



## **Central Advisory Council January 12, 2023 Recommendations to the Colorado River Authority of Utah Board**

### **THE CAC**

The Central Advisory Council (CAC) is a group of water rights holders, practitioners, elected officials, water managers, and subject matter experts. The nine members of the CAC represent the central and eastern regions of Utah, ranging from Dutch John to Castle Dale to Moab. CAC members are proud of the fact they represent the communities most immediately adjacent to the Colorado River and its tributaries.

### **CAC 2022 ACCOMPLISHMENTS**

- Established the Central Advisory Council (CAC) comprised of Daggett, Duchesne, Carbon, Uintah, Emery, and Grand counties
- William Merkley elected as the council co-chair
- Discussed and clarified the CAC's purpose and established general operating procedures
- Identified ways to inform and share input with the Authority Board
- 4 meetings held over the course of 2022 - June (Price), August (Price), October (virtual), and November (Green River)

### **CAC 2023 OBJECTIVES**

- Better understanding and integrating tribal concerns
- Continue to learn as a council
- Honest conversations about what curtailment might look like in Utah
- Conduct more fact-finding site visits to increase understanding of critical resources in the state
- Develop water conservation project proposals for the Board's consideration

## **LESSONS LEARNED**

Over the course of the year, CAC members identified and discussed several key issues regarding Utah and the Colorado River Basin. Some of the lessons learned include:

- Utah's water managers need more and better data. It's impossible to manage what you can't measure. Lack of data is what will most impact future growth. Open ET, more metering, more hydrology studies, and other actions can help the state get a better grasp of current usage and areas to focus future conservation efforts. Likewise, local coordination is critical - state and local governments and local water users need to do a better job sharing information - we can't operate in water information silos.
- We don't have time to wait before taking action. The situation is dire enough for the state to act before the data is perfect. Utah will need to demonstrate initiative and vision, and we can't wait for others to act first. All Utahns will need to make changes in order to preserve and protect our long-term water interests.
- Some form of curtailment is almost certainly a **when** not an **if**. The state, and its many diverse water users, need to be prepared for curtailment scenarios.
- Any successful state strategy will need to be a joint, coordinated effort. We have to work together and look at watersheds as a whole, not just on a state, local, or regional basis. This is not a problem just for one community or sector to fix, as change will be required across the board. For that reason, an informed and engaged public is critical to help make the changes that will be necessary.

## **RECOMMENDATIONS TO THE BOARD**

Our recommendations can be summarized into three broad categories:

- 1. Standardize Measurement and Close the Data Gap**
- 2. Prepare for Curtailment**
- 3. Actively Pursue Public Education and Outreach**

More specifically, the CAC recommends the following:

1. The CAC urges the Board to promote a universal measurement of consumptive use within all the Basin States. Equitable and sound water management is difficult when states are operating under different measurement standards. The CAC believes a common, standardized water-use accounting system must be achieved as soon as possible. More open ET-EC towers can help identify which measurements are accurate and usable, and which ones are not.

2. The CAC believes we can't have a meaningful demand management system/shepherding until we have greater capacity and geologic data. To ensure compliance with the Colorado River Compact and to avoid curtailment, water must be able to be legally shepherded to its new place of use. Legal shepherding is practiced routinely across the Upper Basin in the administration of direct-flow water rights and in the delivery of stored water. For any program (e.g. water banking, demand management, or instream under HB-33) that seeks to conserve water in one location in order for it to be used or stored in another, ensuring that the conserved water actually reaches its destination is fundamental to the program's success. Utah should increase capacity and funding to allow for the successful shepherding of water.
3. Likewise, the CAC strongly encourages the Board to ensure that any water released from Flaming Gorge actually makes it to Lake Powell and stays in Lake Powell. Northeastern Utah needs robust and stable Flaming Gorge elevations, and Utah's leaders need to stand up against any efforts to move Flaming Gorge water further downstream without clear, identifiable, system-wide benefits. We would also urge the Board to work with local counties and the CAC to ensure the Bureau of Reclamation recognizes Flaming Gorge's intrinsic value to upstream users and acts in a transparent and consistent fashion as it relates to operations of Flaming Gorge under the current Record of Decision.
4. The CAC urges the Board to push policymakers in the state, region, and at the federal level, to ensure that conveyance losses are accounted for both fairly and accurately. Conveyance losses depend on numerous local and seasonal factors, including stream volume, flow rate, streambed characteristics, streambank vegetation and temperatures, transit losses, and evaporative losses. Where the direct measurement of conveyed water is difficult, models and administrative tools may provide some assurance of successful delivery. At a local level, detailed measurement and monitoring of how water flows through a system can improve management and reduce conflict. Additional stream gauges and pilot projects would improve understanding of conveyance losses when transferring water between uses.
5. The Board should consider promoting a moratorium on moving any additional water out of the Colorado river drainage. At a minimum, any new trans-basin diversions necessitate the utmost levels of scrutiny. With so much money being spent to conserve water and preserve Lake Powell elevations, additional diversions need clear and compelling justification.
6. The CAC supports any effort the Board could undertake to strengthen regional water markets/water pricing.
7. The CAC urges the Board to continue to work with public water suppliers as it considers taking action, adopting management plans, or making recommendations. Since water services are generally delivered and funded by local water utilities and cities, local and regional perspectives are critical partners in any effort to advance greater water efficiency. The Board should also support efforts by public water suppliers to beneficially use undeveloped Colorado River Basin water rights.

8. The CAC encourages the Board to help outline potential options for junior water right holders to access other available water sources during curtailment. The Board should also explore if new tools/programs need to be developed to specifically help facilitate large and numerous water transfers for Curtailment mitigation strategies. We also urge the Board to work with the UCRC to articulate protections from exposure to curtailment for those who participate in conservation projects/storage vulnerability.
9. And lastly, the CAC invites the Board to adopt a public outreach campaign as part of its roles and objectives. One of the goals of such an effort would be to educate Utahns about the current and future challenges related to the Colorado River. In particular, we urge you to engage in proactive outreach with sister government agencies (Utah Division of Water Resources, Utah Division of Water Rights, or others) to help Utahns better understand the logistics and realities of a Colorado River Compact “curtailment”. Some of the questions that should be addressed with the public include:
  - How will curtailment be administered?
  - How much advance notice will the impacted water users have before their water rights are curtailed?
  - Will water stored in priority (under post-1922 water rights) prior to a curtailment be available for use by impacted water users during a curtailment?
  - What can water users that are vulnerable to curtailment do to prepare for and mitigate the impacts of curtailment?

The Board should also consider sponsoring regional public meetings, distribution of educational materials (videos, presentations, notices), etc. related to key items such as Colorado River System “101”, Law of The River (1922 & 1948 Compacts, Mexican Treaty, CRSP Act of 1956), CRB hydrology (impacts and its significance on the current drought), drought response actions (past, current, future), trans-basin diversions, DROA, UB 5-Point Plan, LB cuts (DCP, 07 Guideline Shortages, etc.).

The CAC is willing to assist the Board in its public outreach and education efforts.

## **SUMMARY**

Thank you again for the opportunity to present our thoughts to the Board. The CAC values its role in advising the Authority Board and hope our recommendations assist the authority as it strives to fulfill its mission to protect, conserve, use, and develop Utah's waters of the Colorado River system.