



**Governors □ Representatives on Colorado River Operations
States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and
Wyoming**

June 3, 2011

Via E-Mail

Honorable Michael L. Connor
Commissioner
Bureau of Reclamation
1849 C Street, N.W.
Washington, DC 20240

Larry Walkoviak,
Regional Director,
Upper Colorado Region
Bureau of Reclamation
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Lorri Gray-Lee
Regional Director,
Lower Colorado Region
Bureau of Reclamation
P.O. Box 61470
Boulder City, NV 89006

Re: Intent of the Colorado River Basin Water Supply and Demand Study

Dear Commissioner Connor, Regional Director Walkoviak, and Regional Director Gray-Lee,

As you know, the seven Colorado River Basin States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, including certain water management authorities and irrigation and water districts in these states (collectively referred to as the Basin States) have partnered with the Bureau of Reclamation (Reclamation) to conduct the *Colorado River Basin Water Supply and Demand Study* (Basin Study). In addition, the Upper Colorado River Commission (Commission) has provided in-kind services and feedback in support of the Study. Through this letter, the Basin States and Commission document and confirm our intent in conducting the Basin Study. We further request that Reclamation clarify and confirm the extent to which its intended purposes for the Basin Study are consistent with those identified below.

The Basin States agreed that Reclamation may utilize the Basin Study to meet portions of the Secure Water Act, which was Subtitle F of the Omnibus Public Land Management Act of 2009. The Basin Study's purpose is to define current and future imbalances in water supply and demand in the Colorado River Basin and the adjacent areas of the Basin States that receive Colorado River water for approximately the next 50 years, and to develop and analyze adaptation and mitigation strategies to resolve those imbalances. Paramount to the Basin Study is an assessment of the potential impacts of drought and climate variability on water supplies and demands throughout the Colorado River Basin and the risks to Basin resources. Resources include water allocations and deliveries consistent with the apportionments under the Law of the River; hydroelectric power generation; recreation; fish, wildlife, and their habitats (including candidate,

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threatened, and endangered species); water quality including salinity; flow and water dependent ecological systems; and flood control.

In the future, the Colorado River Basin will be faced with a potential decrease in water supplies and increasing water demands that exacerbate water planning and management issues throughout the Colorado River system. Paleoclimatic studies reveal that severe and persistent droughts have the potential to plague the Basin in the future. Other studies have also postulated that climate change could further reduce the yield of the Colorado River. Meanwhile, the Basin States include some of the fastest growing urban and industrial areas in the United States.

In the past, uncertainties associated with water supply and demand dichotomies like those described above would give rise to interstate disputes and controversy. The Basin States and Commission view the Basin Study as the next critical step to avoiding such conflict. Specifically, the Basin States and Commission intend the Basin Study to serve as a systematic, technical assessment of existing and projected water conditions and potential water management options and strategies for the Basin. To this end, we regard the Basin Study as a technically-oriented investigation that is designed to incorporate the most recently available science, engineering and technology to provide an appraisal level study of the Basin. Armed with this information, we hope the Basin Study will help provide a scientific foundation upon which innovative solutions to Colorado River water management can be informed.

The Basin States and Commission also intend the Basin Study to play an important role in furthering the collaborative relationship that has proven essential to addressing the complex water supply and demand issues in the Colorado River Basin. In particular, the Basin States and Commission intend for the Basin Study to proceed in a manner that improves cooperation and communication and avoids circumstances which could otherwise form the basis for claims or controversies among the States and the federal government.

