

MRT Colorado River Subcommittee

Meeting Summary

May 6, 2024
3:00 pm – 4:00 pm

In Attendance:

Alex Davis, Lisa Darling, Karen Kwon, Andy Nye, Rick Marsicek, Shaden Musleh, Devon Buckels, Greg Johnson, Diane Kiely

3:00 pm

1. Discussion with Karen Kwon, ASSOCIATE PROJECT DIRECTOR (Recording available by request.)

“Karen Kwon has more than 20 years of experience in problem solving for natural resource challenges, with an expertise in water law and policy related to the Colorado River Basin. As a former First Assistant Attorney General at the Colorado Department of Law, Karen spearheaded the legal team charged with protecting and advocating for Colorado’s interests in federal and interstate water matters.” She worked on “interbasin and binational negotiations on matters such as the Colorado River Interim Guidelines, Drought Contingency Plans, and Minutes 319 and 323.” She works with the Colorado River Sustainability Campaign coordinating with conservation groups along the Colorado River - [The Team — Colorado River Sustainability Campaign \(rivercampaign.org\)](https://rivercampaign.org)

Environmental resources are the first to feel the impact of dry up in the river. The environmental groups have provided a proposal to the BOR for inclusion in the NEPA process underlying the 2007 Guideline re-negotiation. Their proposal consists of principles to be considered for all operational scenarios and Include:

- Avoid crisis management by being proactive
- Use regular systemwide (7 reservoirs instead of 2) storage health assessments to determine reservoir releases- only using storage to determine releases; not moving water from other reservoirs to Powell
- Use actual hydrology not forecasts- base releases on a rule curve that includes the last 3 years of actual hydrology
- Model flows for the Delta Mitigation dry up and changes resulting from less water use.
- Ensure stewardship is part of the actions
- Build mitigation measures in the guidelines considering Grand Canyon usage.
- Implement banking for multiple benefits.

Karen talked about the environmental views on shortages and lower basin development. About how the no action alternative is to operate the reservoirs under agreements existing prior to the '07 Guidelines. There are a lot of missing definitions in the 2007 guidelines. Reverting to pre-2007 guidelines and Reclamation modeling is not the same as Reclamation taking action. Upper states should be involved in the modeling. If reverting back to pre-2007 guidelines does not take place, then Reclamation will have to come up with actions that will also require modeling.

It's a plumbing system but you have to have healthy forests, healthy headwaters, and no dust bowls in the lower basin. The river must function beyond 2026 and it will need a sustained funding source. The process may go into a stall until after the election.

For the South Platte basin, the dynamics within Colorado can influence out as much as out influences in. The more Colorado can consistently speak in a unified voice on the issues, the more strength in negotiations.