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Bureau of Reclamation
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Sent via email to: 7DReview@usbr.gov

Re: Public Comments by Living Rivers & Colorado Riverkeeper about Draft Report Review Process prepared by Bureau of Reclamation

Dear water managers of the Colorado River Basin

Living Rivers & Colorado Riverkeeper are non-profit organizations based in Grand County, Utah, and in the county seat of Moab. The western border of our county is the Green River. The Dolores River joins the Colorado River in Grand County and then the Colorado River flows through the city limits of Moab. The staff, members and partners of our organizations enjoy the waters of the Colorado River and its tributaries and we invest our time and resources to protect the biological integrity of these precious water resources. We are also a voting member of the international Waterkeeper Alliance and sponsor four Waterkeeper affiliates that work in the Colorado River Basin (CRB).

A: GOALS OF THE 7D REVIEW PROCESS

Evaluate the effectiveness of 2007 Interim Guidelines (2007 IG) and create a public record toward the adherence and operational experience of these Guidelines from 2008 to 2020.

B: OUR PUBLIC COMMENTS FOR 7D REVIEW

We appreciate the thoughtful provisions in the 2007 Record of Decision (ROD) that include reconsultation of 2007 IG should reservoir recovery not occur by 2026. We also acknowledge that Congress was helpful to this cause by providing funding for additional basin studies in the western states of the arid region and for water efficiency infrastructure through the SECURE Water Act of 2009.

Staff from Living Rivers attended the ceremony for the signing of the Record of Decision (ROD), for 2007 Interim Guidelines (Guidelines), and noted the jubilation at this collaborative proceeding. Our reaction was recorded in the media as being more pensive about this new reservoir management plan, because we understood the Guidelines were designed to solve the consequence of drought, rather than long-term climate disruption. Today we find that reservoir conditions in the CRB have not improved, and that “drought” is not the appropriate term for explaining the climate regime this river basin is now experiencing.

That time of perceived drought, at the beginning of the 21st century, also occurred at a time when the total human demand for river water matched the 100-year average of 15 million acre-feet (maf) at the Compact Point below Lee’s Ferry, Arizona. This means the basin’s surplus was exhausted and would never again provide an affordable surrogate water supply to avoid subsequent shortage situations.

We also understood that the economic engine of the Colorado River Basin (CRB) will continue to dismiss the limits of nature. Thus, the desired goal of achieving sustainability in the CRB will remain distant, if not impossible to achieve. In other words, the root cause of this water insecurity issue also includes planning and zoning policies that were misguided. Especially for authorizing infrastructure at places vulnerable to floods, wildfires, sea level rise, heat traps, and so on.

We also understood that this aridity will last for centuries as the consequence of humans continuing to load the atmosphere with carbon emissions at rates that exceed nature’s ability to sequester them. Successfully negotiating an international climate adaptation accord should be the primary focus of every water resource manager on this planet. Honest conversations between water managers and legislative branches are long overdue and must be initiated as quickly as possible.

We also understood that the states of the Lower Division have allocations that do not discount the transit losses of 1.2 maf to their points of diversion, also known as the “structural deficit.” This amount of river water lost to natural evaporation exceeds, by more than twice, the amount of the agreed shortage sharing total, which is only 500,000 acre-feet for the Lower Division. In other words, the 2007 Guidelines is a document of adjustments that did not match the realities of the problem.

We also understood that 2007 Guidelines entitled the states of the Upper Basin Division to develop water projects that would raise their annual consumptive use from 4.53 maf to 5.43 maf (a total of 900,000 acre-feet) and by year 2060. This increase in consumption is tabulated in the 2007 Guidelines (Appendix C) and was provided by the Upper Colorado River Commission. In other words, the Guidelines transferred water savings, or curtailments, at one location to water consumption at another, and in the end the water deficit position of the CRB could never be balanced. Ultimately this means that 2007 Guidelines succeeded in hardening the demand for the Colorado River Basin (CRB), rather than augmenting the supply.

We also understood that Intentional Created Surplus (ICS) could not possibly match the declining rate of natural flow at the Compact Point. As it turns out, annual ICS savings can be tallied in small measurements, compared to the larger measurements for the decline in natural flow. Again, this was a program where the adjustments were not meaningful enough to ensure long-term resiliency.

The contracts to implement 2019 Drought Contingency Planning (DCP) is all the proof an observer needs to demonstrate that the scope of 2007 Guidelines was not sufficient. We of course would agree that something is better than nothing, but at this time of reviewing the program, it must be acknowledge that the situation of declining reservoir levels is more dire now than it was in 2005. Because the DCPs are now poised to diminish the reserves of Navajo Reservoir, the Aspinall Unit, and Flaming Gorge Reservoir. The CRB will eventually be operating as a run-of-the-river system, which is a system that was deemed unfeasible prior to the passage of the 1928 Boulder Canyon Project Act. This means the CRB is exactly at the same position of vulnerability as it was 100-years ago.

When 2007 Guidelines were developed, the 30-year average of unregulated flow into Lake Powell was 12.04 maf. When the 2012 Basin Study was developed the 30-year average was 10.73 maf. And when the reconsultation of 2007 Guidelines begins in 2021, the 30-year average will probably be very close to 9.7 maf. This is a total system loss of 2.34 maf in a 20-year time-frame.

Considering the best climate research that was available to all CRB stakeholders between 2008 and 2020, the 30-year average in Year 2051 will most likely be 7 maf. Our reaction to this reality makes us shudder and we are very uncomfortable that this river basin does not have viable solutions to remove this high jeopardy for the future generations that will inherit a serious social disruption.

In conclusion, we would agree that 2007 IG is an appropriate management scheme for handling shortages in the range of 10%. Perhaps the basin will discover that the DCPs are appropriate for managing shortages at 15%. However, neither of these management schemes are appropriate for managing shortages of 20%, which is the hydrologic condition this basin is now approaching. When the basin approaches losses in the range of 25%, we do not think any operational scenario is even feasible.

Sincerely yours,

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