To further these technical and collaborative objectives and in light of the initial interim status report that is soon to be completed as part of this effort, the Basin States and Commission also wish to memorialize and clearly articulate the following positions with regard to our participation in the Basin Study:

First, our participation in and/or support for the Basin Study does not represent a waiver or relinquishment of any claims or defenses under existing federal or state law, including without limitation the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, Treaty Between the United States of America and Mexico (Treaty Series 994, 59 Stat. 1219), the United States/Mexico agreement in Minute No. 242 of August 30, 1973, (Treaty Series 7708; 24 UST 1968) or Minute No. 314 of November 26, 2008, or Minute No. 318 of December 17, 2010, the Consolidated Decree entered by the Supreme Court of the United States in Arizona v. California (547 U.S 150 (2006)), the Boulder Canyon Project Act (45 Stat. 1057), the

Boulder Canyon Project Adjustment Act (54 Stat. 774; 43 U.S.C. 618a), the Colorado River Basin Project Act of 1968 (82 Stat. 885; 43 U.S.C. 1501), the Colorado River Basin Salinity Control Act (88 Stat. 266; 43 U.S.C. 1951), the Hoover Power Plant Act of 1984 (98 Stat. 1333), the Colorado River Floodway Protection Act (100 Stat. 1129; 43 U.S.C. 1600), or the Grand Canyon Protection Act of 1992 (Title XVIII of Public Law 102-575, 106 Stat. 4669), and any other applicable provision of federal law, rule, regulation, or guideline (Law of the River). Neither the Basin Study nor any reports generated during the Study, including but not limited to interim status reports shall be construed as interpreting, diminishing or modifying the rights of the Federal government, Commission or any Basin State under existing law;

Second, our role in the Basin Study does not reflect an endorsement of its content or results except as may be explicitly stated by an authorized representative of the respective States or Commission;

Third, regardless of any endorsement, nothing in the Basin Study process, including but not limited to any reports generated during the Study, may be utilized against a Basin State, the Commission or the federal government in any subsequent dispute to establish legal or factual positions or interpretations regarding the Law of the River; and,

Fourth, notwithstanding the content or results of the Basin Study, including but not limited to any reports generated during the Study, we continue to affirm the entitlement and right of each Basin State under existing law to use and develop the water of the Colorado River system.

The Basin States and Commission have been working with the understanding that Reclamation's goals and intentions for the Basin Study are similar to our own. However, we ask that you confirm the extent to which the federal government's intentions for the Basin Study are consistent with those expressed in this letter to facilitate the Study's continued progress. In the mean time, we appreciate your diligent efforts and those of your staff in developing, conducting, and finalizing the various phases of the Basin Study, and look forward to furthering our collaborative relationship in the future.

Regards,

[Signatures on following page]



United States Department of the Interior

BUREAU OF RECLAMATION
Washington, DC 20240

IN REPLY REFER TO:

JUN 06 2011

Via E-Mail

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Mr. Dana "Bart" Fisher, Jr.
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Mr. Dennis Strong
Director
Division of Water Resources
State of Utah
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Ms. Sandra Fabritz-Whitney
Acting Director
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, AZ 85012

Re: Intent of the Colorado River Basin Water Supply and Demand Study

Dear Mr. Salo, Mr. Antonio, Ms. Mulroy, Mr. Fisher, Ms. Gimbel, Mr. Strong, Mr. Tyrrell, Ms. Fabritz-Whitney:

I am writing in response to your letter of June 03, 2011, concerning the ongoing work of the Colorado River Basin Water Supply and Demand Study (Basin Study). This Basin Study is underway in partnership between the Bureau of Reclamation, the seven Colorado River Basin States, and a number of water management authorities and irrigation and water districts in the Basin. Your letter recounts the recent period of cooperation among the Colorado River Basin states and highlights the importance of the collaborative partnerships that have proven essential in recent years to addressing the multi-faceted challenges of Colorado River management.

Further, your letter recognizes the future challenges from drought and climate change on the hydrology of the Colorado River Basin. Your letter also requests that Reclamation confirm that the purpose and function of the Basin Study is technical in nature, and more specifically, that the content of the Basin Study and its constituent reports do not provide or constitute a legal interpretation or determination of any applicable provision of the Law of the River.

