



Western States Water

Addressing Water Needs and Strategies for a Sustainable Future

682 East Vine Street / Suite 7 / Murray, UT 84107 / (801) 685-2555 / Fax 685-2559 / www.westernstateswater.org

Chair - Jennifer Verleger; Executive Director - Tony Willardson; Editor - Michelle Bushman; Subscriptions - Julie Groat

ADMINISTRATION/WATER RESOURCES

Corps/Infrastructure

On August 9, the Association of Metropolitan Water Agencies (AMWA) provided comments to the Army Corps of Engineers' (Corps) proposed rulemaking on Credit Assistance and Related Fees for Water Resources Infrastructure Projects (87 FR 35473). The Corps was soliciting comments for its new program to provide credit assistance funding under the Water Infrastructure Finance and Innovation Act (WIFIA) for maintaining, upgrading, and repairing certain non-federal dams identified in the National Inventory of Dams. The proposed rule described the policies and procedures the Corps would use for applications and loans. (See WSW #2509)

AMWA requested further guidance from the Corps on which projects are eligible for funding, creating a clearer list of eligibility criteria, providing a draft application for review, and examples of projects that would not be eligible. The comments also requested that the Corps work with the Environmental Protection Agency (EPA) to coordinate on overlapping project eligibility for their respective WIFIA programs, and provide information about whether credit assistance may be combined from both programs. Additionally, AMWA asked that the two agencies provide resources to help applicants understand the differences between the two programs and determine "which financing structure would best match a project's scope and needs."

Finally, AMWA requested guidance on defining economically disadvantaged communities, including specific metrics and how much weight is given to this criterion in the application process. They noted that their member utilities serve many "cities or counties with communities that experience low-income, persistent poverty, and/or high unemployment. These communities may not represent the full scale of a utility's service area but nonetheless would benefit from the utility's project and credit assistance."

For further information, contact Aaron Snyder, Corps Water Infrastructure Financing Team, at (612) 518-0355; or CWIFP@usace.army.mil.

DOI/Colorado River/Drought

On August 16, the Department of the Interior (DOI) set the 2023 operating conditions for Lake Powell and Lake Mead and announced further action to protect the long-term sustainability of the Colorado River system.

The USBR's August 2022, 24-month study projected that the January 2023 water surface elevations for Lake Powell would be 3,521.84 feet (38 feet above minimum power pool) and for Lake Mead would be 1,047.61 feet, triggering a Tier 2a shortage condition under the Drought Contingency Plan (DCP).

The Lower Colorado River Basin will take additional water delivery reductions: (1) Arizona will be reduced by about 21% of its annual apportionment, 592,000 acre-feet; (2) Nevada will be reduced by 8% of its annual apportionment, 25,000 acre-feet; (3) Mexico will be reduced by 7% of its annual allotment, 104,000 acre-feet; and (4) California is not yet required to reduce its water apportionment under the 2023 operating conditions.

In the Upper Colorado River Basin, drought operations were implemented to protect Lake Powell beginning in May 2022. The 2023 projections indicate that Lake Powell could release between 7 and 9.5 million acre-feet (maf), but upon further evaluation of hydrologic conditions in April 2023, DOI may limit releases (with a minimum of 7 maf) under Section 7.D of the 2007 Interim Guidelines to protect Lake Powell from declining below 3,525 feet by December 2023.

USBR's recent Protection Volume Analysis provides a range of further actions that may be needed to stabilize water surface elevations for future years, depending on future snowpack and runoff. The preliminary analysis considers two protection levels: (1) for Lake Powell, at 3,525' and 3,500'; and (2) for Lake Mead, at 1,020' and 1,000'. Additional water reductions to protect these levels may range from 600,000 acre-feet to 4.2 maf annually, depending on Lake Powell inflow.

The urgent actions USBR will be taking in the Upper Basin include: (1) administrative actions needed to authorize a reduction of Glen Canyon Dam releases

below 7 million acre-feet per year, if required to protect critical infrastructure at Glen Canyon Dam; (2) accelerate ongoing maintenance actions at Glen Canyon Dam and studies to determine and enhance projected reliability of the use of the river outlet works, commonly referred to as the bypass tubes, for extended periods; (3) support technical studies to ascertain if physical modifications can be made to Glen Canyon Dam to allow water to be pumped or released from below currently identified critical and dead pool elevations; (4) continue to work with the Basin States, Basin Tribes, stakeholders and partners to be prepared to implement additional substantial releases from Upper Basin Reservoirs to help enhance reservoir elevations at Lake Powell under the Drought Contingency Plan's Drought Response Operations Agreement; (5) invest in system conservation and voluntary agreements; and (6) consider other operational actions to establish flexibility in Upper Basin operations at USBR facilities.

