

# MONTHLY REPORT TO THE COLORADO RIVER BOARD OF CALIFORNIA

December 14, 2021

## ADMINISTRATION

The proposed calendar-year 2022 Board meeting schedule is included in the Board packet for consideration and adoption at the December Board meeting.

## COLORADO RIVER BASIN WATER SUPPLY CONDITIONS REPORT

As of December 6<sup>th</sup>, the surface water elevation at Lake Powell was 3,541.11 feet with 6.97 million-acre feet (MAF) of storage, or 29% of capacity. The surface water elevation at Lake Mead was 1,065.08 feet with 8.81 MAF of storage, or 34% of capacity. As of December 5<sup>th</sup>, the total system storage was 22.24 MAF, or 37% of capacity, which is about 5.57 MAF less than the total system storage at this same time last year.

As of December 6<sup>th</sup>, the Upper Basin reservoirs, excluding Lake Powell, were 67% of capacity at Fontenelle Reservoir in Wyoming; 78% of capacity at Flaming Gorge Reservoir in Wyoming and Utah; 94% of capacity at Morrow Point, and 27% of capacity at Blue Mesa Reservoir in Colorado; and 52% of capacity at Navajo Reservoir in New Mexico.

As of December 1<sup>st</sup>, the November 2021 observed Lake Powell inflow was 0.35 MAF (83% of normal), and the December 2021 forecast Lake Powell inflow is 0.24 MAF (75% of normal). The preliminary forecasted unregulated inflow into Lake Powell for Water Year (WY) 2022 is 6.27 MAF (65% of normal). The forecasted April through July 2022 unregulated inflow into Lake Powell is 4.12 MAF (64% of normal). To date, WY-2022 precipitation is 82% of normal and the current Basin snowpack is 49% of normal.

### Status of 2022 Colorado River Annual Operating Plan

The post-final Consultation draft of the 2022 Annual Operating Plan (AOP) has been posted to the Bureau of Reclamation's (Reclamation) website. As part of the AOP process, Reclamation hosted three stakeholder meetings during the fall and summer to review and receive comments associated with the draft AOP. Currently the final Consultation draft is undergoing final review and expected approval by the Secretary of the Department of the Interior. The final consultation

draft of the 2022 Annual Operating Plan for Colorado River Reservoirs can be accessed and viewed online at:

[https://www.usbr.gov/lc/region/g4000/AOP2022/2022AOP\\_2021-11-03\\_Post-Final-Consultation.pdf](https://www.usbr.gov/lc/region/g4000/AOP2022/2022AOP_2021-11-03_Post-Final-Consultation.pdf)

## **COLORADO RIVER BASIN PROGRAM UPDATES**

### Colorado River Basin States Activities

#### *Upper Basin Drought Response Operations Plan for CY-2022*

Both the Upper and Lower Basin states continue working on important activities addressing ongoing drought conditions in the Basin. The Upper Basin states and Reclamation's Upper Colorado Region Office are focusing efforts on development of a Drought Response Operations Agreement (DROA) plan for calendar-year (CY) 2022 pursuant to the Upper Basin Drought Contingency Plan (DCP). The CY-2022 drought operations could implement additional releases of water from up-stream facilities above Lake Powell to further protect critical elevations in Lake Powell (e.g., elevations 3,525 feet or 3,490 feet). Currently, the expectation is that the Upper Basin states and Reclamation CY-2022 DROA plan would be finalized by April 2022. The Lower Basin States are expected to receive a draft of the plan for review and comment.

#### *Lower Basin States 500+ Plan*

The Lower Basin States have reached agreement on the key terms of the "500+ Plan," which seeks to store an additional 500,000 AF of water in Lake Mead in both 2022 and 2023. The basic tenets of the plan include the following:

- Conservation and storage of 500,000 acre-feet in Lake Mead in each of calendar-years 2022 and 2023;
- Contributions from Lower States and water users totaling \$100 million to help fund the proposed water conservation activities;
- Involvement of the United States in creating conserved water supplies and providing up to \$100 million for water conservation activities; and
- Explore opportunities for the implementation of additional water conservation activities in Mexico under existing Minute No. 323 authorities.