Reclamation fully agrees with the characterization of the Basin Study, and each of its reports, as technical and non-interpretive in nature, and confirms that any reports generated as part of this process are not prepared to, and do not represent a legal interpretation of any entity's rights, authorities, or obligations under the Law of the River. In this regard, we have included detailed language in the Basin Study that clearly states the non-interpretative nature of the Basin Study from the perspective of the Law of the River. Moreover, as we stated in the Basin Study Framework, issued in December 2009, "Through the Basin Study Program, Reclamation will partner with basin stakeholders to conduct comprehensive studies to *define options for meeting future water demands* in river basins in the West where imbalances in supply and demand exist or are projected." The work of the Basin Study, therefore, is forward-looking and intended to utilize the best available scientific and technical information to assist in future planning. Given this fundamental approach, we are in full agreement that the Basin Study is intended to be a technical investigation of water management approaches that can be considered in coming years to meet the Basin's future water management challenges, and that nothing in the Basin Study (or its component reports) is intended to be utilized against the Basin States or Federal Government in any subsequent dispute to establish legal or factual positions or interpretations regarding the Law of the River.

The core analysis of the Basin Study and its various reports begins with an assessment of water supply and demand and how water supply will change over time, including an assessment of the impacts of climate change on water resources. The Basin Study also includes analysis of how the basin's existing water and power operations and infrastructure will perform in the face of changing water realities. Finally, the Basin Study will also integrate recommendations on how to optimize operations and infrastructure to supply adequate water and power in the future, while accounting for environmental values. The Basin Study program is not a legal analysis of existing law or legal obligations, nor does it represent legal analysis, conclusions or findings in any manner with respect to any existing obligation under applicable law.

As you know, after a competitive review process, the Colorado River Basin was selected as one of the first three basin studies approved by Reclamation in September 2009. Reclamation views the technical, planning and analytical efforts of the Basin Study to be a critical element of the Department of the Interior's WaterSMART Program and a key element of Reclamation's implementation of the SECURE Water Act, which was enacted into law as part of the Omnibus Public Land Management Act of 2009. The reports and analysis prepared as components of the Basin Study will better define options for future water management of Western river basins where climate change, record drought, population increases and environmental needs have heightened competition for scarce water supplies.

In recent years, through the leadership and collaborative efforts of federal and state officials over succeeding administrations, the Department and the Basin States have identified, analyzed and

implemented creative and innovative approaches to address Colorado River management issues, while working *within* the framework of the Law of the River. These successful efforts have allowed all parties to work together to advance water management, operational and environmental actions on the River while avoiding prolonged and destabilizing multi-party or multi-state litigation on the River. We recognize that an essential element to this period of cooperation is the willingness of the Basin States to identify and implement innovative water management actions with a foundational principal that all parties have fully reserved all legal rights and positions on the various elements that comprise the Law of the River. Nothing in the preparation, analysis, documentation or implementation of the Basin Study should be viewed as inconsistent with that critical element of recent successes in any manner. To the contrary, in order for any of the technical and planning strategies identified in the Basin Study to be successful, we will need to continue to respect and foster a culture of engaged collaboration on the Colorado River.

Thank you for your continued efforts in this important endeavor. I look forward to continuing to work with each of you in our continued efforts as part of the Basin Study program, as well as our other work on the Colorado River.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Connor". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael L. Connor
Commissioner

**Lower Colorado Region
Boulder City, NV**

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For Immediate Release: June 6, 2011

Colorado River Basin Water Supply and Demand Study Interim Report Available

The Bureau of Reclamation today released a report titled “Colorado River Basin Water Supply and Demand Study Interim Report No. 1.” The reports and analysis prepared as components of the Study will better define options for future water management of the Colorado River Basin where climate change, record drought, population increases and environmental needs have heightened competition for scarce water supplies. The Colorado River Basin (Basin) was selected as one of the first three basin studies approved by the Bureau of Reclamation in September 2009.

“The Colorado River Basin Study is a feature of the Department of the Interior’s WaterSMART program and is an integral part of our implementation of the SECURE Water Act,” Reclamation Commissioner Michael L. Connor said today. “We are partnering on this valuable study with the seven Colorado River Basin States, in collaboration with other interested parties throughout the basin. Our goal is to provide detailed information for water resource managers, who face a complex future of increasing pressures on water supply matched with escalating demand for these finite water resources.”

