

An Overview: Drought Contingency Plan

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Interstate Drought Contingency Planning

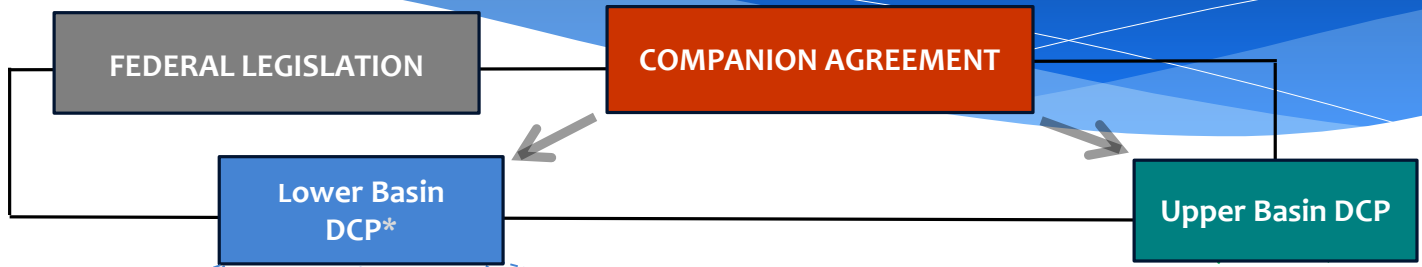
What is it?

Planning for drought response to reduce risks associated with reaching critical reservoir elevations at Lakes Powell and Mead.

Goals:

- ✓ Take proactive approach to protect critical reservoir elevations as opposed to responding in a crisis.
- ✓ Provide opportunities for additional flexibility and certainty.
- ✓ Control our own destiny.
- ✓ Avoid unilateral, uncoordinated efforts that could create conflict or litigation.

COLORADO RIVER BASIN DROUGHT CONTINGENCY PLAN (DCP) DOCUMENTS AND AGREEMENTS



- ICS Exhibits
- Intra-State DCP Agreements
- Legislation

- ICS Exhibits
- Intra-State DCP Agreements

- ICS Exhibits

THIS IS NOT A DM PROGRAM.
Provides opportunity for free storage if a DM Program is created.

*Activates Section IV of Minute 323 (Binational Water Scarcity Plan)

Lower Basin Drought Contingency Plan

The Need:

Actual hydrology has significantly increased the risk of Lake Mead falling below el. 1025' by 2026 since approval of the 2007 Interim Guidelines.

Under “Stress Test” hydrology, the risk is about six times larger.

The Goal:

Reduce the probability of breaching critical elevations that could force conflict and draconian reductions in water deliveries.



Lower Basin DCP

✓ Contingency Planning

- * Implement voluntary reductions in water use beyond the shortages required by the 2007 Interim Guidelines.
- * Includes commitment by the U.S. to work to create or conserve Colorado River system water.
- * Incentivize ICS banking.
- * Commitment to protect elevation 1020' at Lake Mead (i.e., the “backstop”)

✓ Sustainability Planning

- * Recognizing need for longer-term mechanisms for addressing “Structural Deficit” in the Lower Basin. But DCP is not solving this deficit.

Mexico's Participation in LBDCP

- * In Minute 323 (executed in September 2017), Mexico committed to a Binational Water Scarcity Contingency Plan (BWSCP) “in parity” with a Lower Basin DCP.
 - ✓ Mexico to conserve defined volumes of water at specific elevations “in parity and alignment” with DCP contributions, upon the authorization of a Lower Basin DCP within the U.S.
 - ✓ Mexico will also benefit from the same flexibility provisions applicable to ICS in the Lower Basin.

2007 Interim Guidelines Shortage Reductions and Incremental DCP Contributions

Lake Mead Elevation	AZ 2007	AZ DCP	AZ TOTAL	NV 2007	NV DCP	NV TOTAL	CA 2007	CA DCP	CA TOTAL	BOR DCP	MX Min 323	MX BWSCP	MX Total	TOTAL
≤1090 >1075	0	192K	192K	0	8K	8K	0	0	0	100k	0	41k	41k	341k
≤1075 >1050	320K	192K	512K	13K	8K	21K	0	0	0	100k	50k	30k	80k	713k
≤1050 >1045	400K	192K	592K	17K	8K	25K	0	0	0	100k	70k	34k	104k	821k
≤1045 >1040	400K	240K	640K	17K	10K	27K	0	200K	200K	100k	70k	76k	146k	1,113k
≤1040 >1035	400K	240K	640K	17K	10K	27K	0	250K	250K	100k	70k	84k	154k	1,171k
≤1035 >1030	400K	240K	640K	17K	10K	27K	0	300K	300K	100k	70k	92k	162k	1,229k
≤1030 >1025	400K	240K	640K	17K	10K	27K	0	350K	350K	100k	70k	101k	171k	1,288k
≤1025	480K	240K	720K	20K	10K	30K	0	350K	350K	100k	125k	150k	275k	1,475k

Upper Basin Drought Contingency Plan

Agreements:

- * Weather Modification (ongoing/programmatic arrangement)
- * Drought Response Operations Agreement
- * Demand Management Storage Agreement

Goals:

- * Reduce the risk of Lake Powell reaching critically low elevations (minimum power pool elevation - 3490 ft / 3525 ft)

AND

- * Help maintain compliance with the 1922 Colorado River Compact

Drought Response Operations Agreement

Navajo



Flaming Gorge



Curecanti (Aspinall Unit)



Glen Canyon

- A process to develop plans to implement only when necessary to keep Lake Powell above the target elevation, and subsequently recover storage as needed in the Initial Units.
- Steps in the process are triggered by certain forecasts in the 24-Month Study Reports.

