

The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Board of Directors Workshop - Final - Revised 1

January 17, 2023

9:30 AM

Tuesday, January 17, 2023 Meeting Schedule
09:00 a.m. Sp BOD 09:30 a.m. BOD WKSP

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. A listen only phone line is available at 1-877-853-5257; enter meeting ID: 831 5177 2466. Members of the public may present their comments to the Board or a Committee on matters within their jurisdiction as listed on the agenda via teleconference only. To participate via teleconference (833) 548-0276 and enter meeting ID: 815 2066 4276.

MWD Headquarters Building - 700 N. Alameda Street - Los Angeles, CA 90012

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Opportunity for members of the public to address the Board limited to the items listed on agenda. (As required by Gov. Code § 54954.3(a))
5. WORKSHOP ITEMS ON COLORADO RIVER RESOURCE MANAGEMENT
 - A. Review of Metropolitan's Water Management Programs [21-1878](#)
Attachments: [01172023 BOD Wkshop 5 A-C Presentation](#)
 - B. Overview of Supplemental Environmental Impact Statement Process for the 2007 Interim Guidelines. [REVISED LANGUAGE 1/12/23] [21-1879](#)
Attachments: [01172023 BOD Wkshop - Metropolitan's SEIS Scoping Comment Letter](#)
[01172023 BOD Wkshop - SNWA-CAP-Metropolitan SEIS Scoping Comment Letter](#)

C. Status of Current Discussions[21-1880](#)

[Conference with legal counsel – anticipated litigation; based on existing facts and circumstances, including that requiring significant water use reductions in relation to the Supplemental Environmental Impact Statement could lead to litigation among the United States and one or more Colorado River water users; there is a significant exposure to litigation against Metropolitan: unknown number of potential cases; may be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]. [REVISED LANGUAGE 1/12/23]

6. FOLLOW-UP ITEMS

NONE

7. FUTURE AGENDA ITEMS**8. ADJOURNMENT****NOTE:**

Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item e.g. (E&O). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.



Metropolitan Water District of Southern California
Board of Directors

Colorado River Workshop

Items 5 A - C
January 17, 2023

The Colorado River Basin



Metropolitan is the Junior Priority User in California

California Priority System (1931)

1. Palo Verde Irrigation District
 2. Yuma Project
 3. (a) Imperial Irrigation District
Coachella Valley Water District
(b) Palo Verde Irrigation District
 4. Metropolitan Water District
- 3.85 MAF
- 0.55 MAF

Total CA Basic Apportionment 4.4 MAF





Overview of Metropolitan's Colorado River Supply Programs and Select Agreements

1988 IID- MWD Conservation Program

- Duration: 2047, extension to 2077



105,000 AF/year
made available to Metropolitan

~\$120/AF
Marginal Cost to Metropolitan

● Program

- IID implements system conservation activities.
 - Reservoirs
 - Canal lining and lateral interceptors
 - Irrigation management and 12-Hour Deliveries
 - System Automation
- Conserved water made available to Metropolitan.
- Metropolitan pays for actual construction, operations, maintenance, repair, and rehabilitation costs

2003 SDCWA Exchange

Duration:

- Exchange of IID water – 2047
- Exchange of canal lining water (approx. 77,000 AF) – 2112

277,700 AF/year
made available to Metropolitan

N/A
Cost to Metropolitan

● Agreement

- SDCWA pays IID farmers to conserve water
- Metropolitan assigned to SDCWA conserved water from lining the All-American Canal and the Coachella Canal
- SDCWA makes IID and canal lining water available to Metropolitan at Lake Havasu, and in exchange Metropolitan delivers water from any source(s) to SDCWA at its service area connections
- After significant ramp up period, volume is fixed
- SDCWA pays Metropolitan a per-acre-foot price for delivered exchange water

2005 PVID Following

- 35-year Program
- (2005-2040)



25,000 - 125,000 AF/year
made available to Metropolitan

~\$215/AF
Marginal Cost to
Metropolitan

● Program

- Metropolitan pays PVID farmers to fallow land
- Variable Fallowing Call
 - Between 25% and 90% of program lands
 - Two-year call with one year advance notice
 - Program year is August 1 – July 31
- Two Cost components
 - Up-Front payment tied to maximum acres enrolled (\$74M)
 - Annual payments tied to acres fallowed
- Additional \$6M to a Community Improvement Fund