Reclamation’s manager for the Study, Lower Colorado Region deputy regional director Terry Fulp, says the effort is significant and will consider multiple factors which will impact water supply and drive future demand: “In this study, we are considering the needs of all of the resources that are dependent upon a healthy river system, including water for municipal, industrial and agricultural use, hydroelectric power generation, recreation, fish and wildlife and water dependent ecological systems, under a broad range of conditions that could occur over the next 50 years,” Fulp said today.

Given the high degree of uncertainty regarding future water supply and demand, a scenario planning process guided the development of scenarios to provide a broad range of future conditions. The interim report provides a quantified assessment of four water supply scenarios. These include scenarios based on historical observed and paleo-reconstructed streamflow records as well as future climate projections from global climate models. Consistent with Reclamation’s recent report to Congress pursuant to the SECURE Water Act of 2009, this Study finds that for the climate change scenario, the mean natural



flow of the Colorado River as measured at Lees Ferry, Arizona is projected to decrease by approximately nine percent over the next 50 years.

The Study also anticipates increases in the frequency and severity of droughts. Further review and investigations of these results will be conducted as the Study progresses.

The four water demand scenarios were developed to incorporate plausible future trends related to demographics and land use, technology and economics, and socio-political factors.

Preliminary metrics were also developed for assessing the Colorado River system's future reliability under the four water supply and demand scenarios.

The next phases of the ongoing study will be directed toward quantifying the demand scenarios, assessing future system reliability, and the development and evaluation of opportunities for balancing supply and demand. Additional interim reports will be published with a final report targeted for summer of 2012.

The interim report provides a comprehensive snapshot of the initial effort to define current and future imbalances in Colorado River water supply and demand over the next 50 years in the Colorado River Basin and the adjacent areas of the seven Colorado River Basin States that receive Colorado River water.

Comments are welcome through the process described at the web page listed below.

The report is available online at <http://www.usbr.gov/lc/region/programs/crbstudy.html>

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RECLAMATION

Managing Water in the West

Interim Report No. 1

Colorado River Basin Water Supply and Demand Study



U.S. Department of the Interior
Bureau of Reclamation

June 2011

Mission Statements

Protecting America's Great Outdoors and Powering Our Future

The U.S. Department of the Interior protects America's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our future.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Interim Report No. 1

Colorado River Basin Water Supply and Demand Study

Executive Summary

Prepared by:

**Colorado River Basin Water Supply and Demand Study
Study Team**



**U. S. Department of the Interior
Bureau of Reclamation**

June 2011

Executive Summary

Spanning parts of the seven states of Arizona, California, Colorado, New Mexico, Nevada, Utah, and Wyoming (Basin States), the Colorado River Basin (Basin) is one of the most critical sources of water in the western United States (West). The Colorado River and its tributaries provide water to over 30 million people for municipal use, supply water used to irrigate nearly 4 million acres of land, and are also the lifeblood for at least 15 Native American tribes, 7 National Wildlife Refuges, 4 National Recreation Areas, and 11 National Parks. Hydropower facilities along the Colorado River provide more than 4,200 megawatts of generating capacity, helping meet the power needs of the West and offset use of fossil fuels. The Colorado River is vital to Mexico to meet both agricultural and municipal water needs. It is essential to understand that the natural water supply of the Basin is highly variable year to year. The ability to capture water Basin-wide during years in which supply is greater than demand has resulted in meeting most of the resource needs throughout the 20th-century, although localized shortages routinely occur, particularly in the headwaters areas during times of drought.

Throughout the 20th-century, the challenges and complexities of ensuring a sustainable water supply and meeting future demand in the over-allocated Colorado River system have been recognized. These challenges have been systematically documented in studies conducted by the Bureau of Reclamation and the Basin States over the past 60 years. Concerns regarding the reliability of the Colorado River system to meet the future needs of Basin resources¹ in the 21st-century are heightened, given the likelihood of increasing demand for water throughout the Basin, coupled with projections of reduced supply due to climate change.

