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## River official praises provisions in new deals

By DENNIS WEBB

The head of the Upper Colorado River Commission on Tuesday told a Grand Junction audience that proposed new interstate agreements contain important provisions aimed at helping fend off the short-term threats that drought poses to the region.

Amy Haas, the commission's executive director, says the centerpiece of the new deals from the perspective of Upper Colorado River Basin states is a provision providing for storage in Lake Powell and other Upper Basin reservoirs for water that might be conserved through any demand management program in the Upper Basin.

"There's no point in implementing and administering a program in the Upper Basin without that storage capacity," Haas said at the forum.

The event was hosted by the Grand Valley Water Users Association and hosted at Colorado Mesa University by CMU's Hutchins Water Center. It focused on drought contingency planning, demand management and the potential implications for Western Slope agriculture.

Importantly, Haas said, the newly reached agreements spell out that water conserved through a demand management program could be used only for purposes of complying with a 1922 river compact between upper and lower basin states. It wouldn't be subject to releases from Powell under the language of an interim agreement reached in 2007 that seeks to balance water levels between Powell and Lake Mead downstream.

Haas said it took heavy negotiations to obtain that assurance.

"I think that we were successful in that regard in terms of getting that concession from the Lower Basin," she said.

The Upper Colorado River Commission is an interstate agency that administers water from the river to Wyoming, Colorado, Utah and New Mexico, and works to ensure water is released to Lower Basin states and Mexico under the 1922 compact.

Thanks to a drought of nearly 20 years and the 2007 interim guidelines that don't expire until 2026, Upper Basin states are trying to take steps to keep water levels in Lake Powell from falling so low the reservoir is unable to send water downstream to meet the 1922 compact terms and continue producing hydropower. Failure to comply with the 1922 agreement would result in a compact call curtailing water use in Upper Basin states.

The recently released draft agreements, which officials say will require federal enabling legislation, include a drought contingency plan for Upper Basin states and another for Lower Basin states. A key aspect of the Upper Basin plan entails possible implementation of a demand management program if agreement can be reached between Upper Basin states.

The Colorado River District, a 15-county Western Slope entity, has been concerned that addressing the storage element now might pave the way for demand management before proper discussion has taken place on what parameters such a program should have. The district fears that demand management could end up primarily targeting West Slope agriculture. It wants any program to be limited to voluntary, temporary and compensated measures, with the impacts borne equally across varying regions of the state and water users.

The Colorado Water Conservation Board has directed its staff to develop a draft policy guiding development of any demand management program in the state.

"It will be voluntary, compensated and temporary," CWCB board member Steve Anderson, also general manager of the Uncompahgre Valley Water Users Association, said at Tuesday's forum.

"... I believe that a policy will be established that will allay the concerns that we've heard."

Haas said a key consideration will be how to pay for a compensated program. An Upper Basin pilot demand management program conserved some 22,000 acre-feet of water at a cost of about \$4.5 million through 2017, according to a report released earlier this year.

Haas called that "an expensive endeavor." She said a demand management program would need to conserve 200,000 to 500,000 acre feet of water to make a difference, and questions surround how to fund that.

"That's going to be a big discussion, something that we're going to have to embark on, I think, right away," she said.

Andy Mueller, general manager of the Colorado River District, pointed to potential funding sources that could include state and federal funding, and contributions from Lower Basin states and from nongovernmental organizations.

"There is uncertainty" regarding funding, he said. "We have a lot of work to do."

Robinson likewise called funding a big issue but he called the recently reached suite of proposed agreements "a huge win" for the Upper Basin.

"We gain storage essentially for free if it comes to pass," he said.

As for what a demand management program would consist of, "it's not spelled out as a recipe," he said. "That's up to the stakeholders to develop that recipe."

Haas said she has been encouraged over the course of negotiations with Lower Basin states that they have begun to acknowledge what's described as a structural deficit involving overuse of the Colorado River by downstream states. She believes that will benefit Upper Basin states when it comes to future water negotiations.

She also has been happy to see California be willing to agree to water-use reductions under the Lower Basin drought contingency plan, whereas in the past such reductions in the Lower Basin fell on the backs of just Arizona and Nevada, she said.

“I think that bodes well in terms of the future,” she said.

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