



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 718  
Denver, CO 80203

P (303) 866-3441  
F (303) 866-4474

Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Rebecca Mitchell, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Amy Ost diek and Michelle Garrison

DATE: January 24, 2022

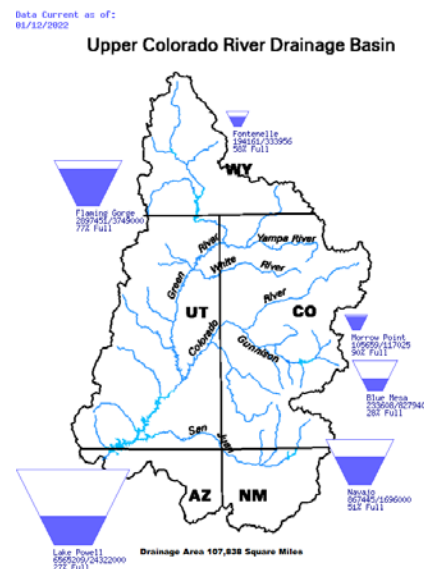
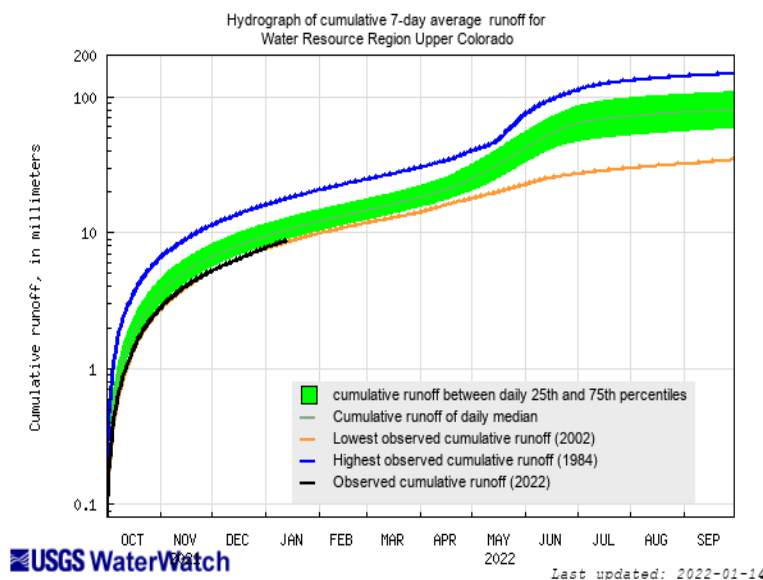
SUBJECT: Agenda Item 9: Colorado River Updates