Funded through the Basin Study Program under the Department of the Interior's WaterSMART Program, the Colorado River Basin Water Supply and Demand Study (Study) is being conducted by the Bureau of Reclamation's Upper Colorado and Lower Colorado Regions and agencies representing the Basin States. The purpose of the Study is to define current and future imbalances in water supply and demand in the Basin and the adjacent areas of the Basin States that receive Colorado River water over the next 50 years (through 2060), and to develop and evaluate adaptation and mitigation strategies to resolve those imbalances. The Study contains four major phases to accomplish this goal: Water Supply Assessment, Water Demand Assessment, System Reliability Analysis, and Development and Evaluation of Opportunities for Balancing Supply and Demand.

The Study is being conducted in collaboration with stakeholders throughout the Basin whose participation and input are critical to the Study's success. Interests are broad and include Native American tribes and communities, agricultural users, purveyors of municipal and industrial water, power users, and environmental groups. Through the Study's outreach efforts, many interested parties have been involved and others are encouraged to do so. A

¹ Resources include water allocations and deliveries for municipal, industrial, and agricultural use; hydroelectric power generation; recreation; fish, wildlife, and their habitats (including candidate, threatened, and endangered species); water quality including salinity; flow and water-dependent ecological systems; and flood control.

variety of options for involvement exist and range from attending public meetings and informational webinars to participating directly in the development of work products through the Study's technical sub-teams. Additional information is provided on the Study website at: <http://www.usbr.gov/lc/region/programs/crbstudy.html>.

Due to the inherent complexities of the Study and the many diverse interests and perspectives throughout the Basin, a dynamic reporting approach reflecting continuous technical developments and the ongoing input of stakeholders has been adopted. This approach consists of the issuance of interim reports, which are "snapshots" of the Study's progress as of a particular date. Interim Report No. 1, which documents the Study progress through January 31, 2011, is the first interim report to be issued for the Study and is available for download from the Study website (provided above). Project participants and stakeholders are encouraged to review and comment on the information provided in this report. Written comments should be submitted within 30 days following its release and will be incorporated into subsequent interim reports, as appropriate. Instructions for submitting comments are provided on the Study website.

The status of the Study as of January 31, 2011 is presented in the following sections. Ongoing work from February 1, 2011 will be documented in the next interim report.

1.0 Scenario Development

The amount of water available and changes in the demand for water throughout the Basin over the next 50 years are highly uncertain and dependent upon a number of factors. The potential impacts of future climate variability and climate change further contribute to these uncertainties. Nevertheless, projections of future supply and demand are needed to assess the future reliability of the Colorado River system to meet the needs of Basin resources and to identify options and strategies to mitigate future risks to those resources. These projections must be sufficiently broad to capture the plausible ranges of uncertainty in future water supply and demand. A scenario planning and development process has been used to guide the development of a broad range of future water supply and demand projections, resulting in four scenarios related to future water supply, and four scenarios related to future water demand. The extent to which these scenarios have been fully defined and quantified varies. Work is ongoing to complete this effort and will be included in subsequent interim reports.

2.0 Water Supply Assessment

In 2004, Reclamation initiated a multi-faceted research and development program to investigate and implement a variety of methods for projecting plausible future inflow sequences for Colorado River planning studies. Based on this work and the information gathered in the scenario planning process, four water supply scenarios have been quantified and analyzed. These four scenarios are titled Observed Resampled, Paleo Resampled, Paleo Conditioned, and Downscaled Global Climate Model (GCM) Projected, and are based on information from three sources—the observed historical streamflow record, the paleo-reconstructed streamflow record, and projections of streamflow using future climate projections from GCMs.

