

Three states agree on plan to save Colorado River water

[Tony Davis](#) 16 hrs ago



Shrunkened waters are shown in a portion of the Colorado River's Lake Powell reservoir in 2022 near Page, Ariz.

Kelly Presnell, Arizona Daily Star

Arizona, California and Nevada have agreed on a plan to shave a total of 3 million acre-feet over the next three years from their Colorado River water use in return for federal compensation of at least \$1 billion, sources familiar with the negotiations say.

The agreement reportedly has approval from the U.S. Interior Department on amounts of water saved and the federal

compensation.

While it's a lot less than Interior officials wanted to get from the states until recently, one source said it's the best deal that can be obtained without litigation. An environmentalist, however, blasted the proposed cuts as "pathetic." Federal officials had said they wanted the states to save at least 2 million to 4 million acre-feet a year.

Other issues remain to be settled, including how the river's three Lower Basin states would share the cuts. Also unsettled at this time is how Arizona's share of whatever cuts are approved would be split among various water users, including cities like Tucson and farmers along the river in Yuma and other areas.

People are also reading...

It's also uncertain whether the river's Upper Basin states — Colorado, New Mexico, Utah and Wyoming — will sign onto this agreement, a source close to the negotiations said. Interior has wanted to get all seven states to support an agreement.

Also not clear is whether Arizona, California and Nevada and the federal government can reach complete agreement in time for a May 30 deadline, set by the feds, to comment on an earlier, draft federal environmental impact statement on

the river. That statement analyzed two proposals calling for much more draconian cuts than the states are now talking about.

The agreement was first reported Wednesday by the Washington Post, citing anonymous sources. The Star was able to confirm its basic terms by interviewing sources familiar with or close to the negotiations. They also spoke on the condition their names and professional affiliations not be disclosed.

Federal and state officials directly involved in the negotiations have declined to comment, citing the gravity and sensitivity of the issues involved.

Terry Goddard, president of the Central Arizona Project's governing board, said he's heard that the amount agreed for savings may be lower, at 2 million acre-feet total over three years. He doesn't sit in on the negotiations himself. CAP General Manager Brenda Burman does sit in on them, but DeEtte Person, an agency spokeswoman, said Burman isn't commenting on the negotiations for now.

There has been a request made to Interior by Lower Basin states to extend the May 30 deadline for comments on the environmental report for another 60 days, Goddard said.

"I think there are some details that need to be worked out.

The timing I've been privy to is if you are going to have to do your serious legal comments by the end of the month, time for discussion is almost over," Goddard said. "It takes at least two weeks to put them together. I think it is far better to put some time in now to see if the states can come to an agreement.

"This was a hurry up deal in the first place to get the comments in by 45 days after the draft was released," he said.

The 3 million acre-feet over three years that's now under discussion for savings by the Lower Basin states represents less than 10% of the water that all seven river basin states pull from the river in that period. Of all the water used from the river, at least half usually goes directly to the Lower Basin states.

California controls the largest share, at 4.4 million acre-feet a year. Arizona is second largest, with rights to 2.8 million, although it has used significantly less than that in recent years due to voluntary conservation measures.



The Colorado River flows at Horseshoe Bend in Glen Canyon National Recreation Area in 2022.

Brittany Peterson, Associated Press

The rest is accounted for by use in the Upper Basin and Mexico and evaporation of water from the river and its reservoirs.

The 3 million is far less than Bureau of Reclamation Commissioner Camille Touton told Congress nearly a year ago, in mid-June 2022, that she was demanding the states save.

She said at the time that cuts of 2 million to 4 million acre-feet a year were needed to insure that Lakes Mead and Lake Powell don't fall so low that they could no longer generate

electricity.

The Interior Department's Draft Supplemental Environmental Impact Statement on the river, released in mid-April, also analyzed much more severe cuts. Depending on how high the reservoirs are in a given year, the Interior-studied proposals could cut up to 2 million acre-feet in 2024 and up to 4 million in 2025 and 2026.

Touton's comments came, however, at a time when the short-term outlook for the river and its big reservoirs was much more dire than it is today.

At the time, Lake Powell in particular stood barely 30 feet above the level at which it could no longer generate electricity. Interior's draft environmental report's proposals were based on computer modeling that relied on those very low reservoir levels.

This year has brought a complete change in weather patterns, after three dry years in the river basin. Snowpack in the Upper Basin reached 150% of normal. River runoff into Powell is now expected to reach 172% of the average runoff from April through July 2023.

