



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

August 31, 2022

VIA E-MAIL

Ms. Carly Jerla
Senior Water Resources Program Manager
United States Bureau of Reclamation
CRB-info@usbr.gov

Dear Ms. Jerla:

Request for Input on Development of
Post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and
Lake Mead Under Historically Low Reservoir Conditions Document No. 2022-13502

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Request for Input on Development of Post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and Lake Mead Under Historically Low Reservoir Conditions published in the Federal Register (FR Doc. 2022-13502) by the United States Bureau of Reclamation (Reclamation) on June 24, 2022.

Prior to formally initiating a National Environmental Policy Act (NEPA) process (or processes) to develop post-2026 operations for Lake Powell and Lake Mead (among other potential actions), Reclamation is requesting input on: (a) processes that can be employed to encourage and facilitate meaningful participation of Colorado River Basin (Basin) partners, stakeholders, and the general public in the anticipated upcoming NEPA process; as well as (b) potential substantive elements and strategies for post-2026 operations to consider in the anticipated upcoming NEPA process.

Metropolitan is a public agency and regional water wholesaler. It is comprised of 26 member public agencies, serving approximately 19 million people in portions of six counties in Southern California. Metropolitan's mission is to provide its 5,200 square mile service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Pursuant to an act of the California Legislature and the approval of the Southern California electorate, Metropolitan was formed in 1928 to construct the Colorado River Aqueduct and

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divert water from the Colorado River, 242 miles across the desert into Southern California. Once created, Metropolitan became the contracting party with the federal government for water and power supply contracts for the benefit of its Southern California service area pursuant to the Boulder Canyon Project Act of 1928. Metropolitan has a contract for 550 thousand acre-feet per year, and another 662 thousand acre-feet of excess supplies when not used by senior priority contractors in California or by Arizona or Nevada. Metropolitan augments its contractual supplies through water transfers and exchanges that provide it with access to more than one million acre-feet of Colorado River water per year. Metropolitan also actively uses the Intentionally Created Surplus program, created in the 2007 Interim Guidelines, to store water in Lake Mead when there is excess supplies in its region, and uses these stored supplies to fill the Colorado River Aqueduct when needed. Metropolitan's current power supply contract provides it with 27.1 percent of the power generated at Hoover Dam and runs for 50 years until 2067, making it the largest Hoover power contractor.

Metropolitan is also a permittee and active participant in the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) that started in 2005. The LCR MSCP is a multi-stakeholder, 50-year habitat conservation plan providing long-term regulatory approvals and mitigation to address the effects of the operations and maintenance activities on listed species along the lower Colorado River from Lake Mead to the border with Mexico. California pays approximately half the non-federal costs of the program, estimated to be over one half billion dollars over the life of the program. Metropolitan pays approximately 56 percent of California's share.

As such, Metropolitan has a direct interest in the planning and development of Reclamation's new operating guidelines. This letter contains Metropolitan's comments as a potentially affected public agency.

Processes to encourage meaningful participation of Colorado River Basin (Basin) partners, stakeholders, and the general public in the anticipated upcoming NEPA process

1. **Stakeholders.** It is critical that all stakeholders be engaged, including the Basin States, Basin contractors, the Republic of Mexico, tribes, non-governmental organizations, ratepayers, and the affected public. As the parties that hold the legal rights to Colorado River water, the Lower Basin Contractors are directly impacted by operations on the Colorado River and should have the final say on any changes that impact them. As noted above, Metropolitan is a Basin Contractor with significant interests in the post-2026 operations.

2. **Virtual Participation.** Metropolitan recommends continued opportunities for virtual participation, like what was done for this pre-scoping process. Advertising on multiple social

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media platforms and providing virtual platforms with multiple opportunities for participation will make the process more accessible to stakeholders and the public.

Potential substantive elements and strategies for post-2026 operations to consider in the anticipated upcoming NEPA process

1. **Law of the River.** The post-2026 operations should be consistent with the Law of the River and other applicable provisions of federal law. In addition, the burdens associated with protecting the Colorado River System from the impacts of poor hydrology and climate change should be shared across all sectors and water users.
2. **Improve management and operations of the system under low storage and run-off conditions.** The post-2026 operations need to protect the system from effects of aridification and the persistent drought that is exacerbated by climate change. The Colorado River system is operating out of balance with available supplies and this imbalance has contributed to rapidly depleting storage levels in Lakes Powell and Mead. All water users share risk from these conditions and the post-2026 operations should ensure that the burdens associated with managing that risk are shared by all water users. The post-2026 operations should increase certainty and reliability by providing predictability in a variety of hydrologic and storage conditions across the basin.
3. **Framework for augmentation and exchanges.** The need for augmentation in the Colorado River Basin is widely recognized and was identified in the 2007 Interim Guidelines and 2012 Colorado River Basin Water Supply and Demand Study. Several opportunities exist in the Colorado River basin with the potential for augmentation, including ocean desalination, brackish water desalination, reuse and recycling projects, and importation. All relevant stakeholders should be able to partner with one another on regional augmentation projects, and be assured they can access the water generated.

Exchanges could be one mechanism to expand the benefits to a broader range of water users. The post-2026 operations should consider the potential for exchanges relating to augmentation projects that could help address the supply and demand imbalance on the Colorado River system.

4. **Efficiency measures.** Significant developments have been made in the Colorado River Basin toward developing innovative conservation programs and policies to sustain current and future supplies. With extended drought conditions expected to continue into the foreseeable future, demand management and efficient use of water will play a key role in the Colorado River basin.

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We appreciate the opportunity to provide input to your planning process and we look forward to receiving future notices and documentation for this project. Metropolitan reserves the right to provide additional comments once the NEPA process has been initiated. For further assistance, please contact Mr. Sean Carlson at (213) 217-6276 or scarlson@mwdh2o.com.

Very truly yours,

DocuSigned by:

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Jennifer Harriger
Manager, Environmental Planning

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