A memorandum of understanding (MOU) is expected to be signed by participating parties in the Lower Basin during the mid-December Colorado River Water Users Association (CRWUA) conference to memorialize the primary elements of the Lower Basin 500+ Plan outlined above.

## **GENERAL ANNOUNCEMENTS AND UPDATES**

### California Department of Water Resources Announces Initial State Water Project Allocation

On December 1<sup>st</sup>, the California Department of Water Resources (DWR) announced that due to sustained and severe drought conditions, the initial State Water Project (SWP) allocations will be set at 0% and will be limited to health and safety needs. Specifically, DWR will prioritize water supplies to address health and safety, Delta salinity control, endangered species, storage reserves, and if statewide hydrology improves, additional water supply allocations to contractors. The status of SWP allocations will be updated monthly as hydrologic conditions are assessed. It is anticipated that the final allocation will be determined by DWR in the May or June time frame.

### Seven States Modeling Team Meetings

Technical staff from the seven basin states and Reclamation are meeting regularly to identify and implement technical updates to the modeling tools used to support planning and decision-making in the Colorado River Basin. Some of the important activities underway include a review by Reclamation of the Lower Basin State's Colorado River Mid-Term Modeling System (CRMMS) modeling to support the Lower Basin 500+ Plan, CRMMS updates to support the Upper Basin Drought Operations Agreement (DROA) plan and improving how upper basin shortages and transbasin diversions may be included in the Colorado River Simulation System model (CRSS). Reclamation is targeting April 2022 to complete many of these technical improvements.

### Virtual Conference - Seizing the Drought: Water Priorities for Our Changing Climate

The Public Policy Institute of California held three one-hour mini seminars on coping with California's drought and achieving water resiliency. Each one-hour session was comprised of a diverse group of experts to discuss how to tackle the highly disruptive effects of climate change on our water system and immediate actions we can take to boost the state's resilience. In his remarks during the third session, MWD General Manager, Adel Hagekhalil, highlighted the need for diverse interests to coexist and have a common vision. Speaking to challenges among interests in the Bay-Delta and Colorado River basins he stated, "For us to run a marathon, we can't have all that weight on us. It's a marathon, it's not a sprint." Recordings of each session are available at the link below.

<https://www.ppic.org/event/seizing-the-drought-water-priorities-for-our-changing-climate/>

### Reclamation conducts aerial survey of the lower Colorado River

Reclamation is conducting an aerial survey of the lower Colorado River and mainstream reservoirs from Hoover Dam to the international border with Mexico, between November 21, 2021, and December 20, 2021, to collect high resolution topographic and bathymetric data. Data collected from this work will inform planning, operations, and analyses across multiple Reclamation and Colorado River management programs.

### Washington, D.C. Report

#### *Appropriations*

Last week, the U.S. Congress enacted an 11-week stop-gap spending measure, known as a continuing resolution, which will keep the government funded at levels set almost a year ago, until February 18, 2022. Congressional leadership hope that this funding patch will buy enough time to strike a deal to fully fund the military and non-defense agencies at updated levels.

#### *Infrastructure*

On November 15th, President Biden signed the \$1.2 trillion Infrastructure Investment and Jobs Act into law. Though large, the funding doesn't come all at once. It includes \$550 billion of new non-highway funding over five years. One-tenth of that — \$55 billion — goes to clean water and drinking water, including about \$15 billion for lead service line removal. Separately, there is \$8.3 billion to respond to drought in the western states, \$2.5 billion for tribal water rights settlements, and \$16 billion to clean up polluted sites such as abandoned wells and mines. Reclamation received significant funding from the bill and is required to submit a proposed spending plan to the Congress outlining how it intends to spend its share of the funding by January 15, 2022.

