

# WATER USER AGENCIES AND ORGANIZATIONS

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## COMMENT LETTER

## RESPONSES



## CENTRAL ARIZONA PROJECT

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September 8, 2000

Regional Director  
Lower Colorado Region  
c/o Jayne Harkins, BCOO-4600  
Bureau of Reclamation  
PO Box 61470  
Boulder City, NV 89006-1470

Dear Ms. Harkins:

The Central Arizona Water Conservation District (CAWCD) is offering written comments on the Draft Environmental Impact Statement regarding the proposed Colorado River Interim Surplus Criteria. CAWCD is the local governmental entity with the responsibility for repayment to the USBR for the reimbursable construction costs of the Central Arizona Project (CAP) and for operation and maintenance of the CAP.

As the CAP has junior water rights on the Lower Colorado River, we are the water user entity most severely impacted by shortages. As the CAP and Arizona are not yet fully utilizing our full apportionment for direct use, CAP is the least likely to benefit from more frequent surplus supplies. Nonetheless, CAWCD will generally support interim surplus criteria that creates more frequent surplus supplies, principally for the benefit of California, as part of an overall plan for California to develop the capability of living within its 4.4 MAF base allocation of Lower Colorado River water. However, this interim surplus criteria must be hydrologically reasonable and contain certain provisions to receive CAWCD's support. The alternative that best meets our concerns is the 7-Basin States' Proposal.

The Draft Environmental Impact Statement (DEIS) considers a broad range of alternatives that readily encompasses the criteria and impacts associated with the 7-Basin States' Proposal. The addition of the 7-Basin States' Proposal through the separate Federal Register notice should allow ample opportunity for consideration as the Secretary develops the final recommendation. During the scoping process, CAWCD and others stated that we did not feel the EIS process was necessary or helpful, reasoning that the Secretary could develop surplus criteria or guidelines within the parameter of the Long Range Operating Criteria and as a part of the Annual Operating Plan process. The EIS process is, however, well underway and should lead to a timely decision in this matter.

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1: The preferred alternative in this FEIS is derived from the Seven States proposal. Reclamation did not structure the preferred alternative precisely as described in that draft proposal, but made some changes for consistency with Reclamation policy and operational procedures.

2: The Department notes that CAWCD did not "feel the EIS process was necessary or helpful". The Secretary has determined that development and implementation of interim surplus criteria is a discretionary federal action that may have significant impacts on the environment, thus is subject to NEPA process through the preparation of an EIS. The EIS analyzes the potential impacts to resources and forms the technical basis for the Secretary to make an informed decision in the Record of Decision of which alternative best meets the purpose and need for the proposed action and what impacts are expected.

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- 3 | Despite man's efforts, we have not been able to control the Colorado River. It is a river of wide variation in river flows, from flood to dry, even with all of our storage reservoirs. The studies portrayed in the DEIS demonstrate that over the next 50 years the reservoirs and river flows will experience the same range of highs and lows, no matter what alternative criteria are used over the next 15 years. Only the frequency and duration of the time spent in various conditions will change. There appears to be no conclusively measurable impact upon habitat. We have been able to harness the river and reap some of its benefits: water supply, flood control, hydro power, recreation and managed habitat. All of the model studies that were performed can help us to predict the impact of alternative operating strategies on the primary benefits of flood control, water supply, and hydro power. Interim surplus criteria most directly affects water supply. As previously noted, the CAP is the project most affected by changes in water supply.
- 4 | Absent a need to address and assist California water issues, CAP would prefer to stay with the 70R Baseline criteria. Within the range of alternatives considered, the 7-Basin States' Proposal has the most reasonable hydrologic criteria for a tiered plan to quantify and reduce the surplus supply as reservoir storage is reduced. It is the only alternative that requires California to accept the risk of increased shortages by agreeing to accept the first 1.0 MAF of shortage if the interim criteria do, in fact, cause more frequent or more severe shortages.
- 5 | There are a few areas in the 7-Basin States' Proposal that need improvement.
- 6 | 1) There needs to be more detail on how California will bear the additional shortage risk and how those conditions will be enforced.
- 7 | 2) There is some inequity in that MWD is allowed to divert and bank surplus Colorado River water for "off-stream banking" as part of its "Direct Delivery Domestic Use". Yet, Arizona is allowed to do "off-stream banking" only at the two highest levels of surplus, i.e., quantified surplus at 70R and flood control surplus. In the context of an overall consensus agreement, CAWCD may be willing to accept this inequity. Our hope is that the river system will often be in a 70R mode over the next 15 years.
- 8 | 3) The shortage criteria used in all of the DEIS studies, including the 7-Basin States' Proposal, are based on specific Lake Mead elevation levels. One is 1083 msl, as the minimum power pool; another is 1000 msl, the elevation of the lower Southern Nevada Water Authority (SNWA) intake; the 7-Basin States' Proposal is 1050 msl, the upper SNWA intake. All of these specific elevations are economic criteria. The shortage trigger should be a water supply/current demand driven analysis similar to the 602(a) criteria for Lake Powell storage. It should be the current level of storage needed to support deliveries to the Lower Basin states without causing the CAP supply to fall below 1.0 MAF (or Arizona below 2.3 MAF) during the most critical period of record.
- 8 | The primary reason to consider interim surplus operating criteria is to allow and require California to take the actions necessary to reduce its use of Colorado River water to 4.4 MAF. It

3: Comment noted.

4: The 70R strategy was used as the baseline in the FEIS. The Basin States alternative in this FEIS is derived from the Seven States proposal.

5: The Secretary intends to appropriately report the accumulated volume of water delivered to MWD under surplus conditions. The Secretary intends to honor forbearance arrangements made by various parties for reparations of future shortage conditions.

6: Comment noted.

7: There are no established shortage criteria for the operation of Lake Mead. Further, the development and evaluation of interim surplus criteria under this FEIS is not intended to establish shortage criteria for the operation of Lake Mead. However, it was necessary to include some shortage criteria in the model simulations to address concerns related to low Lake Mead water levels. The selected Lake Mead level protection assumptions were applied to the model to facilitate the evaluation of the baseline conditions and surplus alternatives.

8: As discussed in the purpose and need, the purpose is to provide "a greater degree of predictability" of when surplus water is, or is not, available. Reclamation agrees that some of the interim surplus criteria alternatives would facilitate California's reduction of its water use to 4.4 maf. However, this is not the primary purpose. As noted in Section 2.3, the interim surplus criteria would terminate at the end of the 15-year period. In the absence of subsequently specified criteria, surplus determinations would be made as is currently done, as part of the AOP process. Section 1.4.1 discusses the termination of the interim surplus criteria prior to the end of 15 years.