As a result, the river is now forecast to carry 18 million acre-feet this year, about 50% above its annual average flow. That means that on top of the 3 million acre-feet in savings the

states have agreed to, the river will get the benefit of another 6 million acre-feet in additional water, one source close to the negotiations noted Thursday.

"You take 6 million this year plus 3 million and it's 9 million" in net gains for the river over three years, that source said.

The agreement probably will be "front loaded" to put a larger percentage of cuts over the next two years, and will contain contingencies requiring more cuts if the next few years are very dry, the source said.

"If we get drier years, all bets are off," that source said. "We go back to the drawing board."

This "was a miraculous year," and from the modelling the basin states have done, it appears that even if the next two or three years are dry, "we are going to be OK at least through 2025," added a second source familiar with the negotiations.

That would keep the river and its reservoirs in good shape going into a separate but related set of negotiations seeking to set long-term operating standards for the river when the current ones expire in 2026, that source said.

The federal government is likely to go along with this reduced level of cuts because "that's the best deal they can get" without facing litigation by the states challenging higher

levels of cuts, said another source familiar with the negotiations.

But while 1 million acre-feet a year is "better than nothing and way better than litigation, it's not sufficient to resolve the imbalance we've been experiencing between supply and demand" on the river since 2000, that source said.

"It may take years. It may take five years, but if that's all there is (in water savings), we will go back into the same situation there was last summer," that source said.

John Weisheit, an environmentalist with the Utah-based Living Rivers, savaged the states' proposed cuts, calling them "pathetic" and "pitiful."

"That's not even close to what needs to be done. For every good snowmelt year we have three bad ones. That proposal proves they're still kicking the can down the road," Weisheit said. "It's impossible for them to get serious about climate change and the long-term impacts, because it every decade will get worse, not better."

Water-use cuts of only a million acre-feet a year would be problematic if they include several hundred thousand acre-feet of cuts already approved, for instance, in Arizona, said Sarah Porter, director of Arizona State University's Kyl Center for Water Policy. But if the newly agreed-upon round of cuts

come on top of those already planned and paid for, they could be acceptable, Porter said.

As for the Upper Basin states, their water officials haven't yet agreed to sign on to the water-saving proposal, a source close to the negotiations told the Star. That's because the Lower Basin states have conditioned the proposal on getting a commitment from the federal government not to limit releases from Lake Powell to Lake Mead below 7 million acre-feet unless the feds also release some water to Powell during a dry year from reservoirs lying upstream.

The purpose of both limiting Lake Powell releases and of releasing water from upstream reservoirs would be to keep Powell's water level at least at 3,500. That's 10 feet above the level at which the lake could no longer generate electricity.

The concern about this Lower Basin proposal is that without the three states taking sufficient measures to cut their water use, "the releases from Lake Powell to the Lower Basin are propping up overuse in the Lower Basin," the source said. The 1 million acre-feet a year cuts now being discussed aren't enough to eliminate that overuse and reduce the river's long-term deficit, the source said.

"The Upper Basin reservoirs were being drawn down without a deal in the Lower Basin to further reduce usage and we

know there is a structural deficit between supply and demand in the Lower Basin," that source said.

Also, if water releases from an upstream reservoir such as Flaming Gorge at the Utah-Wyoming border raises Powell high enough, that could trigger a provision in the river's existing operating guidelines that would require additional releases from Powell to Mead, the source said. Their purpose would be to "balance" the two reservoirs' contents.

In an email to the Star, Chuck Cullom, director of the Upper Colorado River Commission that represents the four Upper Basin states on river water issues, declined to comment on this matter, saying, "I am unable to comment on discussions between the Lower Basin and Interior."

Longtime Arizona Daily Star reporter Tony Davis talks about the Colorado River system being "on the edge of collapse" and what it could mean for Arizona.

[Jesse Tellez](#)

Contact Tony Davis at 520-349-0350 or tdavis@tucson.com. Follow Davis on [Twitter@tonydavis987](https://twitter.com/tonydavis987).

[Subscribe to stay connected to Tucson.](#) A [subscription](#) helps you access more of the local stories that keep you connected to the community.

Be the first to know

Get local news delivered to your inbox!

[Tony Davis](#)

Reporter

Tony graduated from Northwestern University and started at the Star in 1997. He has mostly covered environmental stories since 2005, focusing on water supplies, climate change, the Rosemont Mine and the endangered jaguar.