



## **Policy Statement #2 – The Army Corps’ Role in Water Supply is Limited to Providing Storage Space and Not Water Itself**

**Policy Position:** The Corps’ role in water supply is providing water supply storage space in its reservoirs as initially authorized, when added through a reallocation under the Water Supply Act of 1958, or through other acts of Congress or the Corps. Storage space refers to the space behind the dam at a Corps reservoir that is capable of being used to store water. The Corps does not grant rights to water held in storage space in its reservoirs or guarantee that a certain volume of water will be available from storage space at any given point in time.

**Rationale:** Given that it is the exclusive role of the States to grant and manage rights to water itself, it follows that the Corps’ role in water supply must be limited to providing storage space. This relationship between the States and the Corps, and the Corps’ role in providing storage space, is reflected in Corps reservoir authorizations and the Water Supply Act of 1958. This relationship and role are also incorporated into past and present forms of water storage agreements between the Corps and users of water storage space. Nonetheless, the Corps and users sometimes blur the distinction between storage space and the water itself when they focus on the amount of water that will be available during a drought from a given amount of storage space. This concept is called yield. While considerations of yield may be helpful to users when determining how much storage to request from the Corps, neither users nor the Corps should let considerations of yield obscure the principle that the Corps provides storage space and states allocate water.

**Benefits of Policy Position:** By limiting its water supply role to storage space, the Corps can focus its attention on the overall operation and maintenance of its reservoirs to meet multiple purposes, and the Corps does not have to become an expert on every intricacy of state and local water rights, planning, demand forecasting, and infrastructure decision making, which can vary significantly from place to place. By clearly and consistently limiting its role to providing storage, this may also help limit the Corps’ involvement in disputes between states over water rights and their allocation. State and local governments are in the best position to understand, plan for, and react to water supply planning needs of their communities.