



Toiyabe Chapter of the Sierra Club
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Leo Drozdoff, Chairman, Nevada Drought Forum
via contacts: Gail Powell (gpowell@dps.state.nv.us) and Jo Ann Kittrell (jkittrell@dcnr.nv.gov)

Dear Chairman Drozdoff,

On behalf of the 5,000 members of the Sierra Club in Nevada and the E. Sierra, I am pleased to submit comments to the Nevada Drought Forum at its August 19, 2015 meeting in Sparks, Nevada, as a part of the state's drought planning process. Our Nevada members take their responsibilities as "co-owners" of Nevada's water resources very seriously and are responding to the 3 Drought Forum topics as well as making recommendations for state actions on both water problems and potential solutions.

1. Drought effects on the environment

Water scarcity caused by the current "drought," or by increasing aridity, and exacerbated by the effects of increasing temperatures due to climate change, is a hot topic in the media today. We trust that the Drought Forum's efforts won't be curtailed if the strong El Nino causes a heavy winter this season as is often the case in planning for other disasters that don't happen, especially when media attention switches to other crises facing our nation. We need to acknowledge that, as currently managed, water demands are far exceeding water supplies in Nevada, with or without drought effects. There is no "new" water in our state. How much water does Nevada have, how much do we need for all uses, and how much water has already been appropriated and used? While these questions must be answered, our real opportunities lie in learning to use our available water more effectively and sustainably.

Nearly every news broadcast or newspaper carries stories on drought effects in Nevada. The Truckee River is more rocks than water. Washoe Lake between Reno and Carson City is dry. Lovelock farmers have received little to no Humboldt River water for irrigation for several years while irrigation water for Fallon and in W. Nevada valleys has been greatly curtailed and fields lie fallow all over Nevada. There is little to no duck-hunting at Carson Lake or Stillwater for at least two years. Well owners are responding to decreased water levels by deepening wells. While municipal and industrial water users in Nevada are not suffering water shortages yet, water suppliers have asked for and received voluntary reductions in water use by their customers. Fishing opportunities are limited by low water or no water in creeks, lakes and reservoirs. Water-based recreation is concentrated on a few places that still have water.

What are the drought impacts on fish and wildlife and their habitat? The Drought Forum has not addressed these impacts, has not invited wildlife advocates or organizations to make presentations, nor is the Department of Wildlife listed as a "partner" agency on the Nevada Drought Forum website. Why are water needs of wildlife being ignored by the Drought Forum?

Recommendations: The State should evaluate whether current legal requirements to provide water at the source for wildlife are actually being enforced and correct any problems. Additionally, the State

Engineer should be required to ensure that proposed groundwater pumping will not result in loss of native vegetation and subsequent colonization by invasive weeds - a situation which is exacerbating Nevada's wildfire problems. And lastly, the State should research how other Western states are providing water for their wildlife resources during droughts and establish similar programs in Nevada.

What is increasingly evident is that we cannot rely on historic precipitation records as the basis for our drought plans because we have entered a new era of decreasing water availability and must adjust our water policies and uses to this new drier and hotter future.

Recommendation: Since we cannot predict future weather patterns, we recommend that the State, using a collaborative process, develop for the state and the counties drought plans and appropriate actions for a series of scenarios of water shortages, such as 25%, 50% and 100% of "normal" precipitation as well as the 2 extremes - <25% and > 100%.

2. Sierra Club drought efforts

The Sierra Club supports increased water efficiency and conservation by all water users. In southern Nevada, which depends on the Colorado River for its water supplies, we support alternative water supplies, such as desalination. We also support efforts by the Nevada State Engineer, both administrative and legislative, to address the obvious over-appropriated water basins in Nevada, including Diamond Valley and Pahrump Valley as well as emerging water short areas, such as Lovelock and Smith and Mason Valleys. The Sierra Club strongly opposes short-sighted, expensive and unsustainable interbasin water transfers intended to solve perceived water supply problems, including the "instate water project" of the Southern Nevada Water Authority.

What we don't know is how many of the hundreds of groundwater basins in Nevada are over-appropriated or reaching the limits of available water. Nor do we know how the past and current administration of the Nevada water law has contributed to the emerging water scarcity crises in Nevada.

Recommendations:

A. We strongly recommend that the State prepare water assessments for each groundwater basin and river system on water availability, water needs, and water appropriations for all water uses, including environmental uses, in a collaborative process with federal, state, and local agencies, conservation groups, tribes, and water users to guide future decisions on development proposals and restoration efforts. Or, water assessments could be done on a regional basis by combining interconnected basins.

B. The State should propose changes to State Water Law:

1. Specify that water for the environment, including fish and wildlife, soil stabilization to prevent erosion, dust abatement, ecosystem restoration and recreation are beneficial uses of water in Nevada.

2. Change the requirement that the State Engineer must "maximize" water use to must maximize "sustainable" water use.

3. Require the State Engineer to recognize and account for surface and groundwater interconnections before approving water applications.

3. Major obstacles to increasing water conservation

There is little incentive for domestic water users to conserve water if "saved" water is simply resold by

water purveyors for increased development which results in lowering the quality of life for both existing and new residents. In Northern Nevada, a better model is used in that conserved water must be used for drought protection and environmental quality improvements, not for growth. How can this model be used in Southern Nevada?

Water purveyors have a major conflict between their revenue-driven needs to sell as much water as possible while at the same time being responsible for decreasing water use (and revenues) through expanding water conservation and selling less water. How can these two functions be separated and how can water conservation be handled by an independent agency?

Enforcement of water wasting prohibitions for M&I and other users is lip service only. How can enforcement requirements be more effective?

Nevada should minimize the typical California "solution" to water scarcity of ever more storage reservoirs with their huge evaporative losses. How can underground water storage be expanded?

The State should propose legislative changes in State Water Law to legalize the use of gray water and rainwater collections for home landscaping water needs. Additional changes should be made to dedicate water "saved" to environmental restoration, including replenishment of depleted surface water flows and depleted aquifers.

Conservation pricing is the best incentive for water conservation; however, water rates should increase for higher water use, not be discounted.

In conclusion, the Sierra Club joins other Nevadans who are criticizing the narrow makeup of the current Nevada Drought Forum membership. We are all in this drought or whatever it turns out to be, together. Together, we still have a chance now to address increasing water scarcities in our state.

Sincerely,

Rose Strickland /s/

Rose Strickland
Water Campaign Coordinator

