



**Governor's Representatives on Colorado River Operations
States of Arizona, California, Colorado, Nevada, New Mexico, Utah and
Wyoming**

July 27, 2009

The Honorable Jon Kyl
United States Senator
730 Hart Senate Office Building
Washington, DC 20510

Dear Senator Kyl:

The undersigned Governor's Representatives on Colorado River Operations (States) are writing to express our serious concerns about recommendations contained in the committee report on H.R. 3183, the FY 2010 Energy and Water Development Appropriations Bill, relating to operations of Glen Canyon Dam on the Colorado River. The relevant language in the committee report on H.R. 3183, states:

Glen Canyon Dam. The Committee continues to support the goals of the Grand Canyon Protection Act (GCPA) and the resulting duties placed upon the Bureau of Reclamation. However, the Committee is concerned that many of the procedural requirements in the GCPA and Charter for the Glen Canyon Dam Adaptive Management Work Group are being disregarded. The result appears to be that Federal responsibilities have been neglected and public transparency compromised. Specifically, the Committee strongly encourages that the Bureau of Reclamation, in cooperation and concurrence with the National Park Service, revisit the Operating Criteria for Glen Canyon Dam. The five-year review required by the Operating Criteria should be an open public process consistent with the GCPA and 1997 Operating Criteria requirements (62 FR 9447-9448).

The Glen Canyon Adaptive Management Work Group (AMWG) is a the federal advisory committee that includes 26 representatives from multiple federal agencies, the Colorado River Basin States, tribes, recreation interests, power customers and environmental organizations. It was authorized in the Grand Canyon Protection Act of 1992 to provide the Secretary of the Interior advice and recommendations relative to the operation of Glen Canyon Dam. The States continue to support the AMWG collaborative stakeholder process and are also supportive of the Bureau of Reclamation's reporting on Glen Canyon Dam operations consistent with the Grand Canyon Protection Act and the Colorado River Basin Project Act of 1968.

The Honorable Jon Kyl

Page 2

July 27, 2009

However, the States strongly disagree with the assertion in the committee report that “federal responsibilities have been neglected and public transparency compromised” and strongly oppose giving the National Park Service an elevated role in the AMWG or a new role in determining the operations at or Operating Criteria for Glen Canyon Dam.

Under existing law, the Bureau of Reclamation is the lead agency in establishing and reviewing the Operating Criteria for Glen Canyon Dam and developing the Annual Operating Plan. The language contained in the committee report would create a grave imbalance among the stakeholders by requiring the “concurrence” of the National Park Service relative to Glen Canyon Dam operations and effectively give this single purpose federal agency veto authority over the operation of a facility that is critical to maintaining a stable and dependable water supply for over 30 million people in the western United States. The States are concerned that the Committee’s recommendations may have been based on less than complete information and believe that significant changes in the responsibilities of federal agencies with regard to dam operations on the Colorado River, such as those proposed in the committee report, should not be made without a full discussion among stakeholders and affected agencies.

Finally, as you may not know, a number of issues relating to the Grand Canyon Protection Act and the operations of Glen Canyon Dam are currently the subject of litigation. For this additional reason, the States do not believe it is appropriate for Congress to make recommendations for changes in the process and roles of the federal agencies with respect to Colorado River water management at this time and through this mechanism.

We urge you to work to ensure that the recommendations in the committee report on H.R. 3183 do not become part of the final House/Senate report on the FY 2010 Energy and Water Development Appropriations Bill.

Sincerely,



Herbert R. Guenther
Director
Arizona Department of Water Resources

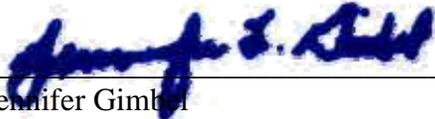


Dana B. Fisher, Jr.
Chairman
Colorado River Board of California

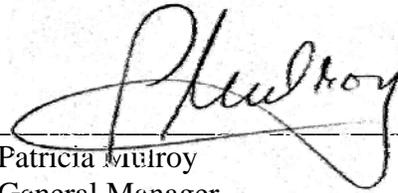
The Honorable Jon Kyl

Page 3

July 27, 2009



Jennifer Gimbel
Director
Colorado Water Conservation Board



Patricia Mulroy
General Manager
Southern Nevada Water Authority



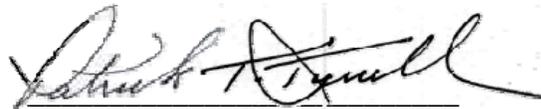
George Caan
Director
Colorado River Commission of Nevada



John D'Antonio
Secretary
New Mexico Interstate Stream
Commission



Dennis Strong
Director
Utah Division of Water Resources
Utah Interstate Stream Commissioner



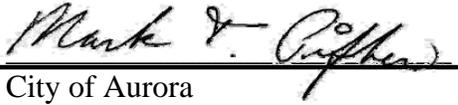
Patrick Tyrrell
State Engineer
State of Wyoming

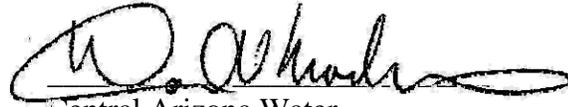
The Honorable Jon Kyl

Page 4

July 27, 2009

The undersigned Colorado River contractors and utilities endorse the position of the Governor's Representatives on Colorado River Operations stated in this letter.

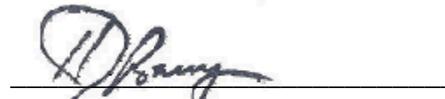

City of Aurora

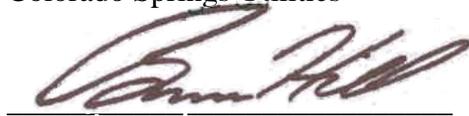

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Conservation District


Coachella Valley Water District

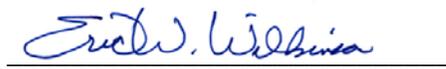

Colorado River Water
Conservation District


Colorado Springs Utilities

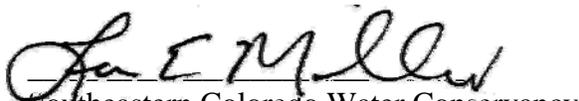

Denver Water


City of Grand Junction

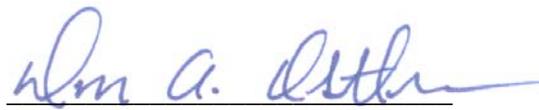

Metropolitan Water District
of Southern California


Northern Colorado Water
Conservancy District


Board of Water Works of Pueblo CO


Southeastern Colorado Water Conservancy
District


Southwestern Water
Conservation District


Don Ostler
Executive Director
Upper Colorado River Commission

cc: The Honorable Ken Salazar, Secretary of the Interior, U.S. Department of Interior
Tom Strickland, Assistant Secretary, Fish, Wildlife and Parks, U.S. Department of
Interior
Anne Castle, Assistant Secretary, Water and Science, U.S. Department of Interior
Michael L. Connor, Commissioner, U.S. Bureau of Reclamation

The Honorable Jon Kyl

Page 5

July 27, 2009

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