

Federal Register notice on DCP draws ire from IID

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EL CENTRO — A notice published recently in the Federal Register is not sitting well with Imperial Irrigation District.

That notice, submitted by the Department of Interior through the Bureau of Reclamation and published on Feb. 1, calls recommendations from the governors of the seven Colorado River Basin state for protective actions the Department of Interior should take in the absence of a completed drought contingency plan.

Bureau of Reclamation Commissioner Brenda Burman set a deadline of Jan. 31 for states to complete and approve a DCP. “The four Upper Basin states (Colorado, Wyoming, Utah and New Mexico) approved their DCP in December 2018,” the commissioner’s office noted in a release. “However, efforts among the lower basin states of California and Arizona have delayed DCP completion past the January 31, 2019, deadline.”

According to the federal notice, input from governors of the seven Basin states (based on “appropriate consultation with such state representatives as each governor may designate”) will be accepted for a 15-day period beginning March 4 and concluding March 19.

“While the Department (of Interior) supports the ongoing efforts of the Basin States and remains cautiously optimistic that the Basin States will successfully complete their efforts promptly in early 2019, the Department is highly concerned that continued delays regarding adoption of the DCPs inappropriately increases risk for all that rely on the waters of the Colorado River,” the federal notice said.

The DCP would involve a complicated suite of agreements among the water authorities in the seven Colorado River Basin states designed to protect water levels at Lake Powell and Lake Mead in the face ongoing drought.

The worst-case scenario for Arizona, California, Nevada and Mexico — which draw from Lake Mead — is a phenomenon called “dead pool,” in which the level of the lake’s surface falls below the gates that let water out. To avoid it, the agreement calls for an escalating array of cutbacks as the lake level drops.

In December, the IID’s Board of Directors voted 4-1 to approve three intra-California agreements to save the river and maintain elevation at Lake Mead contingent on, among other things, the state and federal

governments fully funding Salton Sea restoration efforts.

Days later, Reclamation Bureau Commissioner Burman, speaking at the Colorado River Water Users Association Annual Convention in Las Vegas, commented, "California also appears to be very close in finishing their negotiations or closing their deal. I would caution folk, however, not to add unrealistic demands as they try to complete the pieces of the DCP puzzle."

That comment, along Friday's Federal Register notice, did not sit well with IID, particularly Director Jim Hanks, "IID has worked to be a good neighbor on the river," he said Tuesday. "Yet a sustainable solution to declining flows cannot and will not be attained at the continuous and severe expense of the Imperial Valley and the Salton Sea, while other agencies intend to grow their supply off a shrinking stream."

Noting provision in the 2018 farm bill that would open the door for USDA funding of Salton Sea remediation and a recent letter from U.S. Sen. Dianne Feinstein to U.S. Secretary of Agriculture Sonny Perdue requesting prompt implementation of those provisions to get the funding process underway, Hanks said, "Despite significant strides by the State of Arizona in addition to Senator Feinstein's efforts to secure funding for the Salton Sea, which will effectively satisfy IID's key condition for full participation, Commissioner Burman decided to wait not even 24 hours before announcing immediate federal action on the river alleging that neither Arizona nor California had met the arbitrary deadline spontaneously announced just one month prior."

IID Board President Erik Ortega expressed similar thoughts in a written statement. "IID considers the Salton Sea, and what happens to it, as an essential component of that package," he said, "and a real opportunity now exists, through key provisions in the 2018 Farm Bill authored by Sen. Dianne Feinstein, to secure a federal match of up to \$200 million in support of the state of California's Salton Sea Management plan. ...

"IID sees this not as an either/or proposition, but as an honest effort by the district to improve the sustainability of the Salton Sea and to ensure the viability of the DCP.