

# United States Senate

WASHINGTON, DC 20510

August 11, 2009

The Honorable Daniel Inouye  
Chairman  
U.S. Senate Committee on Appropriations  
The Capitol, S-128  
Washington, D.C. 20510

The Honorable Thad Cochran  
Ranking Member  
U.S. Senate Committee on Appropriations  
The Capitol, S-128  
Washington, D.C. 20510

The Honorable Byron Dorgan  
Chairman  
Subcommittee on Energy and  
Water Development  
Dirksen Senate Office Building Rm 184  
Washington, D.C. 20510

The Honorable Robert Bennett  
Ranking Member  
Subcommittee on Energy and  
Water Development  
Dirksen Senate Office Building Rm 188  
Washington, D.C. 20510

Dear Senators Inouye, Cochran, Dorgan, and Bennett:

We are writing to make you aware of our concern about language recently included in the committee report on the House-passed Energy and Water Development Appropriations Bill, H.R. 3183, which could adversely affect the efficient management of the waters of the Colorado River system.

The House committee report contains language criticizing the Department of the Interior's management of the Colorado River system and encourages the Bureau of Reclamation, with the concurrence of the National Park Service, to revisit the Operating Criteria for Glen Canyon Dam. We are concerned that this language may not be consistent with the existing law of the Colorado River and could interfere with the delicate balance of Colorado River operations that have been agreed to among the Colorado River Basin states and the Department of the Interior.

We understand and support the recreation and natural resources interests associated with the Grand Canyon National Park, and we also support the ongoing activities of the Glen Canyon Dam Adaptive Management Program. At the same time, we recognize that Lakes Powell and Mead store and release water for municipal, industrial, and agricultural purposes consistent with the obligations set forth in the fundamental allocations of the Colorado River Compact, Boulder Canyon Project Act, the Decree in *Arizona v. California*, and the 1944 Treaty with Mexico. We also recognize that, in 2007, after more than two years of negotiation among the Colorado River Basin states and with the express involvement of several agencies within the Department of the Interior, including the National Park Service, the Secretary adopted Interim Guidelines for the operation of Lakes Powell and Mead. In addition, programs such as the Glen Canyon Adaptive Management Program, which arose out of the Grand Canyon Protection Act of 1992, involve a wide array of stakeholders who are all involved in the decision-making process for the program.

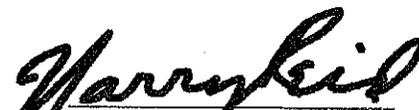
We believe that the House committee report language appears inconsistent with the Colorado River Basin Project Act and will lead to confusion regarding implementation of that act and operation of the system. To address our concern, we recommend that you include the following language in the final conference report on the Energy and Water bill:

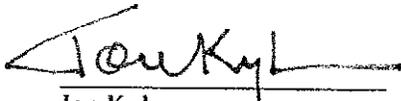
The conferees continue to support the balance called for in the Grand Canyon Protection Act and the resulting duties placed upon the Secretary of the Interior. The conferees encourage the Secretary of the Interior to fully support the ongoing work of the Glen Canyon Dam Adaptive Management Program. The conferees view changes in the operation of the Colorado River system, as suggested in the House Report language, to be unnecessary and are omitting that section from this report.

The long-term sustainability of our states is directly tied to the proper management of the Colorado River system. We appreciate your attention to this critical issue.

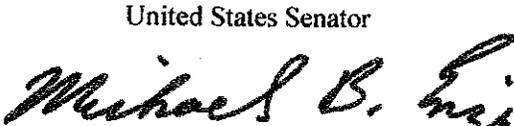
Sincerely,

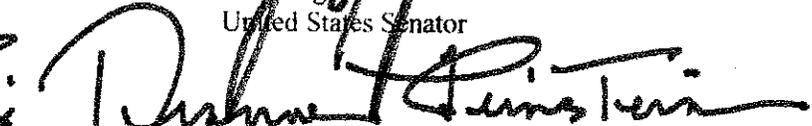
  
John Ensign  
United States Senator

  
Harry Reid  
United States Senator

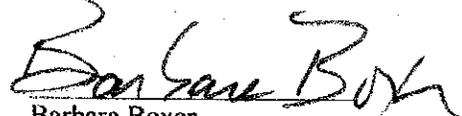
  
Jon Kyl  
United States Senator

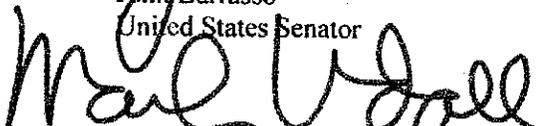
  
Jeff Bingaman  
United States Senator

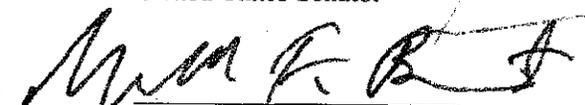
  
Michael Enzi  
United States Senator

  
Dianne Feinstein  
United States Senator

  
John Barrasso  
United States Senator

  
Barbara Boxer  
United States Senator

  
Mark Udall  
United States Senator

  
Michael Bennet  
United States Senator

  
Tom Udall  
United States Senator