

**Central Arizona Water Conservation
District**
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Southern Nevada Water Authority
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Las Vegas, Nevada 89106

**The Metropolitan Water District of
Southern California**
700 North Alameda Street
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December 20, 2022

Reclamation 2007 Interim Guidelines SEIS Project Manager
Upper Colorado River Basin Region
125 South State Street, Suite 8100
Salt Lake City, Utah 84138
CRinterimops@usbr.gov

Dear Ms. Johnson,

The Southern Nevada Water Authority (SNWA), Central Arizona Water Conservation District (CAWCD) and The Metropolitan Water District of Southern California (Metropolitan)¹ appreciate the opportunity to comment on the Notice of Intent to Prepare a Supplemental Environmental Impact Statement for December 2007 Record of Decision Entitled Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead (NOI). 87 FR 69043 (November 17, 2022).² As noted in the NOI, if the low run-off conditions into Lake Powell and Lake Mead continue the U.S. Bureau of Reclamation's (Reclamation) ability to protect dam infrastructure, make full water deliveries and generate hydropower could be significantly impacted and result in the need to operate Glen Canyon and/or Hoover Dam beyond the scope of the 2007 Interim Guidelines Record of Decision. Any modifications to reservoir operations should prioritize the integrity and operability of dam infrastructure and related facilities, ensure sufficient water for public health and safety, protect Intentionally Created Surplus created under the 2007 Interim Guidelines, and equitably reduce deliveries to all users of Colorado River water such that system storage is not further depleted.

SNWA, CAWCD and Metropolitan's Interests in Operations of Lake Powell and Lake Mead

Collectively SNWA, CAWCD and Metropolitan provide water to 27 million residents in the Lower Basin. Each agency takes delivery of water from Lake Mead pursuant to contracts with Secretary of the Department of Interior. The Colorado River is a significant or exclusive source of water for our agencies and as such, operations of Lake Powell and Lake Mead are directly relevant to our ability to provide water to our service areas.

¹ SNWA, CAWCD and Metropolitan have also submitted individual comment letters that include additional agency-specific details and comments.

² These comments are not intended to be a comprehensive alternative. SNWA, CAWCD and Metropolitan may make additional comments and/or offer alternatives.

SNWA is a political subdivision of the State of Nevada and a joint-powers organization created by a cooperative agreement pursuant to NRS 277.080 to 277.180. SNWA provides Colorado River water to its purveyor-member agencies throughout southern Nevada. Colorado River water comprises nearly 90 percent of these water supplies, which serve the needs of the Las Vegas area's 2.3 million residents and more than 40 million tourists each year. SNWA cooperates with its member agencies by providing water treatment, wholesale water delivery, and overseeing conservation-program implementation.

CAWCD is a political subdivision of the State of Arizona, established pursuant to Arizona Revised Statutes § 48-3701 et seq., which operates the Central Arizona Project (CAP) pursuant to various contracts and agreements with Reclamation. The CAP is a 336-mile long system of aqueducts, tunnels, pumping plants and pipelines that delivers water to over 5 million people in central and southern Arizona.

After being formed in 1928 by election and an act of the California legislature, Metropolitan's first project was to build the Colorado River Aqueduct (CRA). Metropolitan continues to bring Colorado River water into Southern California through the CRA. The Colorado River has been Metropolitan's most secure source of imported water since the district was formed. Over the decades, Metropolitan has worked to develop other sources of supply including the State Water Project and local resources projects, but the Colorado River continues to be a vital source of water for Metropolitan's 5,200 square mile service area.

Since the 2007 Interim Guidelines were adopted, SNWA, CAWCD and Metropolitan have been working individually and in partnership to adapt to the stresses on the Colorado River system resulting from drought and climate change. During this period, when our service areas have experienced large growth in population, our water use has actually been declining. For over 20 years, SNWA has been a leader in conserving Colorado River water supply and planning for a future with less water. For example, by investing more than \$288,000,000 in conservation programs, Southern Nevada has reduced its consumptive use of Colorado River water by roughly 84,000 acre-feet per year since 2002 – well over a quarter of Nevada's entire apportionment - even as its population has increased by more than 750,000 people. CAWCD has been taking proactive actions to slow the decline of Lake Mead since 2008. CAWCD has conserved over 2 million acre-feet in Lake Mead in collaboration with CAWCD water users. Moreover, CAWCD has also dedicated nearly \$47 million in the large number of projects that have been implemented in Arizona to achieve an additional 600,000 acre-feet of storage in Lake Mead. In Metropolitan's service area, water use per person has declined about 40% since the peak in 1990. Metropolitan has invested hundreds of millions of dollars in conservation in the Metropolitan service area, including for turf replacement, high efficiency toilets and recycled water.

