



August 31, 2022

The Honorable Tanya Trujillo
Assistant Secretary, Water & Science
U.S. Department of the Interior
Washington, D.C. 20240

Via email to CRB-info@usbr.gov

Re: Request for Input on Development of Post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and Lake Mead Under Historically Low Reservoir Conditions

Dear Assistant Secretary Trujillo,

The Arizona Municipal Water Users Association (AMWUA) appreciates the opportunity to respond to the Department of the Interior and Bureau of Reclamation's solicitation of comments regarding Post-2026 Colorado River operations. AMWUA is comprised of ten municipalities in the Phoenix metropolitan area who collectively provide water to over 3.7 million residents – more than half of Arizona's population. The AMWUA member cities – Avondale, Chandler, Gilbert, Glendale, Goodyear, Mesa, Phoenix, Peoria, Scottsdale, Tempe – each hold a subcontract for Colorado River water delivery through the Central Arizona Project (CAP) system and are the recipients of over 470,000 acre-feet annually, more than 40% of CAP's total deliveries in recent years. The Colorado River is a critical water supply for the communities our providers serve and is key to this metropolitan area's thriving high-tech manufacturing, defense, financial services, health care, higher education institutions, and other services that support the regional and national economy.

The Notice and Request for Input appropriately notes that "absent a change in hydrologic conditions, water use patterns, or both, Colorado River reservoirs will continue to decline to critically low elevations threatening essential water supplies across nine states in the United States and the Republic of Mexico" and, that the 2007 Interim Guidelines and subsequent agreements have proven insufficient to address the climate-driven reductions in Colorado River availability.

Arizona Municipal Water Users Association



These dismal circumstances have worsened in recent years as reflected in Reclamation Commissioner Touton's June 14, 2022 remarks which emphasized that emergency actions are necessary to prevent extraordinary risks and the decline of Lakes Mead and Powell to critical elevations. Since the announcement of a water use reduction target of 2 to 4 million acre-feet (30% of the River's yearly flow), the Colorado River Basin has been thrust into a maelstrom of uncertainty as the Basin States struggle to come to an agreement on additional reductions necessary to protect the system. This degree of uncertainty is unacceptable to municipal water providers who rely on Colorado River supplies to serve their residents and support the major population centers of the American West. Cities cannot fallow neighborhoods. Municipalities must make decisions that impact millions of residents and key industries, and those decisions require stability and predictability of how much water will be available into the future.

As providers of water to over half of Arizona's population, the AMWUA cities have a serious stake in the management of the Colorado River. We offer below our responses to Reclamation's request for feedback in the Notice. We ask that when reviewing our input, Reclamation and Interior keep in mind the importance of urban water users in the Colorado River Basin, and the serious economic consequences that water insecurity in the West presents for our nation.

a) Processes that can be employed to encourage and facilitate meaningful participation of Colorado River Basin partners, stakeholders, and the general public in the anticipated upcoming NEPA process(es)

Establish a Basin-wide "Municipal Sector" Committee to Facilitate Meaningful Input and Engagement from Municipal Water Providers

The upcoming National Environmental Policy Act (NEPA) process and Post-2026 operational guidelines would benefit from a mechanism and process to solicit specific input from municipal water providers. AMWUA suggests creation of a Basin-wide Municipal Sector Committee to serve as a forum for municipal water providers to share their unique and critical perspectives to Reclamation during the NEPA process, and when needed during the Post-2026 operational period. Cities are governed by locally-elected officials who are best positioned to represent the interests of the millions of customers they serve. This Committee should be in addition to Reclamation's consultation with the Governor's representatives from each Basin State and is not intended to supplant the input or authority of these representatives.



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

Post-2026 Operations Should Focus on Increased Clarity and Reliability for Water Users

We support Reclamation’s intent to evaluate policies that “consider a wide range of potential future conditions, including drought sequences that are longer and more severe than those that have been observed.” Municipal water providers need increased clarity from Post-2026 operations on the availability of Colorado River water supplies in severe, extended drought conditions. This includes defined reservoir operations at lower elevations as well as more notice regarding supply availability in upcoming years. At the time of this writing, CAP subcontractors are one month away from submitting their water orders, but there is still no clarity about how much water will be available in 2023 if extraordinary demand reductions are imposed in addition to the Tier 2a shortage. This is inadequate time to make the necessary adjustments to water production and delivery operations.