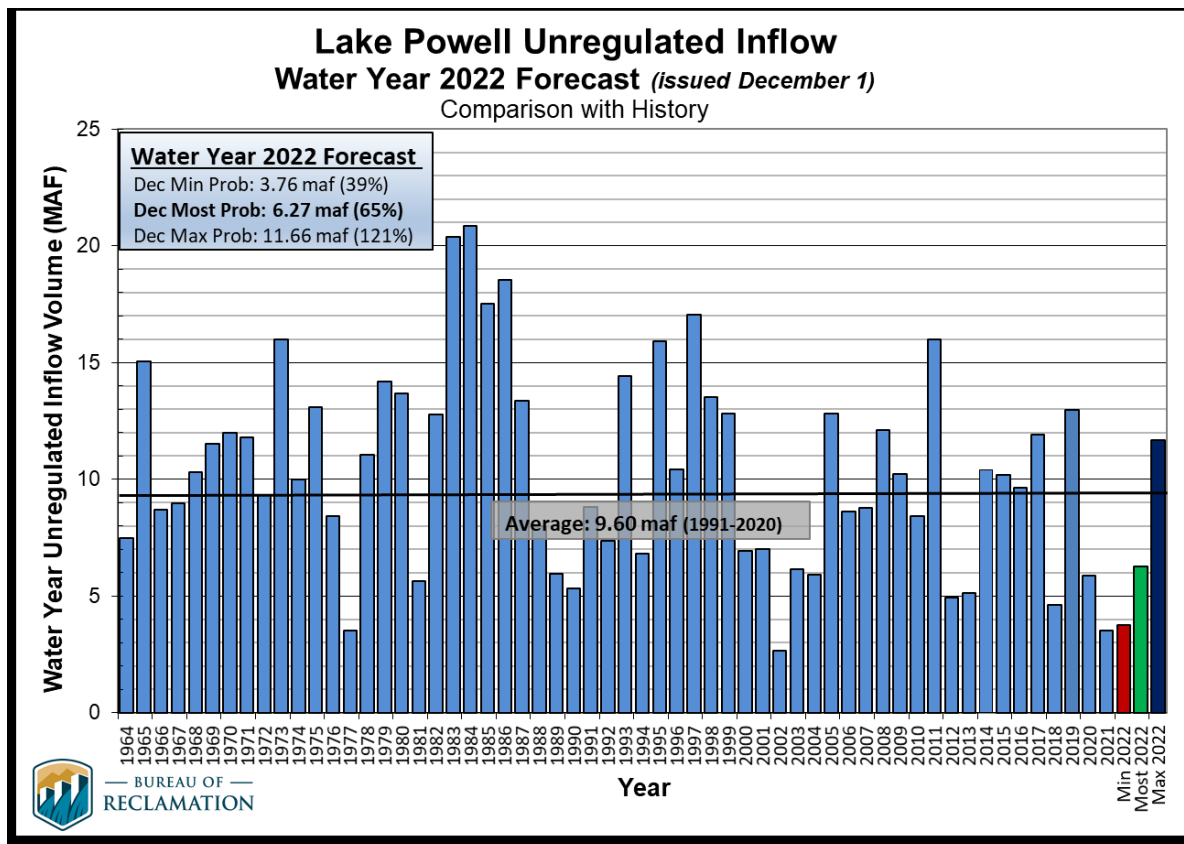
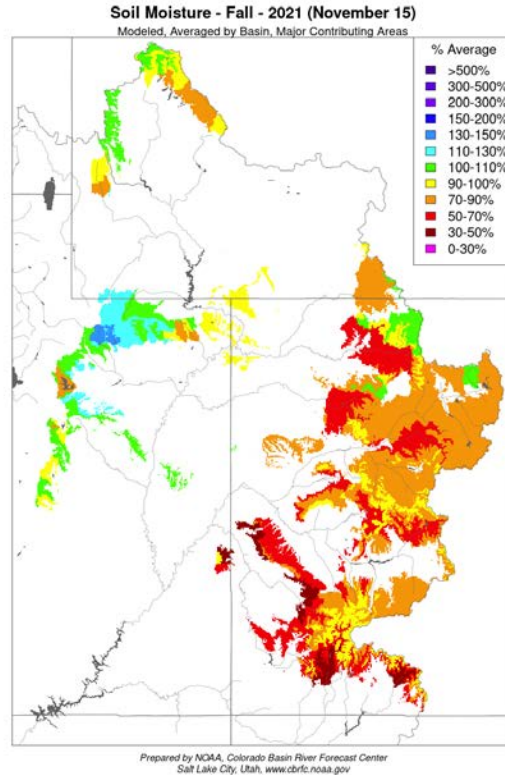
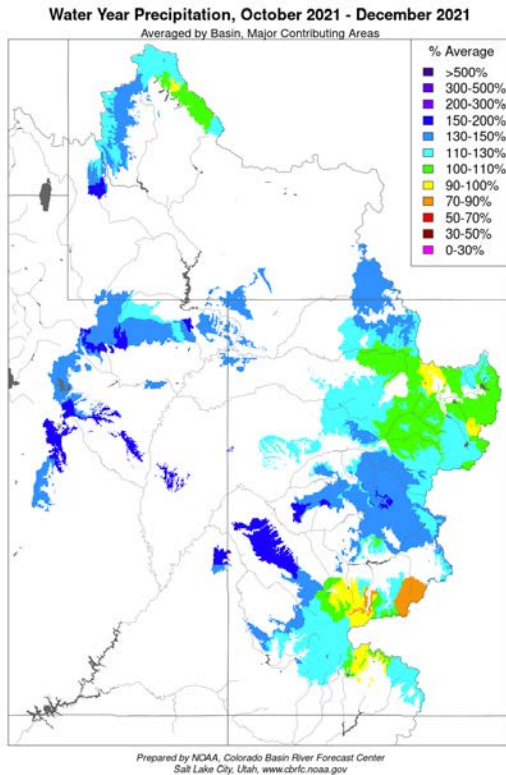
This is an informational item with no board action requested.

### 1. Hydrology and operations update

Inflow into Lake Powell in water year (WY) 2021 was the second lowest on record. Extremely dry soil moisture conditions combined with below average precipitation resulted in exceptionally low runoff throughout the Upper Colorado River basin. Drought conditions persist throughout the basin.

For WY 2022, precipitation has been above average in most parts of the basin. October and December were relatively wet, while November was dry. Modeled soil moisture conditions improved significantly from fall 2020, but remain below average for most of Colorado. Water supply forecasts for WY 2022 will therefore again project lower runoff from the snowpack.