Quechan Forbearance Agreement

- Duration: Renew or opt-out in 2035



~6,500 AF/year
made available to Metropolitan

\$181/AF Diversion
Cost to Metropolitan

• Program

- Based on 2005 Settlement Agreement related to Arizona v. California
- Quechan Tribe Forbears diversion of up to 13,000 AF/year
 - This is what Metropolitan makes payments on
- The portion of water the Tribe would have used on a consumptive use basis is ~50% of diversions.
 - This water comes to Metropolitan.

2007 Lower Colorado Water Supply Project

- Duration: 50 years + 50-year option

~9,000 AF/year
made available to Metropolitan

\$258/AF
Cost to Metropolitan

• Program

- Groundwater pumped into the AAC and IID Forbears an equivalent amount on the Colorado River
- Water made available to persons or non-Federal governmental agencies whose lands are adjacent to the CR but do not hold rights to Colorado River Water
 - e.g. City of Needles, individual families
- Metropolitan pays for unused capacity in the Lower Colorado Water Supply Project

San Luis Rey Exchange

- Agreement executed in 2003
- Delivery of exchange water began in 2017
- Duration: Lifespan of the All-American Canal and Coachella Canal

16,000 AF/year
made available to Metropolitan

N/A
Cost to Metropolitan

● Agreement

- All American Canal and Coachella Canal Lining Project water made available to the San Luis Rey Settlement Parties.
- The water is exchanged with US and then provided to SDCWA for deliver to the Settlement Parties.
- USBR pays Metropolitan a per-acre-foot price for delivered exchange water

2020 Bard Seasonal Fallowing Program

- Duration: 2020-2026



Up to 6,000 AF/year
made available to Metropolitan

\$240/AF
Cost to Metropolitan

- **Program**

- Seasonal Fallowing from April 1st – July 31st
- Maximum enrollment is 3,000 acres
- Fallowing call made by Oct 1 the previous year
- Voluntary enrollment leads to variable volume
- Requirements
 - At least 10 contiguous irrigable acres
 - Have been farmed for at least three of the last five years / previously fallowed

2022 Quechan Seasonal Fallowing Program Pilot Program

- Duration: 2022 - 2023



Up to 3,500 AF/year
made available to Metropolitan

\$240/AF
Cost to Metropolitan

• Program

- Seasonal Fallowing from April 1st – July 31st
- Maximum enrollment is 1,600 acres
- Fallowing call made by Oct 1 the previous year
- Voluntary enrollment leads to variable volume
- Requirements
 - Have been farmed for at least three of the last five years / previously fallowed
 - Must be Quechan tribal land



Managing Colorado River Supplies

Intentionally Created Surplus (ICS)

Storage Program
Duration: 2006 - 2026



Up to 400,000 AF

Annual Put Capacity*

Annual Take Capacity**

*less creation by IID which is capped at 25,000 AF

**less take by IID which is capped at 50,000 AF

~1,084,000 AF

Stored Volume

Estimated end of 2022 Balance

- Ability to store water in Lake Mead. ICS may be created using a variety of approved measures within the four established ICS categories:
 - 1) Extraordinary Conservation ICS,
 - 2) Tributary Conservation ICS,
 - 3) System Efficiency ICS,
 - 4) Imported ICS
- Benefits:
 - DCP contributions in lieu of reduced deliveries
 - Augmenting CRA supplies
- Limitations on delivery start at elevation 1,045'

Partnerships with States and Mexico

- Investments to create additional ICS
- Partnering agencies include SNWA, CAWCD, and Mexico

Brock Reservoir

100,000 AF ICS for
Metropolitan

Yuma Desalter

24,397 AF ICS for
Metropolitan

122,000 AF Currently Available
(subset of total ICS)

Minute 319

23,750 AF ICS for
Metropolitan

Minute 323

9,092 AF ICS for
Metropolitan to date
(27,275 AF over the
Minute)

Storing Water for IID

Up to 25,000 AF
Made available to MWD in 2022

N/A
Cost to Metropolitan

- Metropolitan provides for storing excess conservation for IID
 - California ICS Agreement
 - Amendment #1 to the California ICS Agreement
 - 2021 Settlement Agreement
- Current return amount: ~276,000 AF.