Demand Management Storage Agreement

Why included in the DCP?

- * May provide a second line of defense against extended drought.
- * Provides foundation for Upper Basin to be able to explore and potentially develop a demand management program in the future without impairing existing water rights.
- * Intended purpose is to explore feasibility of operations to help ensure continued compliance with the Colorado River Compact in times of extended drought.

Demand Management

- * Consistent with UCRC Resolutions in 2014 and 2018, and Colorado Water Conservation Board's 2018 Statement of Support and Policy – focus is on exploring the feasibility of:
 - * Temporary
 - * Voluntary
 - * Compensated
 - * Reduction in diversions to conserve water that is otherwise consumptively used
- * To help avoid potential need for involuntary curtailment of Colorado River uses. Specifically geared to help ensure Compact compliance.

Demand Management Storage Agreement

The Agreement – 2 Parts

- ❖ Authorization for storage of demand management water at Initial Units
- ❖ Agreement on how the Upper Basin can access and use that storage under a Demand Management Program

***Does not mandate or guarantee
an Upper Basin Demand Management Program will be instituted***

Demand Management Storage Agreement

AUTHORIZATION

- * Provides for Secretarial authority to allow storage:
 - ✓ At CRSPA Initial Units
 - ✓ For water conserved as part of an Upper Basin Demand Management Program
 - ✓ Free of charge
- ❖ Does not expire, but subject to operational Demand Management Program in the Upper Basin

Demand Management Storage Agreement

AGREEMENT TERMS

* Sets forth minimum requirements for Upper Division States to access the storage provided pursuant to the Authorization

(Identifying key considerations or terms for any UB Demand Management Program)

* Generally, minimum requirements are subject to terminate at the end of 2025, and be the topic of discussion as part of future negotiations on reservoir operations.

Demand Management Storage Agreement – Min. Requirements

Feasibility Analysis

- Verification and Accounting
- Sheparding
- Storage and Release
- Funding
- Compliance with Law



Develop DM Prgm

- Minimum reqs for
 - Water Conserv.
 - Storage
 - Release



Agmt with SOI

- UCRC/SOI agreements on water conveyed to and stored at Initial Units
- Pre-req - Consultation with Lower Basin



UB Approvals

- UCRC Finding of Need for DM
- Comm'n Approval
- State Approval

THIS IS WHAT WE ARE STARTING TO LOOK INTO REGIONALLY AND WITHIN EACH STATE



Need For Federal Legislation

- * The LBDCP contemplates delivery of ICS, or surplus water, during shortage conditions at Lake Mead, and the ability to request more than decreed apportionments in a given shortage year, both of which are inconsistent with the Decree in *Arizona v. California*.
- * The UBDCP contemplates allowing the Upper Basin to store conserved water for future compact compliance purposes, free of charge and outside the coordinated reservoir operations between Lake Powell and Lake Mead under Section 602(a) of the Colorado River Basin Project Act and the 2007 Interim Guidelines.

Federal Action

- * Both Senate and House introduced identical bills, which passed April 8.
- * President Trump signed the Colorado River Drought Contingency Plan Authorization Act on April 16.
- * The DCP Agreements were executed by all parties on May 20, 2019 at a signing ceremony at Hoover Dam.



NEXT STEPS

Next Steps

- ✓ Implement terms of Binational Water Scarcity Plan to include Mexico in process.
- ✓ Lower Basin developing ICS as desired in preparation for DCP contributions in upcoming years.
- ✓ Reclamation continuing 24 month study modeling to inform triggering of plans and consultation if needed.
- ✓ Upper Division States initiating Demand Management Feasibility Investigations.
- ✓ UCRC commencing regional considerations for Demand Management Feasibility Investigations.
- ✓ All preparing for negotiation of next agreements as part of the Renegotiation of the 2007 Interim Guidelines.



Thank you

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ELEMENTS OF
COMPACTS, AGREEMENTS
AND ANY POSSIBLE
FUTURE PROGRAMS ARE

CONNECTED

Rights to Colorado
River Water and
Compact
Compliance
(under variable
water supplies)

Colorado River Compact (1922 - Perpetuity)

- Divides watershed into UB and LB
- 7.5 MAF CU apportioned to UB & LB each, add'l 1 MAF to LB.
- Requires UB to not cause the flow to be depleted at Lee Ferry below 75 MAF over ten year rolling average

Upper Colorado River Basin Compact (1948 - Perpetuity)

- Apportions percentage of available consumptive use among UB States
- Tasks the UCRC with determining volume of water each UB state must provide if need to comply with 75 MAF over 10 year rolling average

Interim Guidelines (2007 - 2026)

- Requires LB to take shortages
- Provides flexible mechanism to manage LB water supplies (ICS)
- Coordinates reservoir operations to stabilize system
- Secures UB right to release less from LP
- Avoids protracted litigation

Drought Contingency Plans for the Lower & Upper Basins (2019 - 2026)

- TEMPORARY plans to help prevent system crash if drought worsens
- Allows states to control own destiny
- Helps assure 07 IGs can operate until 2026
- Avoids litigation
- Provides opportunity to identify best tools to continue UB compact compliance

Upper Basin Demand Management Program (?)

- One potential tool made possible under UB DCP **IF DEEMED FEASIBLE**
- Only advances if each UB State agrees to terms and conditions