensure sufficient water resources in Southern California. Cabinet secretaries were to have reported on their recommendations for emergency authority use within 15 days of the E.O.

The E.O. focuses on CVP and SWP operations and directs the Secretaries of the Interior and Commerce to override activities that “unduly burden efforts to maximize water deliveries,” including considering taking actions consistent with the No Action Alternative for the [2024 ROD](#) (i.e., similar to the [2020 ROD](#)). The E.O. also directs Reclamation to use its discretion to operate the CVP to deliver more water and hydropower to “high-need communities” and ensure California agencies do not interfere with this operation. The E.O. states that this objective may include, but is not limited to, issuing a new ROD consistent with the 2020 ROD for the CVP.

The E.O. addresses regulatory procedures under the ESA and the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. §§4321 et seq.). For example, the Secretary of the Interior is to expedite actions for any exemptions for the operations of the CVP and SWP under the ESA (e.g., Section 7 consultation) and to “review, revise, or rescind” procedures related to Section 7 consultation under the ESA to “conform with the plain meaning of the statute.” The Secretaries of the Interior and Commerce also are directed to identify ongoing or potential water supply and storage projects in California under their purview for NEPA and ESA compliance and designate a person to coordinate these responsibilities and identify regulatory hurdles that “unduly burden” those projects. The designees are to create a plan to “suspend, revise, or rescind any regulations or procedures” that unduly burden such projects and are not necessary to protect the public interest or comply with the law.

## Select Implementation Questions

It remains to be seen how the executive branch will implement the E.O. with respect to water deliveries and storage. One of the first actions under the EO was temporary increased [releases](#) from two USACE dams in Tulare County that are not part of the CVP. Reclamation might increase water deliveries from the CVP under the E.O. within the existing parameters of the 2024 ROD and its adaptive management framework, similar to recent [actions](#) by the State of California pursuant to a January 2025 [executive order](#) by Governor Newsome. However, depending on the extent of the changes, Reclamation’s actions might trigger reconsultation under the ESA. In that case, Reclamation could seek an [exemption from Section 7 of ESA](#) for the CVP, which would have to be provided by an Endangered Species Committee (or “God Squad”). (Two exemptions have been granted to date since ESA was enacted.) Such an exemption could lead to fewer water delivery limitations under ESA but might not yield substantial new water supplies for water users under all circumstances insofar as other factors (e.g., hydrology, state water quality regulations) continue to be limiting.

The CVP and SWP are operated jointly under a [coordinated operations agreement](#) that could be affected by unilateral changes in CVP operations. Some observers have [noted](#) that increased CVP pumping could

be counterbalanced by reduced SWP pumping to comply with state regulations, thereby leading to less water deliveries for Southern California under some scenarios. While many stakeholders [welcome changes](#) to CVP operations to increase water deliveries, others have [expressed concerns](#) about the potential use of an exemption that would bypass ESA protections.

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