Managing Colorado River Supplies Through Reclamation



Prior
Year

July 1:
Submit ICS Plan
of Creation

Sep 15:
Submit Water
Order

By Dec 31:
USBR Approves ICS
Plans and Water Orders
for future year

Current
Year

Anytime:
Submit Revised Water Order to Take Delivery of ICS

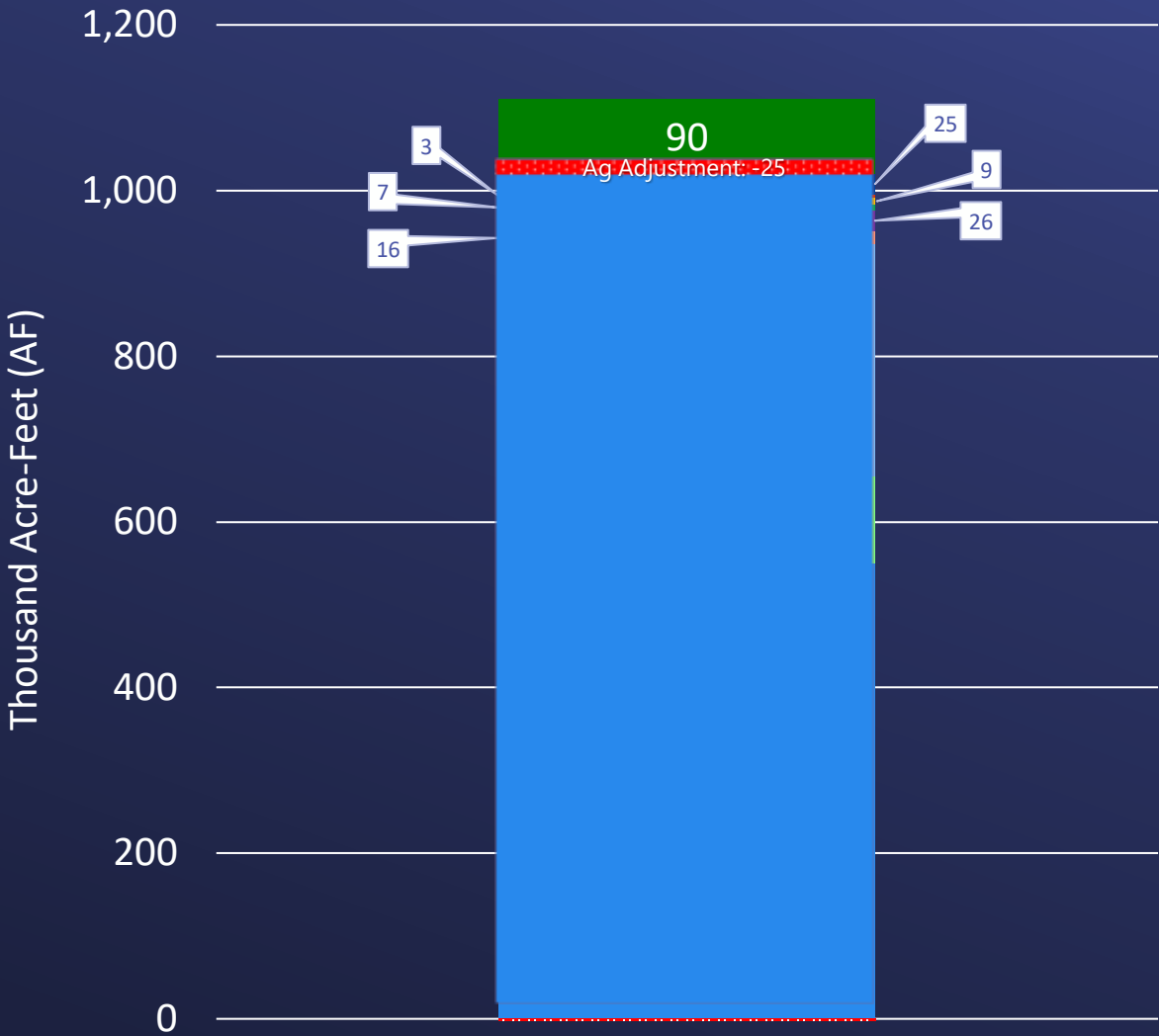
Following
Year

May 15:
Water Accounting
Report

Upon data availability:
ICS Certification Reports

2022 CRA Delivery (Estimated)

Total Deliveries: 1.129 MAF



- Intentionally Created Surplus
