

Remarks on Demand Management by the South Platte Basin Roundtable

11-09-2021

The Issue

The South Platte Basin Roundtable (SPBRT) has been following the feasibility investigation of developing a Demand Management (DM) program within the State of Colorado and the Upper Basin States. The objective of such a program would be to avoid Compact administration of the Colorado River. Recently, several other basins and water user organizations have put forth statements outlining their thoughts and recommendations related to a pilot Demand Management program. There are issues of concern for each of the basins and while several of the concerns are shared by other basins, a few of the concerns are in direct contrast to some basin(s). For example, the South Platte basin's heavy reliance on the Colorado River highlights the statewide water interconnectedness. The SPBRT is representative of a broad spectrum of water users, and the SPBRT believes the posturing has made it difficult for a feasible DM program to move closer to a reality.

The SPBRT is providing this concise communication to guide DM to implementation.

Background

The Colorado River is of fundamental importance to all Coloradans, not just those who reside in that basin. The Colorado River water is foundational to our economies, ecology and agriculture; over the past 25 years great strides have been made to use these scarce water resources more efficiently. The use of Colorado River supplies on the west slope and on the east slope via transmountain diversions (TMDs) are critical to the municipal, industrial, agricultural, and recreational uses and vibrant economies have been built around those uses. The flow in rivers on the west slope and conveyance of Colorado River supplies and return flows that accrue to river systems on the east slope from the initial use of TMDs are all critical to the ecology and the environment on both sides of the divide. On the east slope, return flows from the initial use of TMDs accrue to river systems and flow in natural streams until they are re-diverted for a subsequent use. Return flows from the subsequent use then return to the stream system again and benefit the in-channel environment and ecological function. This process is repeated multiple times and provide significant water supplies for agricultural, industrial, and domestic uses throughout the South Platte River basin from the outlets of the TMDs to water users at the most downstream end of the South Platte in Colorado. Each successive use of the water creates a significant local and statewide economic impact.

The Colorado River Compact outlines the obligation of the Upper Basin to meet non-depletion requirements of the flows in the Colorado River to the Lower basin. The recent long-term drought and declining storage levels have increased the risk of possible Colorado River Compact administration. Demand Management (DM) is one component and one potential tool of a preemptive response, not only of the Drought Contingency Plans (DCPs), but to overall water management within the Colorado River Basin. The SPBRT understands that the 2019 DCPs, and specifically Demand Management, is not a function of Compact Administration, but rather a

potential tool to mitigate the uncertain outcomes and impacts of Compact Administration on the Colorado River. Further, participation in DM by the Upper Basin, the State of Colorado, and any individual user should be strictly voluntary.

Recommendations

In recognition of the South Platte Basin's interconnectedness to the Colorado River, and that there is no DM consensus document, and that the ideas presented by each basin are not Colorado's official position, the SPBRT is providing this concise communication to guide DM to implementation.

Rather than giving detailed technical and policy suggestions, the SPBRT is instead providing the information below in the hopes that basin leaders and water user organizations, across Colorado, will come together and chart a path that is good for the state overall.

The members of the SPBRT are committed to working with the Colorado Water Conservation Board (CWCB), other basin roundtables, the Interbasin Compact Committee (IBCC) and other water user organizations to meet our water resource challenges and the current challenges within the Colorado River Basin. In the development of a thoughtful, fair and mutually beneficial DM program, the following considerations are suggested:

- We support focusing on developing a strong statewide collaborative approach. Through a single Colorado perspective, we support our Commissioner to the Upper Colorado River Commission to negotiate with the other stakeholders from the strongest possible position.
- The DM program must be flexible, easy to administer, and protect Colorado Water Rights.

With these qualifiers, the South Platte Basin Roundtable and its Demand Management Committee supports development of a DM program as one possible tool that allows Colorado to beneficially use the water resources in the State while meeting its obligations to other states.