Under the Downscaled GCM Projected scenario, the mean natural flow as measured at Lees Ferry over the next 50 years is projected to decrease by approximately 9 percent, along with a projected increase in both drought frequency and duration as compared to the observed historical streamflow record. Droughts lasting 5 or more years are projected to occur 40 percent of the time over the next 50 years. Projected changes in climate and hydrologic processes include continued warming across the Basin, a trend toward drying, although precipitation patterns continue to be spatially and temporally complex, and increases in evapotranspiration and decreases in snowpack, as more precipitation falls as rain rather than snow.

Although some minor methodological and reporting differences exist, the results presented in this report are consistent with Reclamation's report to Congress published in March 2011, in fulfillment of the requirements within Section (§) 9503 of the SECURE Water Act (enacted into law as part of the Omnibus Public Land Management Act of 2009, Public Law 111-11). That report² provides information on the future risks to water supply throughout the eight major Reclamation river basins, whereas this Study is focused on a more detailed, Basin-wide risk assessment with a focus on the development and evaluation of opportunities to mitigate and adapt to those risks.

A review of the data and tools used to quantify the Downscaled GCM Projected scenario is ongoing. As a result, the streamflow projections under this scenario may be updated and included in the next interim report.

3.0 Water Demand Assessment

Historically, Reclamation has considered a single projection of future demands in long-term Basin planning studies based on data and information provided by the Basin States, Native American tribes and communities, federal agencies, and other water entitlement holders. The Study considers additional projections of demand, a significant and important advancement in long-term Basin planning. Through the scenario planning process, the most critical uncertainties affecting future demand were identified (e.g., changes in population and water use efficiency) and were combined into four scenarios, titled Current Trends, Economic Slowdown, Expansive Growth, and Enhanced Environment and Healthy Economy.

The Current Trends scenario is the first scenario that is being quantified and will be used as a starting point for quantifying the remaining scenarios. Although the Current Trends scenario is not a direct mathematical projection of historical data, it relies on knowledge of historical consumptive uses and losses, as well as planning data and expertise to estimate future trends in water demands. As such, historical consumptive uses and losses data were compiled and are presented in this report. From 1971-1999 (just prior to the start of the recent drought in 2000), consumptive uses and losses in the Basin have increased from approximately 13 million acre-feet (maf) to 16 maf per year, an increase of about 23 percent.

² Available at: <http://www.usbr.gov/climate/SECURE/docs/SECUREWaterReport.pdf>.

4.0 System Reliability Metrics

System reliability metrics (metrics) are measures that indicate the ability of the Colorado River system to meet the needs of Basin resources under multiple future conditions. Metrics will be used to measure the potential impacts to Basin resources resulting from future supply and demand imbalances, and to measure the effectiveness of options and strategies to address those imbalances.

A process was developed for metric identification and used to craft a detailed set of metrics for the Basin resources. Based on the *Plan of Study* and working closely with stakeholders, resource categories were identified (Water Deliveries, Electrical Power Resources, Water Quality, Flood Control, Recreational Resources, and Ecological Resources), followed by identification of attributes of interest associated with each category (e.g., shoreline public use facilities is an attribute of interest under the Recreational Resources category). Metrics were defined for each attribute of interest, depending on the location of the attribute and the availability of data and/or tools.

In some cases, the spatial and temporal detail of the data and/or tools available will limit the ability to quantitatively assess the potential resource impacts. In these cases, impacts will either be assessed in a qualitative manner or, where time and resources permit, additional analysis may be performed to enable a quantitative assessment.

Metrics have been defined for each of the identified resource categories; however, additional metrics for the Ecological Resources category are currently under consideration. Refinement of the metrics will be documented in subsequent interim reports.

5.0 Next Steps

This Interim Report No. 1 documents the progress of the Study through January 31, 2011. Ongoing work from February 1, 2011 will be documented in the next interim report and will include:

- Completion of the quantification of the Downscaled GCM Projected scenario
- Quantification of the water demand scenarios, including the effects of climate change on demand
- Refinement of system reliability metrics
- Assessment of system reliability to determine the magnitude and location of future supply and demand imbalances and the impacts to Basin resources
- Initiation of the development and evaluation of opportunities for resolving supply and demand imbalances

An updated timeline for the Study, outlining the major activities through the end of the Study in July 2012, is provided in Table 1. As the Study progresses, opportunities for stakeholder participation will continue to be provided through a variety of outreach activities, particularly with respect to the development and evaluation of opportunities for resolving supply and demand imbalances.