- Agricultural Adjustment (est.) (~ -25,000)
- IID ICS Sub-Account
- Quechan Seasonal Fallowing Program (Too Small to see)
- Bard Fallowing Program
- Lower Colorado Water Supply Project
- Quechan Forberance
- PVID Fallowing Program
- Canal Lining to San Luis Rey
- SDCWA Exchange (IID Transfer and Canal Lining)
- IID-MWD Conservation
- Basic Apportionment



Overview of the Supplemental Environmental Impact Statement Process

2007 Interim Guidelines SEIS

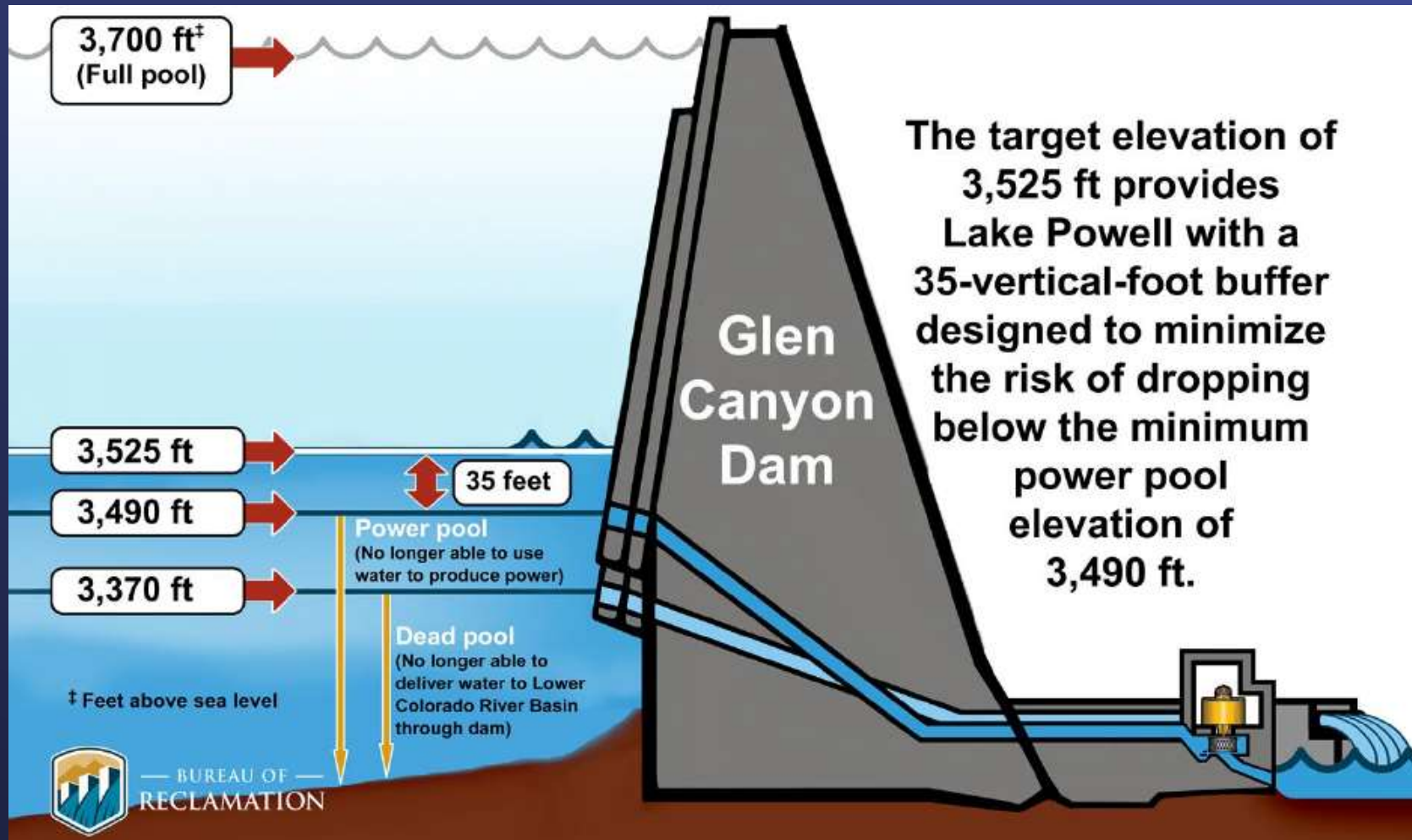
Rules for Operation of Lake Powell & Lake Mead

