



**City of Peoria**

**WATER SERVICES DEPARTMENT**

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United States Bureau of Reclamation  
2007 Interim Guidelines SEIS Project Manager  
Upper Colorado Basin Region  
125 South State Street, Suite 8100  
Salt Lake City, Utah 84138

*Sent via e-mail to CRinterimops@usbr.gov*

**Re: City of Peoria, Arizona Comments to the U.S. Bureau of Reclamation Regarding the Development of a Supplemental Environmental Impact Statement to the 2007 Colorado River Interim Guidelines**

Dear Reclamation 2007 Interim Guidelines SEIS Project Manager:

The City of Peoria, Arizona (“Peoria” or “City”) appreciates the opportunity to submit these written comments in response to the United States Bureau of Reclamation’s (“USBR”) request for public input on the preparation of a Supplemental Environmental Impact Statement (“SEIS”) to the 2007 Colorado River Interim Guidelines as detailed in the November 17, 2022 Federal Register notice [87 FR 69042].

Peoria is a growing community with 195,000 residents in the northwest of the Phoenix metropolitan area. The City’s Water Services Department serves approximately 182,000 of Peoria’s residents. Through investing hundreds of millions of dollars in Colorado River water from the Central Arizona Project (“CAP”) and the infrastructure necessary to treat and deliver it, Peoria transitioned from being primarily dependent on non-renewable groundwater to renewable surface water. Today, Colorado River water satisfies just over fifty percent of Peoria’s water demand. Access to 34,121 acre-feet of renewable Colorado River water annually is a pillar of Peoria’s current health and prosperity.

In recognition of the risk all those reliant on the Colorado River now face, the City strongly supports USBR’s development of the SEIS for revised reservoir operating guidelines. Peoria agrees that the current reservoir operating guidelines are insufficient to address the continuation or worsening of current hydrology.

With respect to the Preliminary Proposed Action and Preliminary Alternatives, Peoria does not support the “No Action” alternative. The implementation of the current agreements and guidelines has resulted in record low reservoir levels despite the hard work of countless individuals and organizations. Unfortunately, continuation of the current operating paradigm very likely represents the greatest risk to the environment and the entities that rely on the River, as a complete system failure appears possible without additional action.

Peoria supports a Framework Agreement Alternative only in concert with a Reservoir Operations Modification Alternative and only if the combination of the two results in a substantially similar outcome to the Preliminary Proposed Action outlined in the Federal Register notice. To date, mutual agreements by

Colorado River Basin States, the Republic of Mexico, and the federal government have been insufficient in both scale and timeliness to address the rapidly evolving situation. Similarly, many Colorado River users have greeted the prospect of unilateral action by the Secretary of the Interior with threats of lengthy, costly legal action that would result in a protracted period of uncertainty. The current decentralized approach of compiling voluntary actions with unclear timing and triggers makes supplying water to the City exceedingly difficult.

With dam infrastructure, public health and safety, regional economies, and national security at risk due to a long-standing imbalance between water demand and supply, Peoria agrees that the Colorado River is now experiencing the extraordinary circumstances contemplated in Section 7.D of the 2007 Interim Guidelines necessary for revising the operating guidelines. Peoria generally supports the Preliminary Proposed Action framework and offers the following input for consideration as the details of the operating guideline modifications are developed.

## **Section 2. Determination of Lake Mead Operation During the Interim Period**

A principle lesson learned since adopting the 2007 Interim Guidelines has been the inadequacy of the planned use reductions in halting the downward momentum of the combined volume of water stored in Lakes Mead and Powell. Another principle lesson has been that use reductions begin ramping up with too little water left in both reservoirs to absorb multi-year, steep declines in runoff. While Peoria generally supports larger, earlier mandatory reductions to bring demand in line with supply, the current practice of applying those reductions disproportionately to Arizona, and more specifically CAP users, cannot reasonably continue on its current trajectory. All users within the Basin must account for evaporative losses associated with storage reservoirs, international treaty obligations, and climate change. As a starting point for distributing reductions in a more equitable and timely manner, Peoria offers the following input for consideration:

- Consider increasing the volume of reductions assessed to each Lower Basin state pursuant to Sections 2.D.1.b and 2.D.1.c of the 2007 Interim Guidelines
- Consider increasing the water level elevations where each tier of reduction begins e.g., Tier 3-scale reductions begin at 1,050 feet above mean sea level rather than 1,025
- Consider the assessment of Lower Basin evaporation and system losses on a pro rata basis as a starting point for determining relative reductions among water users. Do not wait for the publishing of an informational report in 2023 to begin incorporating evaporation and system losses, particularly given the operating rules will be on a temporary basis
- Consider assessing the Lower Basin's commitment to the 1944 Treat with Mexico to California and Arizona equally as originally contemplated when determining relative reductions among water users
- Consider eliminating the concept of "operational neutrality" when determining shortage reductions i.e., make shortage reductions based on actual reservoir levels
- Consider using a repeat of the early 2000s extremely low runoff period as the standard for assessing the effectiveness of modified operating guidelines in protecting water users and the environment from significant fluctuations of supply or providing enough time to prepare additional actions
- Consider making a shortage level determination based on the "Min Probable" forecast in USBR's *August 24-Month Study* and then revising deliveries upward in the April Mid-Year Review, if appropriate
- Consider the regional and national economic and public health consequences of strictly applying the priority system when determining relative reductions among water users

## **Section 6. Coordinated Operation of Lake Powell and Lake Mead During the Interim Period**

Setting release volume rules from Lake Powell to Lake Mead is perhaps the most important decision when it comes to protecting the environment, maintaining the power grid, protecting infrastructure, and communicating the level of use reductions needed. With so many variables and so much at stake, Peoria offers the following comments for consideration:

- Consider actions that begin to more closely align annual releases from Lake Powell to Lake Mead with natural inflows into Lake Powell e.g., releases match a rolling three-year average of inflows minus reservoir evaporation
- Prioritize the generation of hydropower such that the energy grid remains stable. The City of Peoria cannot provide safe drinking water from any source without a reliable electricity grid
- Release volumes and timing from Lakes Powell and Mead must protect the environment from losses when they are permanent. As we navigate this challenging period, we must maintain a clear and important distinction between operations that result in human and environmental losses and damages that are temporary and repairable versus those that are permanent

## **Section 7. Implementation of Guidelines**

The prospect of receiving reduced deliveries from Lake Mead as part of the Mid-Year Review in April adds a significant level of uncertainty for water utilities. Peoria advocates that the operating conditions for the year be set more conservatively from the onset rather than revised mid-year. However, Peoria also recognizes that the scale of reductions necessary to stabilize reservoir levels in the coming years adds even greater uncertainty. Therefore, Peoria offers the following comments with respect to adjusting deliveries via the April Mid-Year Review:

- Consider some limited level of additional mandatory use reductions in calendar year 2023 beyond the current Annual Operating Plan. Waiting another year makes necessary reductions in 2024 and 2025 even more daunting
- Consider seasonal demand curves and water supply delivery implications when implementing mid-year reductions. In Peoria, water use is nearly twice as high in the summer months versus the winter months
- Accelerate the adoption of better snowpack and runoff projection tools so that potential supply changes are understood earlier and with greater confidence
- Consider using this time to test the Glen Canyon Dam River Outlet Works for structural integrity. It is not clear whether Glen Canyon Dam structural integrity concerns due in part to reliance on the Outlet Works are based on estimates or actual data. With four outlets, perhaps any infrastructure risk and reduced electricity generated by testing one outlet to gather data at various flow rates would be worth knowing whether use of the remaining outlets to move large volumes of water below the dam was feasible

## **Health and Human Safety**

As a public water utility serving the daily needs of 182,000 people in the Sonoran Desert, the City of Peoria offers the following comments regarding the integration of health and human safety into operational decision-making:

- Consider setting a minimum allocation based on factors such as:
  - Current reasonably accessible alternative supplies e.g., groundwater wells
  - Indoor water use of a typical, modern home within the Basin plus outdoor water use needed to maintain native vegetation to combat urban heat islands disproportionately affecting historically disadvantaged populations

- Consider providing mechanisms and flexibility for like water users e.g., water utilities to quickly, easily, and temporarily exchange Colorado River supplies e.g., CAP allocations so that those with alternative supplies e.g., groundwater wells can help those without alternative supplies. These options are incredibly important in the near future as the development of new infrastructure for alternative supplies will take years

Peoria applauds USBR for taking action to develop a Supplemental Environmental Impact Statement to modify the operating guidelines that govern the two largest reservoirs in the Colorado River system. While modified operating guidelines will not result in a permanently stabilized system, they are an important step in employing lessons from the past and moving quickly with the tools we have. Peoria appreciates the opportunity to provide its input understanding that communication, cooperation, and shared sacrifice are essential on the path to a sustainable Colorado River.

Sincerely,

A handwritten signature in blue ink that reads "Brett Fleck" followed by a horizontal line.

Brett Fleck, Water Resources Advisor  
On behalf of Cape Powers, Water Services Director