#### *Reclamation Infrastructure Act Spending Plan Listening Sessions*

The Bureau of Reclamation is holding a series of webinars on its implementation of the bipartisan infrastructure law. There will be three paired sessions (one for Tribes followed by one for stakeholders) covering different sections of the bill, occurring on Friday, December 10th, Friday, December 17th, and Friday, January 7th.

### *Status of the Administration's "Build Back Better" Act*

On November 19th, the House passed the Build Back Better Act – President Biden's \$1.75 trillion social spending bill – along a party line vote. The Build Back Better Act now awaits action in the Senate where it is expected that the House passed version will be modified to accommodate Senators Manchin (D-WV) and Sinema (D-AZ) and address any outstanding concerns from the Senate Parliamentarian. Democratic House and Senate leadership is seeking to pass the bill before Christmas. The Build Back Better Act includes \$100 million for large-scale water reuse and \$100 million for Salton Sea restoration.

### *Off-Reservation Leasing of Tribal Colorado River Water in Arizona*

Arizona U.S. Senators Kyrsten Sinema and Mark Kelly introduced legislation that would allow the Colorado River Indian Tribes (CRIT) to lease water for use in Arizona off reservation. The bill, S. 3308, is known as the Colorado River Indian Tribe Water Resiliency Act.

CRIT has one of the largest and most secure claims to Colorado River water in the state, but it cannot send conserved supplies from that allocation to users elsewhere in the state without Congress's approval. The move is designed to be mutually beneficial to both the CRIT and water users in Arizona seeking additional water supply certainty and reliability. CRIT, whose lands are along the river in western Arizona, would be compensated for leasing its water to cities or farms at a time when Arizona is facing cutbacks in Colorado River water use.

The legislation states that leases must not exceed one hundred years and must be approved by the Secretary of the Interior. It also allows leased water to be stored underground. In Arizona, tribes that receive Colorado River water from the Central Arizona Project canal are allowed to lease their water. Several tribes have done so, including the Gila River Indian Community, which signed a \$27.6 million agreement with Phoenix in 2008. Under the 100-year lease, the tribe provides 15,000 acre-feet per year to the city.

### *USEPA Reinstates the Pre-2015 WOTUS Definition*

The U.S. Environmental Protection Agency proposed restoring the pre-2015 definition of which water bodies have federal protection under the Clean Water Act. Doing so would take the definition back to an era before the Obama and Trump administrations attempted to clarify the regulatory reach of the landmark law. The EPA and U.S. Army Corps of Engineers (USACE) noticed a proposed rule in the *Federal Register* on December 7, 2021, with a 60-day comment period that will close on February 7, 2022.

The Biden administration is in the early stages of its own endeavor to answer one of the most notorious questions in U.S. environmental law. The EPA and USACE are still conducting public outreach. A series of “regional roundtables” is slated to be held early in 2022.

*U.S. Administration Directs Federal Government to Reach Net-Zero by 2050*

President Biden signed an executive order on December 8, 2021, requiring the federal government to neutralize its own greenhouse gas emissions stemming from its electricity usage, vehicle fleets, buildings, operations, and procurement activities by 2050.

Biden previously pledged to slash overall U.S. emissions at least 50 percent compared with 2005 levels this decade and to hit net-zero emissions economywide by 2050. The new executive order aims to move closer to achieving these goals by directing the federal government to use its scale and procurement power to achieve emissions reductions.

**In Memoriam—Franz De Klotz**



Board staff recently learned of the passing of former alternate Board member Franz De Klotz who represented the Coachella Valley Water District. Mr. De Klotz served on the Colorado River Board of California from 2012-2014. The Board and staff offer their sincere condolences to Mr. De Klotz’s family and to the staff at the Coachella Valley Water District.

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