Under the Boulder Canyon
Project Act, the Secretary of
the Interior is the River
Master in the Lower Basin

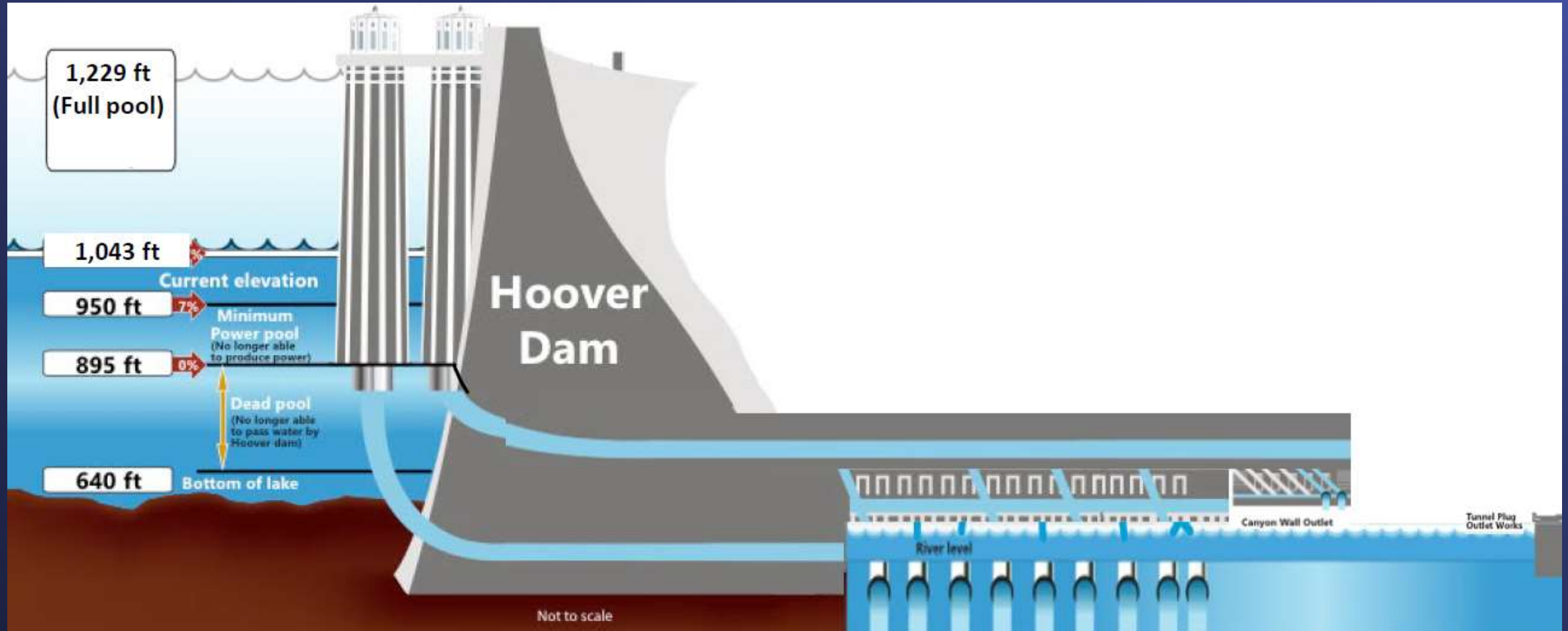
2007 Interim Guidelines

- Defined coordinated operation of Lake Powell and Lake Mead;
- Determined when Shortages would be taken in the Lower Division States (Arizona, California and Nevada);
- Established Intentionally Created Surplus storage in Lake Mead
- Effective 2007-2025

Lake Powell Key Elevations



Lake Mead Key Elevations



2007 Interim Guidelines SEIS

U.S. Bureau of Reclamation Announcement

Notice of Intent to prepare a
Supplemental Environmental
Impact Statement (SEIS)

2007 Interim Guidelines Revisions

Possible changes to operations of Glen Canyon and Hoover Dams in 2023-24 to address impacts of low runoff conditions that pose unacceptable risks to operations of dams.

