California opposes Colo. River plan

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All Colorado River Basin states but California are proposing new cuts of nearly 2 million acre-feet of water use annually in an effort to prop up the declining river and its reservoirs.

The proposal faces opposition from California, which controls the largest share of the river's water among the seven basin states. Because of that, its fate is highly uncertain.

The bureau will ultimately decide how much river water use is cut, although federal courts could overturn that decision in the event of litigation.

The six states including Arizona released their proposal Monday, which calls for saving 3.368 million acre-feet a year. About 40% of that represents savings the states already agreed to accomplish under two past agreements. One was a 2007 set of operating guidelines for the river's reservoirs. The other was a 2019 drought contingency plan.

The proposal would reduce Arizona's share of total Colorado River supplies by about 55%, from its 2.8 million acre-foot allocation. How much the reduction would fall upon the 336-milelong Central Arizona Project canal serving drinking water to Tucson and Phoenix isn't spelled out.

This comes after months of fruitless efforts among all seven basin states to reach a consensus proposal — efforts carried out in countless meetings as recent as Thursday and Friday.

On Tuesday, Chairman J.B. Hamby of the Colorado River Board of California released a statement saying California- based water agencies will submit their own proposed modeling effort involving water use reductions 'based on what is practical, voluntary and achievable through 2026 in a way that works within the existing body of laws, compacts, decrees and agreements known collectively as the Law of the River.

'At this time, the modeling proposal submitted by the six other basin states is inconsistent with the Law of the River and does not form a seven-state consensus approach,' he said.

Some cuts tied to lake levels

Like past measures, the sixstate proposal ties some water cuts to levels at Lake Mead, with cuts increasing as the reservoir declines. The new proposal also speeds up the timing of cuts, having some kick in at higher elevations of the lake's water level than before.

Most savings would be felt across the board, at Lake Mead levels from as high as 1,090 feet to as low as 1,000 feet. Mead stood at 1,046 feet Tuesday morning.

Those savings would result partially from the federal government accounting for, for the first time,
how much water is lost to evaporation and other forces, and splitting the losses among the Lower River Basin states of Arizona, California and Nevada, plus Mexico.

The bureau, which is under the Interior Department, will consider this proposal as it prepares a draft supplementary environmental impact statement for the river by April and makes a final decision and releases a final impact statement by August.

The proposal advocates keeping Lake Mead at least at 1,000 feet high and Lake Powell at least at 3,500 feet. Those elevations are 50 feet and 10 feet, respectively, above the levels below which Hoover and Glen Canyon dams can't generate electricity.

At 'dead pool' levels of 895 feet at Mead and 3,370 feet at Powell, the reservoirs couldn't deliver any water downstream, thereby shutting off supplies to Arizona and Southern California cities and huge farming operations in Yuma and the Southern California desert.

'Lake Powell and Lake Mead cannot be further diminished without unacceptable impacts to the Colorado River system ... any preferred alternative must be sufficiently certain that system storage is maintained without reliance on remote or speculative action by third parties,' the proposal said.

'Excellent proposal' or 'not enough'

The new savings would total 1.993 million acre-feet a year. That's just below the low end of the 2 million to 4 million acre-feet of new reductions Reclamation Commissioner Camille Touton testified last June in Congress that she wants from the states.

Still, John Fleck, a University of New Mexico-based water researcher, said, 'I think this is an excellent proposal; it goes a long way toward dealing with the near term crisis. These are big cuts.'

'The fact that you have broad support across much of the basin is a big step forward,' said Fleck. 'But without California, the biggest and most populous state, on board, you face the risk of litigation.'

The Upper River Basin states are Colorado, New Mexico, Utah and Wyoming.

Comments by David Wegner, a retired Reclamation engineer, and Kyle Roerink, a Nevada environmentalist, were less favorable.

'The six states have circled the wagons. They've given Interior a path in respect to an alternative they'd like to see considered,' said Wegner, a National Academy of Sciences board member. 'What they don't give, in my estimation, is what Interior wanted: a plan to reduce use by (up to) 4 million acre-feet.'

'Now the ball is in Interior's court. They'll ask, 'Is this enough to move forward for us? Or do we need more concrete actions to be taken today to reduce demand and put more water in the reservoirs?' I think they are going to come back and say it's not enough,' Wegner said.

The proposal leaves uncertainty about what happens next, said Kyle Roerink, of the Nevada and Utah-based Great Basin Water Network. 'This is the bare minimum. This does not put us in the clear for the long run.'
'This is a set of proposals from the very people who have helped contribute to the system's crash over the years. It's like the doctor convicted of malpractice saying 'I've got the cure,'' Roerink said.

But Colorado State University water researcher Brad Udall said he's pleased that a proposal was even made, because 'I didn't expect them to have a proposal.'

Udall said he'd like to see a proposal with bigger savings, however, achieved at higher lake levels than called for by the six states.

'People still want to run the system as close to the edge as they can,' Udall said. 'I think you need to do those cutbacks sooner rather than later.'

**Sharing evaporation losses**

The biggest disagreement likely to occur between the other states and California involves the proposal's allocation of most new cuts to evaporation and other losses — and sticking California with by far the largest share.

The Southern Nevada Water Authority estimates the river sheds about 1.5 million acre-feet a year to evaporation and other 'system losses' such as seepage in irrigation canals in the Lower Basin.

The proposal would require California to forfeit 810,000 acre-feet a year of that — more than Arizona and Mexico combined.

California officials say evaporation losses should be divided among states by priority of use. That would slash or end all deliveries to CAP. California has a far higher legal priority to river water than does CAP. CAP serves water to the Tucson and Phoenix areas, including all of Tucson's drinking water.

'The overarching issue is that the other basin states are trying to suggest the river be operated outside of the bounds of the Law of the River and the priority system that is within the Law of the River,' said Bart Fisher, a Colorado River Board of California member. 'There are a lot of people who have painted a target on California because we're the biggest user of water.'

Arizona officials say California's proposed cuts are unfair because the priorities to river water were devised more than five decades ago, long before the climate crisis slashed river flows dramatically.

Applying water system losses only to some users, 'based on priority or otherwise, is simply shortage administration,' not an actual loss assessment, Arizona Department of Water Resources Director Tom Buschatzke has said.

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