In the Lower Basin, USBR will: (1) take administrative actions needed to further define reservoir operations at Lake Mead, including shortage operations at elevations below 1,025 feet to reduce the risk of Lake Mead declining to critically low elevations; (2) prioritize and prepare for additional administrative initiatives that would ensure maximum efficient and beneficial use of urban and agricultural water, and address evaporation, seepage and other system losses in the Lower Basin; (3) support technical studies to ascertain if physical modifications can be made to Hoover Dam to allow water to be pumped/released from elevations below currently identified dead pool elevations; (4) invest in system conservation and voluntary agreements; and (5) consider other operational actions to establish flexibility in Lower Basin operations at USBR facilities. See: <http://www.doi.gov/pressreleases/interior-department-announces-actions-protect-colorado-river-system-sets-2023>.

Responding to the August 2022 USBR 24-month study, Upper Colorado River Basin Commissioner Becky Mitchell (Colorado) stated: "The Colorado River Basin is facing unprecedented challenges, and the 40 million people who rely on this critical resource are depending on the Basin states and federal government to develop inclusive, sustainable solutions that protect the system and its infrastructure now and into the future. I am proud to say that the Upper Division States are meeting the moment with our 5-Point Plan, and our focus now turns to implementation, including additional conservation efforts to maximize efficiency in all sectors. However, this plan is ineffective without action in the Lower Basin. This will require leadership from the U.S. Department of the Interior through the U.S. Bureau of Reclamation, and bold action across the Basin. Downstream of Lake Mead and Lake Powell, depletions must come into balance with available supply. Colorado stands ready to work with

our partners in the Lower Basin, the U.S. Bureau of Reclamation, and the U.S. Secretary of the Interior as they make the difficult decisions that are necessary to sustain the system."

Columbia River/Treaty

On August 10-11, a U.S. delegation participated in the 13th round of negotiations with the government of Canada on the Columbia River Treaty. The U.S. delegation included representatives from: the Bonneville Power Administration; the U.S. Army Corps of Engineers, Northwestern Division; the U.S. Department of the Interior; and the National Oceanic and Atmospheric Administration (NOAA).

The U.S. State Department press release said: "The negotiating teams reviewed proposals developed by both countries to reach an agreed upon a modernized framework that incorporates flood risk management, hydropower coordination, ecosystem cooperation, and increased Canadian operational flexibility. This progress builds upon discussions in a series of meetings since resuming negotiations in December 2021."

NOAA/Climate Prediction Center

On August 18, NOAA's Climate Prediction Center (CPC) projected September-November precipitation outlook for most of the interior of the lower-48 states ranged from 33%-50% below normal, with temperatures 33%-70% above average across nearly the entire lower-48. (www.cpc.ncep.noaa.gov)

On August 11, CPC issued a La Niña Advisory, noting that it is expected to continue. "During the past month, below-average sea surface temperatures (SSTs) expanded across the central and eastern equatorial Pacific Ocean. The weekly Niño indices indicated renewed cooling.... Subsurface temperature anomalies also decreased rapidly in the past month, reflecting the reemergence of below-average subsurface temperatures across the east-central Pacific Ocean.... Low-level easterly wind anomalies and upper-level westerly wind anomalies persisted across most of the equatorial Pacific.... Overall, the coupled ocean-atmosphere system remained consistent with an ongoing La Niña."

The advisory continued: "The forecaster consensus, supplemented with the latest models from the North American Multi-Model Ensemble (NMME), concurs that La Niña is the most likely outcome during the fall and winter. While a majority of NMME models suggest that La Niña will transition to ENSO-neutral in January-March 2023, forecasters are split on this outcome.... In summary, La Niña is expected to continue, with chances for La Niña gradually decreasing from 86% in the coming season to 60% during December-February 2022-23."

The WESTERN STATES WATER COUNCIL is a government entity of representatives appointed by the Governors of Alaska, Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.