The Colorado River should also be managed for increased reliability (as opposed to maximizing diversions and releases in a given year), in order to provide stability for water users reliant on Colorado River supplies. Achieving this objective will require more conservative reservoir operations and more proactive shortage sharing arrangements. An effort must be made in the Post-2026 operational period to not only slow the decline of Lakes Mead and Powell, but to build the reservoirs back up. Strategies to this end include assessing evaporation and system losses proportionally across the Lower Division States and Mexico, as well as evaluating reservoir operations to ensure that coordination is sufficiently holistic and that storage volumes in both reservoirs are protected. We understand that this may mean contending with greater reductions for a longer period until the system is stabilized, but we believe in the long-run this will provide increased reliability for all users in the Basin.

Continue to Incorporate Climate Change Impacts in Reclamation’s Modeling and Decision-making Tools

Reclamation’s modeling tools and processes must be updated to incorporate the best available climate science, and to remove biases from past, wetter hydrology. In



acknowledgement of our nonstationary climate, less focus should be given to probabilistic forecasting, which often gives an unrealistic depiction of future possible conditions. Existing tools, like the 24-Month Study, should also be evaluated as to their accuracy and usefulness. For example, the appropriateness of relying on hydrology from the past 30 years to estimate inflow volumes and subsequent reservoir operations should be reexamined. Reclamation should also consider if scenarios such as the “Most Probable” and “Max Probable” scenarios obfuscate the likelihood of drier outcomes to Basin stakeholders.

As part of managing the Colorado River system for increased reliability, estimates of what constitute a “normal” supply need to be brought in line with the new reality of aridification occurring in the Basin. Marginal shortage reductions based on an optimistic annual supply that seek to only withstand cyclical drought conditions has not been and will not be sufficient to ensure a stable system.

Shortage Sharing Must be Equitable and Basin-wide

The impacts of climate change and reduced flows are impacting water users across the Colorado River Basin and Mexico. Water users from all sectors, in both Basins, and in Mexico, should share in the responsibility of shortage and efforts to protect the system. The AMWUA cities have been leaders in implementing aggressive conservation programs since passage of the landmark 1980 Groundwater Management Act; today serving over half of Arizona’s population with only 11% of the state’s water supply.

Our members have a long history of contributing to efforts on the Colorado River, including as support and involvement on the 2007 Interim Guidelines and DCP. Additionally, many of the AMWUA cities have played a key role in the implementation of Arizona’s DCP agreements and contributing to the 500+ Plan. The Post-2026 operations should ensure that all water users in the Basin are doing their part to reduce demand and share in shortage reductions.

Post-2026 Operations Should Provide Flexibility for Shortage Mitigation

As climate change continues to impact the availability of Colorado River supplies, water users will need increased flexibility to mitigate shortages and adapt. The 2007 Interim Guidelines, DCP, and more have demonstrated that there is significant operational flexibility



within the Law of the River. Although it is unfortunate that the 2007 Interim Guidelines and DCP have proven insufficient to curb reservoir declines, more can be done. The Post-2026 operations should continue to evaluate adaptive management strategies that provide flexibility to water users. A framework is needed to implement augmentation of the Colorado River and to facilitate exchanges between individual water users, Basin States, and Mexico.

Continue to Emphasize Collaboration and Consultation

Continued collaboration and consultation with the Basin States, Mexico, Tribes, NGOs, stakeholders, and water users - including municipal water providers - throughout the Basin is crucial for a successful NEPA process and implementation of the Post-2026 operations. The Colorado River Basin has successfully avoided large-scale litigation for decades, and consultation and collaboration should remain a preferred alternative to adversarial judicial approaches to resolving issues on the Colorado River. This will be possible with firm, committed leadership from the Department of the Interior and Reclamation.

Development of the Post-2026 operations is an opportunity to bring the management of the Colorado River into the 21st Century, to confront the reality of our declining supplies, and to secure the sustainability of this crucial lifeblood for communities throughout the American West. On behalf of the ten municipalities that provide water to over half of Arizona's population, AMWUA appreciates the opportunity to provide input, and looks forward to continued engagement with Reclamation and Interior throughout this process.

Sincerely,

Warren Tenney
Executive Director