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The Basin States’ Interim Operating Alternative  
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In January of 2000 Lake Powell held 23 million acre-feet (maf) of water and was at elevation 3692. By January 1, 2005 Lake Powell had dropped to 9.1 maf and was at elevation 3555. This was a decrease in storage of 14 maf and a drop in elevation of almost 140 feet. This five-year time frame is the driest five years on record in the Colorado River Basin.

The drought caused both the Upper and Lower Basin States to petition the Secretary of Interior to operate the reservoirs differently. In the fall of 2004 the Upper Basin States requested a mid-year review of the 2005 Annual Operating Plan and suggested to the Secretary she consider reducing the amount of releases from the Upper Basin to the Lower Basin from the traditional 8.23 maf to something less if the drought continued. The Lower Basin States argued the Secretary did not have the authority to change the Annual Operating Plan in the middle of the year, and therefore, must release 8.23 maf.

The Secretary considered both the position of the Upper and Lower Basin and concluded she had the authority to make a mid-year correction in the release pattern, but due to the record setting snow pack and rain in the southwest she was not going to make any changes to the 2005 Annual Operating Plan.

As the Basin States continued to disagree over the wording of the 2006 Operating Plan, the Secretary announced in May 2005 she was going to prepare an Environmental Impact Statement (EIS) for the proposed Colorado River Reservoir Operations: “Development of Lower Basin Shortage Guidelines and Coordinated Management Strategies for Lake Powell and Lake Mead under Low Reservoir Conditions.”

The Secretary then challenged the seven Basin States to work together and present to her an alternative acceptable to all seven states for her to include in the EIS she had instructed the Bureau of Reclamation to prepare. She indicated that unless the states could have an alternative to her by February of 2006 she would develop her own alternative and begin the EIS process with the intent of issuing a Record of Decision in December, 2007.

The Basin States began to meet, and in early January of 2006, came to a tentative agreement on an alternative to submit to the Secretary. On January 30 and 31, 2006 the states met again to finalize the alternative to submit to the Secretary of Interior. The alternative was sent to the Secretary on February 3, 2006. I believe this has the potential to be an historic document and some day we will all look back and say it was a good thing for the Basin.

The agreement will not replace the current “Law of the River,” but rather attempts to reflect the current needs and realities. The agreement is interim in nature and is scheduled to terminate in 2025, but can be extended with the agreement of the Basin States.

The agreement provides for the coordinated operation of Lakes Powell and Mead during times of low reservoir conditions and attempts to manage Lakes Powell and Mead to minimize shortages in the Lower Basin and avoid curtailment in the Upper Basin. It identifies actions the Lower Basin States can take to conserve water. It recommends a specific proposal for implementing shortages in the Lower Basin. Finally, it recognizes the need to look out of the Basin for additional water supplies to meet future growth needs in the Lower Basin.
During the development of the alternative the Basin States tried to minimize the impacts to the various users including recreation and hydro-power generation. If the Secretary adopts the Basin State proposal, the Lower Basin States and Mexico will begin taking shortages when Lake Mead drops to elevation 1075. At that elevation they will take a 400,000 acre-feet shortage in annual water deliveries. If the lake drops to elevation 1050 the Lower Basin will take 500,000 acre-feet in annual shortages. At elevation 1025 the Lower Basin takes 600,000 acre-feet in shortages yearly. If Lake Mead is forecasted to drop below elevation 1000 the states have agreed to again consult with the Secretary of Interior on the amount of shortages to be taken in the Lower Basin.

During the same time if Lake Powell drops below the designated elevation the Upper Basin will release water downstream. If Lake Mead drops, the Upper Basin is required to release more water downstream.

The benefits of the interim guidelines to the Lower and Upper Basin are as follows:

**Lower Basin**

- The probability of Lake Mead going below elevation 1050 drops from 38% to 26%.
- The probability of Lake Mead going below elevation 1000 drops from 15% to 3%.
- The magnitude of the shortages in the Lower Basin decreases greatly.
- Creation of a new category of water called “intentionally created surpluses.”

**Upper Basin**

- There will be peace on the River for 20 years.
- The Upper Basin will have 20 years to develop its remaining Colorado River allocation without opposition from the Lower Basin.
- The likelihood of the Lower Basin calling on the Upper Basin is reduced.
- Pushes the Lower Basin to look outside of the Colorado River Basin for water to meet its future needs.

The Secretary of Interior currently has the states’ proposal and is beginning the process to prepare an EIS. The draft EIS is due out in late 2006 with the final EIS to be completed by mid-2007 and a Record of Decision issued in December of 2007. If the Secretary adopts the Basin States’ alternative in her Record of Decision, we have the opportunity to see peace on the River for at least 20 years.