In recent years SNWA, CAWCD and Metropolitan have worked together to conserve Colorado River water and reduce the risk of Lake Mead declining to critical elevations. For example, our agencies have participated in the 2014 MOU, the System Conservation Agreement, the Binational Intentionally Created Surplus Agreement, the 500+ Plan and the 2019 Drought Contingency Plan. Through all of these efforts, the Bureau of Reclamation and Interior Department have been our partners, and our agencies are committed to continuing to partner in these next steps. In addition to these collective efforts, one of the primary ways that SNWA, CAWCD and Metropolitan worked to conserve water and support Lake Mead elevations has

been through creation of Intentionally Created Surplus (ICS). Our agencies have invested millions of dollars in conservation projects to create ICS to raise the elevation of Lake Mead and to be available as an additional source of supply when needed. In spite of all of these efforts, Lake Mead is close to reaching critical elevations and forecast to continue to decline. SNWA, CAWCD and Metropolitan ask that Reclamation work with our agencies to help us continue to assure a reliable source of water for the 27 million residents who live in our service areas.

Development and Evaluation of Alternatives

The NOI anticipates three primary alternatives will be considered. The No Action Alternative, Reservoir Operations Modification Alternative to be developed by Reclamation as a set of actions and measures adopted pursuant to Secretarial authority under applicable federal law, and the Framework Agreement Alternative. The Framework Agreement Alternative would be a consensus-based set of actions that builds on the existing framework for Colorado River Operations, including commitments included in the DCP. The undersigned agencies support the development of the Framework Agreement Alternative. If successful, a consensus-based alternative would build on the approach the Colorado River Basin States took in developing the alternative that became the basis for the 2007 Interim Guidelines Record of Decision and more recently when the Basin States, Tribes and Section 5 Contractors worked together to develop the 2019 Drought Contingency Plan.

This NOI comes only three years after SNWA, CAWCD and Metropolitan acted with Reclamation and the Colorado River Basin States to reduce the risk of Lake Powell and Lake Mead declining to critically low elevations through the term of the 2007 Interim Guidelines by adopting the DCP. Reclamation, the Basin States, Tribes and Section 5 Contractors developed the DCP to protect Lake Powell and Lake Mead from declining to critically low elevations through the interim period. Due to the very low runoff during the past three years, Lake Powell and Lake Mead are declining to critical elevations. If conditions worsen, Reclamation may need to prioritize implementation of near-term actions to stabilize the decline in reservoir storage and prevent system collapse.

In analyzing the alternatives to meet this purpose and need, the preferred alternative should:

i. Provide for Public Health, Safety, and Welfare Storage and Deliveries

Given the historically low elevations of Lake Powell and Lake Mead and the risk of these reservoirs declining below power pool identified by Reclamation's recent modeling, and the potential risk this presents to public health, safety, and welfare, the preferred alternative should protect sufficient storage in Lake Mead that will provide deliveries to meet public health, safety, and welfare needs. As noted in the NOI:

[T]he Department has concluded that immediate development of additional operational alternatives and measures for Lake Powell and Lake Mead are necessary to ensure continued "operations that are prudent or necessary for safety of dams, public health and safety, other emergency situations ... 2007 Interim Guidelines at Section 7.D." 87 FR 69044

The preferred alternative needs to assure that operations of the reservoirs provide sufficient water to meet public health, safety and welfare needs.

ii. Protect Stored Intentionally Created Surplus

Any modifications to the 2007 Interim Guidelines must protect the ICS currently stored in Lake Mead. SNWA, CAWCD and Metropolitan have spent years and invested millions of dollars to intentionally conserve water that has helped to prop up Lake Mead elevations. This storage must be preserved for the benefit of agencies funding or implementing ICS creation and to Contractors to whom funding agencies have directed credit in accordance with Section 3.B.8 of the 2007 Guidelines and must not be delivered to any other user.

iii. Reduced Water Deliveries to Protect Infrastructure

If reductions in water deliveries become necessary to protect dam infrastructure at Glen Canyon Dam or Hoover Dam, those reductions should be imposed equitably on all users of Colorado River water such that system storage is not further depleted.

iv. Apply Through the Interim Period

Because the risk of low runoff conditions and low reservoir conditions may extend past the 2023 and 2024 operations, revisions to reservoir operations made as part of this administrative process should apply through end of the term of the 2007 Interim Guidelines.

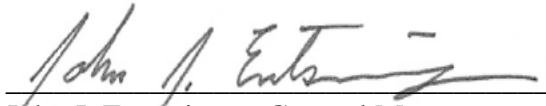
Additional Efforts

In addition to the potential modifications to the 2007 Interim Guidelines described in the NOI, our agencies believe that it will be essential for the U.S. and Mexico sections of IBWC to work together to have Mexico share in reduced deliveries in parity with domestic users in the United States, similarly to how shortages were shared in Minutes 319 and 323. We also ask Reclamation to update and apply Part 417 reasonable and beneficial use determinations to ensure that water delivered is not being wasted as soon as possible.

Our agencies look forward to working with Reclamation during the preparation of the supplemental environmental impact statement and related efforts to protect the Colorado River system reservoirs.

Reclamation's continued partnership with our agencies is essential to our success.

Thank you,



John J. Entsminger, General Manager
Southern Nevada Water Authority



Adel Hagekhalil, General Manager
The Metropolitan Water District of Southern California



Theodore C. Cooke, General Manager
Central Arizona Water Conservation District