Revisions may include:

- Reduced annual releases from Glen Canyon Dam;
- Changes to shortages and decrease in quantity of water for Arizona, Nevada and California.

2007 Interim Guidelines SEIS

Anticipated Alternatives

Public comments on scoping
were due December 20, 2022

Three Primary Alternatives

- **Framework Agreement** – consensus-based actions that build on States, Tribes and NGO's commitments in 2019 Drought Contingency Plan
- **Reservoir Operations** – Reclamation alternative to mitigate risks to Colorado River System reservoirs if consensus alternative isn't reached or is insufficient
- **No Action Alternative**

2007 Interim Guidelines SEIS

Metropolitan's Scoping Comments

Metropolitan submitted a scoping comment letter and joined a 3-agency letter with the Southern Nevada Water Authority and Central Arizona Project

Strategic Priorities for SEIS Process

- Protect stored Intentionally Created Surplus
- Provide for public health, safety and welfare (HHS) storage and deliveries
- Reduce water deliveries to protect infrastructure
- Modifications to operations of Lake Powell and improvements to Glen Canyon Dam

Colorado River Unmet Human Health & Safety Needs

HH&S Need for 12.3 Million Population	760,000 acre-feet	Assuming 55 gallons per person per day (gpcd)
+ Estimated Critical Needs CII Use	234,000 acre-feet	
- Estimated Local Supply Meeting HHS Need ^{1, 2, 3}	813,000 – 825,000 acre-feet	Range of low to high local supply production
<hr/>		
Total <u>Unmet</u> HH&S Need⁴ (including estimated critical needs CII use)	169,000 – 181,000 acre-feet	

¹. In this calculation, each agency's local supply was capped at their agency level HHS need because excess local supply from one agency cannot be used to meet unmet HHS demands of another agency

². Does not include SWP supplies that could be available for blending

³. Includes the SDCWA exchange supply

⁴. Does not include using SWP water to meet CR unmet HH&S need



Status of Current Discussions

Colorado River

Basin State Principals

Each of the seven signatory
state's Governors appoints a
representative pursuant to
Art. V Colorado River
Compact

Governor's Representatives

- Arizona Tom Buschatzke
- Nevada John Entsminger
- California JB Hamby
- Wyoming Brandon Gebhart
- Colorado Rebecca Mitchell
- New Mexico Estevan Lopez
- Utah Gene Shawcroft

Colorado River Board of California



Mission

To represent California in discussions among the federal government, Colorado River Basin States, Mexico, Tribes, and other in development, implementation, and management of programs to protect California's use of, and rights to, Colorado River water and hydropower resources.

Board Members

- Coachella Valley Water District
- Imperial Irrigation District
- Los Angeles Department of Water and Power
- The Metropolitan Water District of Southern California
- Palo Verde Irrigation District
- San Diego County Water Authority
- DWR & DFW representatives
- Two At-Large public members

2007 Interim Guidelines SEIS

Consensus Framework Agreement Alternative Development

Work on a Consensus
Framework Agreement
Alternative will continue
through January

Example of Options Being Evaluated

Southern Nevada Water Authority (SNWA) alternative:

- Protect stored ICS
- Provide for storage and delivery of HHS water
- Assess system and evaporative losses
- Increase Shortage volumes
- Trigger DCP Contributions at higher lake elevations
- Reduce Lake Powell releases at most elevations

Next Steps

SEIS and Post-2026 Operations

The SEIS and development of the next set of operational guidelines are separate processes

● SEIS

- January: Develop SEIS alternatives
- Spring: Draft SEIS for public comment
- Summer:
 - Final SEIS and Record of Decision (ROD)
 - Board authorizations
- CY 2024: Implement new ROD, as needed

