

AMP Role Relative to Implementing the Drought Response Operating Agreement

Adaptive Management Work Group Meeting
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DROA Overview

- Legislation
- Initial Outreach
- Framework
- 2022 DROA Plan
- Basin-wide Outreach and Interaction
- LTEMP and AMP Interaction
- Discussion

Colorado River Drought Contingency Plan Authorization Act, Pub. L. No. 116-14, 133 Stat. 850 (Apr. 16, 2019)

SEC. 2. COLORADO RIVER BASIN DROUGHT CONTINGENCY PLANS.

(a) In General.--Notwithstanding any other provision of law expressly addressing the operation of the applicable Colorado River System reservoirs, immediately upon execution of the March 19, 2019, versions of the Agreement Concerning Colorado River Drought Contingency Management and Operations and the agreements attached thereto as Attachments A1, A2, and B, by all of the non-Federal parties thereto, the Secretary of the Interior shall, without delay, execute such agreements, and is directed and authorized to carry out the provisions of such agreements and operate applicable Colorado River System reservoirs accordingly.

(b) Effect.--Nothing in this section shall--

(1) be construed or interpreted as precedent for the litigation of, or as altering, affecting, or being deemed as a congressional determination regarding, the water rights of the United States, any Indian Tribe, band, or community, any State or political subdivision or district of a State, or any person;

or

(2) exempt the implementation of such agreements and the operation of applicable Colorado River System reservoirs from any requirements of applicable Federal environmental laws.

Initial Outreach

- Info. on Reclamation Website: <https://www.usbr.gov/dcp/droa.html>
- Fall 2021
 - DROA Parties began drafting the Framework document.
 - During this time, they consulted, coordinated, and conducted outreach with Lower Division States, applicable Federal agencies, Tribes, and NGOs.
- January 28, 2022 Public Webinar
 - Outline the contents of the initial draft of the Drought Response Operations Framework and Attachments.
 - Invitations were sent to a large number of individuals representing a variety of entities including Tribes, Federal agencies, States, stakeholders and other interested parties. A press release announcing the webinar was also published.
- Approx. 770 Comments Received Through February 17, 2022.
 - Comments received generally addressed (1) the concern that DROA is not sufficient in the long-term to address the on-going drought and climate change, (2) the recommendation that the target elevation to protect at Lake Powell be higher than 3,525 for recreational purposes, and (3) concern over specifics about the consultation process.

DROA Language

DROA § II(A)(3)(b)

Scope of Drought Response Operations: Any drought response operation, including drought response releases and recovery of storage operations, at a CRSPA Initial Unit will be managed with the maximum flexibility practicable consistent with: the Colorado River Compact; the Upper Colorado River Basin Compact; the Colorado River Storage Project Act; the Colorado River Basin Project Act; the San Juan-Chama Project Act (P.L. 87-483); the Northwestern New Mexico Rural Water Projects Act (P.L. 111-11); the project-specific criteria for each CRSPA Initial Unit, including the relevant Records of Decision, Biological Opinions and authorized purposes for each Unit (see Section I.C.2); legal obligations, including existing and future contracts related to water and/or hydropower; states' water right administration requirements and decrees; and all applicable rules and regulations promulgated thereunder.

DROA Framework

Sec. 5.2 (citing DROA § II(A)(3)(b))

“ . . . [A]ny Drought Response Operation must be consistent with any constraint on Initial Unit operations, including the Law of the River, Records of Decision, Biological Opinions, authorized purposes for individual Initial Units, states’ water right administration requirements, contracts, and any other constraints and flexibilities that affect operation of the Initial Units. Additionally, impacts to river flows and upstream Initial Unit reservoir water levels related to recreation visitation and the economic value of recreation will be considered, along with potential downstream flooding risks. To determine what flexibilities may be available, the DROA Parties will work with the existing entities and processes that govern Initial Unit operations to develop a Plan that will both minimize the risk of Lake Powell falling below the Target Elevation and maintain consistency with Initial Unit operation. Depending on the Initial Unit, these entities include Federal agencies, Tribes, States, contractors, water users, applicable advisory groups, non-governmental organizations, and the public. Early communication with such entities will be critical and will occur as described in Section 7 of this Framework. The DROA Parties will also maintain a long-term focus to ensure appropriate operation of Initial Units for their authorized purposes into the future.”

2022 DROA Plan

5.2.2 Lake Powell Monthly Operational Adjustments

- “DROA states that “[o]perational adjustments in monthly volumes at Glen Canyon Dam will be considered first to minimize the risk of Lake Powell declining below the Target Elevation consistent with the Criteria for Coordinated Long-Range Operation of Colorado River Reservoirs, which is currently implemented through the 2007 Interim Guidelines.”
- “LTEMP expressly provides for modifications to Glen Canyon Dam monthly releases “to respond to low reservoir conditions as a result of drought in the Colorado River Basin.” LTEMP requires Reclamation to make such adjustments “in coordination with the Basin States,” through a process described in LTEMP, including a Glen Canyon Monthly Operations Call, along with updates to the Glen Canyon Dam Adaptive Management Program (GCDAMP). Explanations for monthly operational adjustments consistent with the Grand Canyon Protection Act may include an analysis pursuant to the parameters defined under LTEMP.”
- “Attachment B to the Plan in effect addresses Glen Canyon Dam.”

Basin-wide Outreach & Interaction

- As Described in Framework Sec. 7 & Attachment H
 - Lower Division States
 - Upper Basin Tribes
 - Basin-wide Tribes
 - Within DOI
 - WAPA
 - Initial Unit Workgroups
 - Other Stakeholders & Interested Entities

LTEMP & AMP Interaction

- **Monthly Adjustments**
- **Feb. 2022 AMWG Meeting**
- **March 22 Webinar with AMWG**
- **May 3 Decision**

Discussion & Questions