TABLE 1
Updated Study Timeline

Timeframe	Activity
February – August 2011	Quantify Demand Scenarios
July – September 2011	Perform Baseline System Reliability Analysis
September – December 2011	Develop Options and Strategies
October 2011	Publish Interim Report Number 2
November 2011 – February 2012	Perform System Reliability Analysis with Options and Strategies
March 2012	Publish Interim Report Number 3
April – May 2012	Finalize and Evaluate Options and Strategies
June 2012	Publish Draft Final Study Report for Comment
July 2012	Publish Final Study Report

Disclaimer

The Colorado River Basin Water Supply and Demand Study (Study) is funded jointly by the Bureau of Reclamation (Reclamation) and the seven Colorado River Basin States (Basin States). The purpose of the Study is to analyze water supply and demand imbalances throughout the Colorado River Basin and those adjacent areas of the Basin States that receive Colorado River water through 2060; and develop, assess and evaluate options and strategies to address the current and projected imbalances.

Reclamation and the Basin States intend that this Study will promote and facilitate cooperation and communication throughout the Basin regarding the reliability of the system to continue to meet Basin needs and the strategies that may be considered to ensure that reliability. Reclamation and the Basin States recognize the Study will have to be constrained by funding, timing and technological and other limitations, which may present specific policy questions and issues, particularly related to modeling and interpretation of the provisions of the Law of the River during the course of the Study. In such cases, Reclamation and the Basin States will develop and incorporate assumptions to further complete the Study. Where possible, a range of assumptions will typically be used to identify the sensitivity of the results to those assumptions.

Nothing in the Study, however, is intended for use against any Basin State, the Federal government or the Upper Colorado River Commission in administrative, judicial or other proceedings to evidence legal interpretations of the law of the river. As such, assumptions contained in the Study or any reports generated during the Study do not, and shall not, represent a legal position or interpretation by the Basin States, Federal government or Upper Colorado River Commission as it relates to the law of the river. Furthermore, nothing in this Study is intended to, nor shall this Study be construed so as to, interpret, diminish or modify the rights of any Basin State, the Federal government, or the Upper Colorado River Commission under federal or state law or administrative rule, regulation or guideline, including without limitation the Colorado River Compact, (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, Treaty Between the United States of America and Mexico (Treaty Series 994, 59 Stat. 1219), the United States/Mexico agreement in Minute No. 242 of August 30, 1973, (Treaty Series 7708; 24 UST 1968) or Minute No. 314 of November 26, 2008, or Minute No. 318 of December 17, 2010, the Consolidated Decree entered by the Supreme Court of the United States in *Arizona v. California* (547 U.S. 150 (2006)), the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774; 43 U.S.C. 618a), the Colorado River Storage Project Act of 1956 (70 Stat. 105; 43 U.S.C. 620), the Colorado River Basin Project Act of 1968 (82 Stat. 885; 43 U.S.C. 1501), the Colorado River Basin Salinity Control Act (88 Stat. 266; 43 U.S.C. 1951), the Hoover Power Plant Act of 1984 (98 Stat. 1333), the Colorado River Floodway Protection Act (100 Stat. 1129; 43 U.S.C. 1600), or the Grand Canyon Protection Act of 1992 (Title XVIII of Public Law 102-575, 106 Stat. 4669). Reclamation and the Basin States continue to recognize the entitlement and right of each State under existing law to use and develop the water of the Colorado River system.³

³ Reclamation and the Basin States have exchanged letters and are in the process of amending the Contributors' funding agreement to, among other things, document and clarify the intent of the Parties consistent with the above disclaimer.