● Post-2026 Operations

- September 2022: Pre-scoping comments
- Early 2023: Notice of Intent to prepare environmental impact statement

2022 Inflation Reduction Act

\$4 Billion for Drought Relief in the West

- Majority for the Colorado River Basin
- First round of proposals were due December 20th, 2022
- MWD submitted two joint proposals
 - PVID
 - Bard
- USBR is currently evaluating the 32 proposals that were received.
 - Volumes unknown

Upcoming Board Information /Action



Jan - Mar

- Update on Colorado River Activities
- Amend PVID Agreement to include additional fallowing funded by Reclamation

Apr - Jun

- Update on Colorado River Activities
- Provide Committee updates on the SEIS Alternatives and impacts to MWD

Jul - Sep

- Update on Colorado River Activities
- Authorize Implementing Agreements for Reclamation SEIS Record of Decision

Oct - Nov

- Update on Colorado River Activities
- TBD; by late this year Basin could be cooperating or in litigation



Board Discussion





THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

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 Metropolitan Water District of Southern California (Metropolitan) appreciates 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). As noted in the NOI, if the low runoff 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 made to operations of Lake Powell and Lake Mead as part of this process should continue to be consistent with applicable federal laws, interstate compacts, and decrees. Modifications to reservoir operations also need to protect public health, safety, and welfare, protect stored Intentionally Created Surplus, and provide more certainty to water contractors through the end of the interim period.

Metropolitan's Interest in Operation of Lake Powell and Lake Mead

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 1990s Metropolitan has been taking steps to plan for and invest in ways to adapt to increased demand for Colorado River water as well as reduced supplies due to drought and climate change. Lake Powell and Lake Mead elevations have been declining since the drought started in 2000, but now the reservoirs are near critical elevations and forecast to continue to decline.

Metropolitan asks that Reclamation work with our agency to help us continue to assure a reliable source of high-quality water for the 19 million residents who live in the Metropolitan service area. Changes in the operation of Lake Powell and Lake Mead could significantly affect Metropolitan because of the complex interaction of Metropolitan's junior priority to Colorado River water in California, recent historically low State Water Project allocations, and impacts on agreements that Metropolitan has with more senior priority contractors in California, most of which were entered into to replace water Metropolitan relied on to fill the CRA before the 2003 Quantification Settlement Agreement. Metropolitan holds a contract with Reclamation pursuant to Section 5 of the Boulder Canyon Project Act for 550,000 acre-feet of Colorado River water annually, and an additional 662,000 acre-feet of excess supplies when not used by senior priority contractors in California or by Arizona or Nevada. Metropolitan also augments those supplies through transfer and exchange agreements with Colorado River contractors in California that hold more senior rights. Through this combination, Metropolitan has access to more than one million acre-feet of Colorado River water per year.

In addition to potential impacts to Metropolitan's water supplies, changes to the operation of Hoover Dam could significantly impact Metropolitan's supply of hydropower generated at Hoover Dam. Metropolitan's power supply contract is for 27.1 percent of the power generated at Hoover Dam, making Metropolitan the largest Hoover power contractor. The power supply contract has a 50-year term that expires in 2067.

The 2007 Interim Guidelines included provisions for Intentionally Created Surplus (ICS). Metropolitan invested millions of dollars in conservation projects to create ICS to be available as an additional source of supply in years when drought in California reduced Metropolitan's ability to meet demands with the State Water Project (SWP) allocation and Metropolitan's normal annual Colorado River supplies. This supply has been important in years like this year and during California's extreme drought in 2014-15. While the Colorado River Basin has been in a drought and experiencing historically low runoff and elevations at Lake Powell and Lake Mead, the SWP has experienced historically low allocations. These record low SWP allocations led Metropolitan to declare a Water Shortage Emergency Condition in April, limiting the volume of water that agencies in Metropolitan's State Water Project dependent area can take. Over 6 million residents live in this portion of Metropolitan's service area. As of December 1, 2022, these member agencies used 35 percent less than was expected without emergency conservation. On December 13, 2022, the Metropolitan Board declared a Regional Drought Emergency for all of Southern California and called upon water agencies to immediately reduce their use of all imported supplies. By April 2023, Metropolitan will consider allocating supplies to all its 26 member agencies, requiring them to cut their use of imported water or face steep additional fees on water purchased from Metropolitan. The historically low SWP allocations have also required Metropolitan to draw down on dry year storage, including ICS. Given the 24-Month Study forecasts that show Lake Mead will decline below elevation 1,025 feet by the end-of-calendar-year 2023, Metropolitan's ability to rely on this important source of additional supply is in jeopardy.