Lake Powell released 8.23 MAF in WY 2021 and is releasing 7.48 MAF in WY 2022, as determined by Reclamation's August 2021 24-Month Study. Projected Lake Powell elevations triggered planning activities pursuant to the Upper Basin Drought Contingency Plan (DCP).

Lake Mead elevations triggered water conservation measures under the Lower Basin DCP and the Binational Water Scarcity Plan for calendar year 2021. For calendar year 2022, projected Lake Mead elevations from Reclamation's August 2021 24-Month Study will trigger Level 1 shortage conditions for the Lower Basin and reduced deliveries to Mexico pursuant to Minute 323 for the first time. Water conservation measures under the Lower Basin Drought Contingency Plan and Binational Water Scarcity Plan will also be required.

Staff will continue to actively monitor and provide updates regarding projections and discussions of potential impacts of continued dry conditions.

## **2. Drought Response Operations Agreement Implementation**

The Bureau of Reclamation recently announced its plan to hold 350,000 acre-feet of water back in Lake Powell that otherwise would have been released between January - April 2022. This will be done in an effort to protect critical elevations at Lake Powell and is being done pursuant to the "imminent need" provision of the Drought Response Operations Agreement. This will not impact the annual release volume, and additional releases will be made June - September 2022 to accommodate this operational change. Additionally, the Bureau of Reclamation will no longer make the previously-planned release of water from Navajo Reservoir pursuant to the "imminent need" authority. This brings the total imminent need releases from Upper Basin reservoirs to 161,000 acre-feet to date.

An initial draft of the Drought Response Operations Plan will be circulated to various groups in the coming weeks, with the goal of finalizing the plan by April 2022. Reclamation will facilitate a process to receive input. This framework document does not include specific information about hydrology and potential releases; this information will be added once more information is known about hydrologic projections. The plan will include elements required by the DROA, including a plan for recovery of water released, an analysis of effectiveness and potential futility of releases, and other matters as required by the Drought Response Operations Agreement.

## **3. Demand Management**

Following adoption of the decision-making roadmap at the September 2021 Board meeting, staff will provide an update on interstate and intrastate elements of the feasibility investigation.

At an interstate level, the three other Upper Division States are continuing their Demand Management feasibility investigations while also recognizing that implementation of the DROA has informed and will continue to inform the investigation. The work of the Upper Colorado River Commission will be ongoing through September 2022, and this will also inform the states' investigations. Colorado has progressed further in its feasibility investigation than other Upper Basin States.



#### **4. Federal Infrastructure Bill**

Congress recently gave final approval to a \$1.2 trillion infrastructure bill-the Infrastructure Investment and Jobs Act ("Act"). The act was signed into law by the president on November 15, 2021. Infrastructure Investment and Jobs Act, H.R. 3684, 117th Cong. (1st Sess. 2021). The Act provides major funding investments to core infrastructure needs throughout the country, including highways and roads, mass transit, rail, airports, ports and waterways, electric vehicle charging centers, energy and electricity grids, broadband connectivity, cybersecurity, and water.

Specific to water priorities, the Act provides \$8.3 billion for three main focus areas: (1) clean drinking water; (2) wastewater recycling; and (3) Western water infrastructure. Part of these funds includes \$50 million for Upper Basin Drought Contingency Plan (UBDCP) implementation. Colorado is coordinating with the other Upper Division States on a list of needs to advance the Upper Basin Drought Contingency Plan. Funding for water supply infrastructure will require matching funds and, in some instances, the funding will be available only for federal projects.

#### **5. Sovereign-to-Sovereign Engagement Framework**

At the meeting of the Colorado River Water Users Association in Las Vegas in December, Commissioner Mitchell announced her plan to develop a framework for sovereign-to-sovereign engagement with the Tribal Nations in Colorado. In recognition of their status as fellow sovereigns, this is a critical first step in the negotiation process relating to the post-2026 operational guidelines. Commissioner Mitchell and staff will meet with the Tribes in the coming weeks to begin this process.

#### **6. Intrastate Resiliency Toolkit**

At the November board meeting, staff was directed to initiate work on an "Intrastate Resiliency Toolkit," with the goal of developing a suite of potential mechanisms to improve drought resiliency across the state. These options would not be dependent upon the actions of other states, but could be designed to be appropriately responsive to interstate developments as needed. Water Supply Planning Section staff will join this portion of the agenda item to discuss initial ideas relating to the Toolkit concept.

