



November 13, 2020

United States Bureau of Reclamation
Attention: Ms. KayLee Nelson, LC-6056
P.O. Box 61470
Boulder City, NV 89006-1470

Dear Ms. Nelson,

In response to the Bureau of Reclamation's request for review and comment on the October 23, 2020 *Draft Report: Review of Colorado River Interim Guidelines Lower Basin Shortages and Coordinated for Lake Powell and Lake Mead*, also known as the Draft 7.D Review Report, the Central Arizona Water Conservation District (CAWCD) provides the following comments.

- CAWCD acknowledges the desire by Reclamation to provide responses to comments received in the development of the 7.D Review Report, as documented in Section 6 – “Significant Considerations Based on Scope and Approach Comments”. However, the discussion in Section 6 appears to frame future efforts and considerations, and therefore falls outside of the intent of the retrospective analysis of the effectiveness of the '07 Guidelines. We recommend that Reclamation remove Section 6 from the body of the report and consider documenting Reclamation's general response to pertinent comments in an appendix.
- Section 4 – “Complementary Activities since the Adoption of the Guidelines” would be significantly strengthened by explicitly identifying the purposes and themes that are being responded to in each Complementary Activity.
- Section 7 includes important details regarding implementation of the '07 Guidelines. CAWCD encourages Reclamation to address the following:
 - o Section 7.1 identifies that Lower Basin water uses affects Lake Mead elevations and, because of coordinated operations, Lake Powell elevations as well. It is important for Reclamation to note that Upper Basin actual water uses and reservoir management similarly impact Lake Powell elevations and, because of coordinated operations, Lake Mead elevations as well. It would be helpful to describe that the '07 Guidelines increase over time the Upper Elevation Balancing Tier while shrinking the Equalization Tier in Lake Powell.

- Section 7.1 notes that Lower Basin water use has declined due to “...drought, conservation of Colorado River water through the ICS mechanism and participation in other voluntary conservation programs.” It is important to reflect that Lower Basin water users have taken numerous proactive voluntary measures to invest in conservation to reduce the risks of lower reservoir conditions. However, for the evaluation period 2008 – 2019, there have been no drought based reductions in Lower Basin uses.
- Section 7.5 addresses the Intentionally Created Surplus (ICS) program in the '07 Guidelines. The section should acknowledge the fundamental principles of the ICS: planned reductions in existing consumptive beneficial uses, verified through Reclamation’s accounting processes, and the conservation is created through intentional actions or investments.
- Section 7.5 should reference that the term “Contractor” is used consistent with how that term is defined in the '07 Guidelines ROD.
- In Section 7.5.2 it is important to explicitly reflect the relevance and importance of intra-state agreements regarding the sharing of ICS creation, storage, and release capacities as the means to navigate the differing priorities necessary to conserve water through the ICS mechanism, including the Framework Agreement among the United States, The State of Arizona and the Central Arizona Water Conservation District for an Arizona ICS Program.
- CAWCD agrees with the assertion that the '07 Guidelines are effective. Section 8 could be enhanced and strengthened through broader recognition that implementation of the Basin States Alternative brought certainty to the river over the period and provided a framework to incentivize innovation, conservation and active water management by Reclamation and water users:
 - Improved operational management of the river has been and is being incentivized. The '07 Guidelines created a common and consensus based understanding of risk, motivation to reduce system losses such as water ordered but not delivered and excess deliveries to Mexico, along with enhancement of management of the salinity differential. Consistent engagement and dialogue with Mexico is built upon the certainty of what future operations that are reflected in the '07 Guidelines. Likewise, Reclamation has also been motivated to improve water delivery and management in the Lower Colorado River. Examples include conservation of side inflows below Hoover dam (Bill Williams) to preserve water in Lake Mead and investment in the 242 well field.
 - The ICS mechanism has emerged as a significant regional drought management tool that has created additional long-term resiliency for water managers and water providers. It is useful to note the use of ICS by California water agencies to manage reductions in imported supplies and the development of ICS as a significant component of Arizona’s implementation of the DCP to mitigate impacts of DCP reductions.

- Innovation has been incentivized and pilot projects facilitated during the interim period. By creating certainty regarding operating conditions and pathways for enhanced conservation, cooperative projects such as construction and operation of Brock Reservoir, pilot operation of the Yuma Desalting Plant, the Pilot System Conservation Project, as well as local and regional programs have been undertaken to both explore new approaches to drought resiliency and broaden partnerships intra-state and interstate.
- Hydropower production and planning has benefited from understanding of risks and impacts of future low reservoir conditions in terms of forecasting operations and longer-term availability of generation resources.

Thank you for the opportunity to provide input to the report and your consideration of these comments. We look forward to continuing engagement to support completion of the Report. If you have any questions or concerns regarding these comments please contact me at 623-869-2581 or Chuck Cullom at 602-292-2147.

Sincerely,

Patrick Dent

Patrick Dent
Director, Water Policy

Cc: Mr. Thomas Buschatzke, ADWR
Mr. John Entsminger, SNWA
Mr. Jeff Kightlinger, MWD
Mr. Chris Harris, CRBC
Ms. Sarah Price, CRCN
Ms. Amy Haas, UCRS