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 2019 Drought Contingency Plan (DCP). Metropolitan supports 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 in California worked together to develop the DCP.

This NOI comes only three years after 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 has declined to the Target Elevation identified in the Drought Response Operation Agreement in the Upper Basin Drought Contingency Plan, and the 24-Month Study forecasts Lake Mead declining to nearly elevation 1,020 feet, the elevation that the parties to the Lower Basin Drought Contingency Plan made commitments to protect.

The preferred alternative should build on the DCP parties' commitment to collectively work together to protect the reservoirs but because the last few years have demonstrated that the DCP was inadequate to protect Lake Powell and Lake Mead from declining to critical elevations during the interim period, the preferred alternative should include additional and/or new approaches to meet the DCP goals.

Any modifications to reservoir operation in the preferred alternative should:

i. Protect Stored Intentionally Created Surplus

Any modifications to the 2007 Interim Guidelines need to protect the ICS currently stored in Lake Mead. Metropolitan and the other water providers that have created ICS spent years and invested millions of dollars to conserve water that has helped to keep Lake Mead out of shortage before this year. Metropolitan's ICS alone added 19 feet to Lake Mead's elevation. 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.

ii. 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 at minimum provide 18 months of 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 should include provisions that assure that operations of the reservoirs provide sufficient water to meet public health, safety and welfare needs.

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. Include Provisions for Reservoir Operations in Dry, Average and Wet Conditions

The preferred alternative should include reservoir operations for a range of hydrologic and runoff conditions. The NOI describes the need for "the revised operating guidelines based on the potential that continued low runoff conditions in the Colorado River Basin could lead Glen Canyon Dam to decline to critically low elevations impacting both water delivery and hydropower operations in 2023 and 2024." 87 FR 69043. In addition to providing for reservoir operations in continued low runoff conditions, the preferred alternative should also include provisions for normal and high runoff conditions.

v. Apply Through the Interim Period

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

vi. Modifications to Operations of Lake Powell and Improvements to Glen Canyon Dam

Because Lake Powell declined below the Target Elevation and given the prospect of low runoff conditions, the continued safe operation of Glen Canyon Dam may require additional conservation in the Upper Basin. Reclamation should include improvements to Glen Canyon Dam that would safely permit operation of Glen Canyon down to elevation 3,490 feet and below in the Reservoir Operations Modification Alternative. The preferred alternative should include Upper Division State actions that help to assure sufficient water gets to Lake Powell to protect infrastructure safety, water deliveries and hydropower generation. Those actions may include a combination of releases from Colorado River Storage Project Act units and conservation in the Upper Basin.

Additional Efforts

In addition to the potential modifications to the 2007 Interim Guidelines described in the NOI, it will be essential for the U.S. and Mexico sections of International Boundary and Water Commission 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. Metropolitan also asks 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.

For nearly a century Metropolitan has helped Southern California grow and thrive by delivering high-quality water to the region, a region that is home to approximately 1 in 17 Americans. And now we're helping the region meet the challenges of climate change and extended drought. We need Reclamation's help in meeting this vital goal. Metropolitan looks forward to working with Reclamation throughout this process. If you need further assistance, please contact Ms. Shanti Rosset at 213-217-6030 or srosset@mwdh2o.com.

Thank you,

A handwritten signature in dark ink, appearing to read 'Adel Hagekhalil', with a stylized flourish at the end.

Adel Hagekhalil
General Manager

**Central Arizona Water Conservation
District**
23636 North Seventh Street
Phoenix, Arizona 85024

Southern Nevada Water Authority
100 N. City Pkwy, Suite 700
Las Vegas, Nevada 89106

**The Metropolitan Water District of
Southern California**
700 North Alameda Street
Los Angeles, California 90012-2944

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,



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