

RESOLUTION
of the
UPPER COLORADO RIVER COMMISSION
December 10, 2014

Regarding Development of an Emergency Upper Basin Drought Contingency Plan

WHEREAS, the Upper Colorado River Commission (Commission) was created by the Upper Colorado River Basin Compact (Compact) between the States of Arizona, Colorado, New Mexico, Utah and Wyoming on October 11, 1948, and consented to by Congress by the Act of April 6, 1949 (63 Stat. 31, Chapter 48);

WHEREAS, Article VIII of the Compact empowers the Commission to perform certain functions including, but not limited to:

- i. Engaging in cooperative studies of water supplies of the Colorado River and its tributaries;
- ii. Collecting, analyzing, correlating, preserving and reporting on data as to the stream flows, storage, and diversion of water from the Colorado River and its tributaries;
- iii. Making findings as to the quantity of water of the Upper Colorado River System used each year in the Upper Colorado River Basin and in each Upper Basin State;
- iv. Making findings on the quantity of water deliveries at Lee Ferry during each water year;
- v. Making findings as to the necessity for and the extent of the curtailment of use required, if any; and
- vi. Performing all functions required by the Compact and doing all things necessary, proper and convenient in the performance of its duties either independently or in cooperation with any state or federal agency;

WHEREAS, the Colorado River Storage Project Act (CRSP Act) and the Colorado River Basin Project Act authorized the Secretary of the Interior to construct and operate initial units consisting of Glen Canyon, Flaming Gorge, Curecanti (Aspinall), and Navajo, to, among other things, allow Colorado, New Mexico, Utah and Wyoming (collectively, the "Upper Division states") to utilize their share of the Colorado River and meet their obligations at Lee Ferry under the Colorado River Compact;

WHEREAS, Lake Powell serves as the primary storage facility for the Upper Division states to ensure ongoing compliance with the Colorado River Compact without curtailment of annual consumptive uses in the Upper Basin;

WHEREAS, the period 2000 to 2014 constituted the most severe 15 year drought in the long history of recordkeeping for the Colorado River Basin, leading to marked fluctuations in water elevations and low storage at Lake Powell and contributing to sustained decreases in water elevations and storage at Lake Mead;

WHEREAS, the seven (7) Colorado River Basin states met with the Secretary of the Interior in June 2013 to discuss the status of the Colorado River reservoir system and initiate a process for investigating mitigation actions that might be taken in response to drought;

WHEREAS, the Upper Division states, through the Commission, have been working in parallel with the Lower Division states (Arizona, California, and Nevada) and in conjunction with the Department of the Interior to explore, develop and implement drought contingency options to avoid reaching critical reservoir elevations at either Lake Powell or Lake Mead;

WHEREAS, hydropower generated from Lake Powell provides stability for the Western Power Interconnection and funding for operation and maintenance of the primary CRSP Act units and for environmental and development programs throughout the Upper Basin;

WHEREAS, if water elevations at Lake Powell reach minimum power pool levels, water supply and development for consumptive and non-consumptive uses in the Upper Basin and power supply options for the Western Area Power grid could be compromised; and

WHEREAS, the Commission desires to be prepared to mitigate the adverse effects of severe drought in the event that such extreme conditions continue to persist into the future.

NOW, THEREFORE, BE IT RESOLVED that, considering the recitals outlined above, the Commission intends to work expeditiously in tandem with the Lower Division states and the Department of the Interior to develop an Emergency Upper Basin Drought Contingency Plan for purposes of prudent water management consistent with the Colorado River and Upper Colorado River Basin Compacts;

BE IT FURTHER RESOLVED that as part of the Emergency Upper Basin Drought Contingency Planning process, the Commission commits to:

- i. Employ best efforts to expand both the geographical and temporal extent of weather modification programs within the Upper Division states to help boost snow accumulation and system water in the Upper Colorado River Basin. In furtherance of this effort, Colorado, Wyoming and Utah have and will continue working to try to secure additional funds to continue and expand weather modification programs to enhance runoff through weather modification in appropriate areas.
- ii. Develop and finalize a uniform plan to extend and coordinate operations of the initial units authorized under the CRSP Act to:
 - a. Help avoid or mitigate impacts from Lake Powell reaching the critical, minimum power pool elevation;
 - b. Reduce any long-term risk of impairing annual consumptive uses due to compact curtailments in the Upper Basin; and
 - c. Recover storage in the CRSP units as quickly as practicable consistent with the Colorado River and Upper Colorado River Basin Compacts as well as other applicable state and federal laws.

To further this effort, the Commission's engineering and legal committees will continue to work with the Federal Government and interested stakeholders to identify strategies and mechanisms for extending operations at the initial CRSP units in a manner consistent with existing technical understandings and legal constraints ; and

- iii. Explore the feasibility of developing and employing temporary, voluntary, compensated demand management program(s) within the Upper Basin in a manner that helps reduce consumptive uses, if and when needed, to protect against impacts from Lake Powell reaching critical elevations and to help ensure ongoing compliance with the Colorado River Compact without impairing the right to exercise any existing water rights in the future. To inform this investigation, the Commission will, among other things:
 - a. Consider basin wide approaches such as the 2012 Colorado River Basin Supply and Demand Study and its Next Steps Process;
 - b. Support pilot programs such as those contemplated under the July 30, 2014 System Conservation Agreement; and
 - c. Support intrastate efforts to explore demand management mechanisms within each of the Upper Division states.

BE IT FURTHER RESOLVED that the Commission hereby directs its staff to work in an expeditious manner with the Upper Division states' respective engineering and legal advisers to finalize each element of the final Emergency Upper Basin Contingency Plan for Commission review and approval before the need for such plan to be implemented arises.

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