



November 13, 2020

Ms. Carly Jerla
Mr. Malcolm Wilson
7.D. Review Managers
Boulder Canyon Operations Office
United States Bureau of Reclamation
PO Box 61470
Boulder City, NV 89006

Via email: 7DReview@usbr.gov

Re: Comments on U.S. Bureau of Reclamation's 7.D. Review draft Report

Dear Ms. Jerla and Mr. Wilson:

I write to submit comments on behalf of the Pacific Institute on Reclamation's October 2020 draft *Review of the Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead* ("7.D. Review"). The Institute submitted comments on the scope of this report and participated actively in the development of the Interim Guidelines.

We commend both the 7.D. Review itself and the collaborative efforts of Colorado River basin stakeholders to develop the guidelines and meet the tremendous challenge of delaying Lower Basin shortage declarations despite the continuing aridification of the Basin. As shown in Figure 2 in the draft, the implementation of the Interim Guidelines allowed for innovative investments and conservation and storage that increased the elevation of Lake Mead by 35 feet. This is a remarkable achievement. Unfortunately, averting a crisis rarely receives the recognition or public attention that would have occurred had shortages been declared and users been curtailed.

The 7.D. Review documents this achievement and demonstrates the benefits of collaboration and science-based decision-making. The 7.D. Review provides an excellent summary of changing conditions in the Basin and Reclamation's operational experience. The 7.D. Review, including Appendix A, will be a useful resource as the Interim Guidelines are renegotiated and offer an excellent overview of Reclamation's modeling experience and the lessons learned from the development of the Interim Guidelines and the Drought Contingency Plans, including the need to include the tribes and other stakeholders in the decision-making process. Appendix A provides an invaluable summary of annual conditions and operations. The 7.D. Review overall demonstrates the value of retrospective assessments: we encourage Reclamation to conduct similar assessments every ten years.

However, the 7.D. Review glosses over the controversy and challenges encountered during the negotiation of the Lower Basin DCP. The failure to acknowledge the concerns raised by the largest contractor on the River limits the value of this Review and hinders understanding of potential controversies that could arise during the renegotiation of the Interim Guidelines. We encourage Reclamation to acknowledge these challenges in Sections 4.4 and 6.3 of the final report and reflect on

the transparency of the development of the Interim Guidelines relative to the lack of transparency during the development of the Lower Basin DCP (with the notable and valuable exception of Arizona).

We also note that the precision and accuracy and attention paid to Reclamation's operational experience under the Interim Guidelines belies the significant uncertainty around water use in the Basin. While we understand that basin accounting as a whole lies beyond the scope of the 7.D. Review, the rigor reflected in the draft could mislead a general reader into thinking that actual consumptive use of Basin water is well documented and well understood. As we noted in our scoping comments, the most recent, finalized Consumptive Uses & Losses report for the basin ends in the year 2005. [The Upper Basin website](#) currently posts no report at all for the years 2006-2010 – a period that includes three years assessed by the 7.D. Review. The continued absence of this critically important context diminishes the value of the 7.D. Review itself.

The Brock Reservoir Summary Report – due at the end of 2017 yet apparently still not finalized – limits our understanding of the operational effectiveness and system efficiency benefits of Brock Reservoir itself. Please finalize and distribute the Brock Reservoir Summary Report.

Congratulations to you and your team for producing a clear and valuable summary and evaluation of Reclamation's operational experience under the Interim Guidelines.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Cohen", with a stylized flourish at the end.

Michael Cohen
Senior Associate
Pacific Institute