

Excess Water Agenda Number 3a

Proposed Policy Changes to Excess Water Management Submitted by: Environmental Defense Fund and American Rivers October 10, 2017

Environmental Defense Fund and American Rivers appreciate the opportunity to present two proposed policy changes to the CAWCD Board of Directors for consideration on the Excess Task Force. We recognize that excess water is produced, managed, and accounted for in several ways, depending on when the excess water becomes available. We also recognize and applaud the extraordinary efforts of CAWCD in recent years to shoring up Lake Mead's elevation through a number of programs, including decisions not to divert excess water to Central Arizona. Annual water orders must be placed by October 1 for delivery in the following calendar year. Once the orders are placed, staff develops an Annual Operating Plan that includes excess water (defined as water that is entitled but not ordered). The excess water is distributed according to the Access to Excess Policy, which was developed by the board and is implemented by staff. Once the delivery year begins, unused river water and turn-back water can become available and must be allocated swiftly.

We recognize the essential role that the CAWCD board plays in guiding water management decisions, especially during this time of increased droughts and looming shortages. In our study of the excess water cycle, we have noted several places where more detailed data reporting and greater involvement by the CAWCD board, could help direct excess water supplies towards stabilizing Lake Mead, in addition to meeting the needs of historic excess water users.

We therefore present two policy proposals to increase data reporting, data availability and CAWCD board engagement, within each stage of the excess water cycle.

Proposal #1 – Storage and Turn-Back Reporting Policy

CAWCD would report on excess water deliveries in a manner that more precisely identifies where both excess water and “operational water” is coming from (e.g. unused on-river water, turnback water, etc.) and if it is being remarketed or stored, where that is occurring (i.e. party contracting for it, or Lake Pleasant, SRP reservoirs, or underground storage).

Consistent with the existing Storage and Turn-Back policy, excess water resulting from turn-back of scheduled deliveries would be remarketed as currently permitted under CAP subcontracts. During the water delivery year, CAWCD would monitor and report each month the amount of turn-back water that has come available for remarketing and/or storage by CAWCD, and the identity of the parties turning back supplies and to whom supplies are remarketed.

Proposal #2 – Dry-year Excess Water Policy

The dry-year policy would modify parts of the existing Access to Excess policy (which would otherwise continue to apply), and would only come into effect during a year in which Central Arizona Project (a) plans to divert less than its entire available allocation to benefit storage levels in Lake Mead, or (b) is unable to divert its planned allocation due to a change in the amount of water available for diversion from the Colorado River or a system outage. The policy would govern disposition of both “Other Excess” (excess water available above the amount committed to the CAP agricultural pool) and intra-year excess water resulting from turn-back of scheduled water from CAP subcontractors and Agricultural Pool users.

- 1) “Other Excess” would not be offered for delivery to excess water users to the extent that CAP subcontractors and Agricultural Pool users have voluntarily committed in an agreement with CAWCD to reduce their CAP subcontract deliveries to facilitate the diversion of less than the full available CAP allocation from Lake Mead. (In other words, if parties were reducing their orders

to help Lake Mead, CAWCD would not increase excess deliveries in a manner that would take advantage of those reduced deliveries; however, this would not necessarily prevent excess water from being delivered if it was otherwise available).

- 2) Prior to the offer of any “Other Excess” for the upcoming water year, CAWCD would review the most recent 24-Month Study issued by the U.S. Bureau of Reclamation, and would make an assessment as to the potential effect of the delivery of such “Other Excess” on Lake Mead elevations during (at least) the period of the Study. The board would express a preference against offering “Other Excess” if there is a significant risk of shortage within the period of the Study, or if the delivery of “Other Excess” is likely to result in a materially increased risk during a subsequent water year.
- 3) To the extent that turn-back excess water is not remarketed, this water could be directed to storage in Lake Pleasant, in the SRP system via exchange, or to underground storage facilities, or else could be left on the Colorado River for the benefit of Lake Mead, as operational considerations might dictate. However, if the volume of turn-back water available for storage use would exceed the amount of water that had been removed from storage in a previous year, the presumption would be that such accruals should be left in Lake Mead, unless the Board determined that an alternative disposition is merited based on operational considerations, rate impacts, etc.