



— BUREAU OF —  
RECLAMATION

# **Summary of Pre-Scoping Comments for Development of Post-2026 Colorado River Reservoir Operations**

**Upper and Lower Colorado Basin Regions**



## **Mission Statements**

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

# **Summary of Pre-Scoping Comments for Development of Post-2026 Colorado River Reservoir Operations**

**Upper and Lower Colorado Basin Regions**

**January 2023**

*This page intentionally left blank*

# Contents

	Page
Acronyms and Abbreviations .....	iii
Executive Summary .....	1
Introduction.....	3
Background .....	3
Purpose of Report .....	4
Disclaimer .....	4
Comments Received .....	4
Prevalent Comment Themes .....	8
Stakeholder and Tribal Themes .....	8
Citizen Themes .....	8
Summary of Comments: Stakeholder, Tribal, and Citizen .....	9
Comments from Stakeholders .....	9
Process Themes.....	9
Strategy & Substantive Element Themes.....	12
Comments from Tribes .....	24
Process-Related Comments.....	24
Strategy & Substantive Element-Related Comments .....	25
Comments from Citizens .....	25
Summary of Common Themes .....	29
Next Steps .....	30
Appendices	
Appendix A: Federal Register Notice .....	A-1
Appendix B: Federal Register Notice Webinar Slides.....	B-1
Appendix C: List of Commenters .....	C-1

*This page intentionally left blank*

# Acronyms and Abbreviations

<b>1944 Water Treaty</b>	United States-Mexico Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande signed February 3, 1944
<b>Ag</b>	Agricultural
<b>Basin</b>	Colorado River Basin
<b>Basin States</b>	Colorado River Basin States
<b>Basin Study</b>	Colorado River Basin Water Supply and Demand Study (2012)
<b>CRMMS</b>	Colorado River Mid-term Modeling System
<b>CRSP(A)</b>	The 1956 Colorado River Storage Project (Act), which authorized the construction of the Colorado River Storage Project.
<b>CRSS</b>	Colorado River Simulation System
<b>DCP(s)</b>	Drought Contingency Plan(s)
<b>DROA</b>	Drought Response Operations Agreement
<b>EIS</b>	Environmental Impact Statement
<b>FRN</b>	Federal Register Notice
<b>Interim Guidelines</b>	Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead (2007)
<b>ICS</b>	Intentionally Created Surplus
<b>Law of the River</b>	The treaties, compacts, decrees, statutes, regulations, contracts and other legal documents and agreements applicable to the allocation, appropriation, development, exportation and management of the waters of the Colorado River Basin are often referred to as the Law of the River. There is no single, universally agreed upon definition of the Law of the River, but it is useful as a shorthand reference to describe this longstanding and complex body of legal agreements governing the Colorado River.
<b>Lower Basin</b>	Lower Colorado River Division States of Arizona, California, and Nevada
<b>Mexico</b>	Country of Mexico
<b>Muni</b>	Municipal

<b>NEPA</b>	National Environmental Policy Act
<b>NGO</b>	Non-governmental organization
<b>Post-2026 Operations</b>	Successor domestic agreements for the continued operation of Lake Powell and Lake Mead
<b>Reclamation</b>	Bureau of Reclamation
<b>Secretary</b>	Secretary of the Interior
<b>Stakeholder</b>	For the sole purposes of this report, and as an editorial shorthand, Reclamation is using the term “stakeholder” throughout this report. As used in this report the term includes Basin partners and others who have an interest and stake in the Colorado River—including, for example Basin Tribes, Basin States, federal and state agencies, water users, water conservation districts, NGOs, and academics. Reclamation recognizes that sovereign entities (e.g., tribes and states) have a different legal status in the Colorado River Basin.
<b>Upper Basin</b>	Upper Colorado River Division States of Colorado, New Mexico, Utah, and Wyoming
<b>WAPA</b>	Western Area Power Administration



# Executive Summary

In June 2022, Reclamation published a Federal Register Notice (87 FR 37884) (FRN) requesting input on the process and substantive elements for post-2026 operations. The purpose of the FRN was to seek input and stakeholder perspectives as early as possible and prior to the initiation of the formal National Environmental Policy Act (NEPA) process. While not an official NEPA phase or term, “Pre-Scoping” is the term used to describe this invitation for public input prior to the initiation of the formal NEPA process. The comment period for the FRN extended for 70 days through September 1, 2022 during which Reclamation received:

- 56 in-depth stakeholder letters signed by 82 unique stakeholders;
- 141 unique comment letters from concerned citizens; and
- More than 1,975 submittals of the BlueRibbon Coalition “Fill Lake Powell – the Path to 3588 ft” form letter.

Reclamation is voluntarily publishing this report to summarize the comments received in response to the FRN. This report includes information about how many comments were received, what types of entities submitted comments, and summaries of the comments organized by common themes.

Letters were submitted by Basin stakeholders and partners—including tribes, Basin States, federal and state agencies, water users, water conservation districts, NGOs, and academics. Nearly one quarter of the stakeholder letters received were submitted by tribes. Prevalent comment themes and suggestions include:

- Stakeholder engagement and public involvement – include extensive stakeholder engagement and public outreach in the process.
- NEPA process – develop overarching principles to help inform the process, set expectations, and define the scope of the action.
- Purpose and need – define the purpose and need for the formal NEPA process in a more holistic way.
- Sustainable, reliable, and adaptive management – stabilize the system; utilize and establish long-term federal funding sources; create an adaptive, flexible, proactive framework; integrate developed, undeveloped, and unsettled tribal water rights; and increase system reliability.
- Technical framework – include realistic, transparent, and agreed-upon data in modeling and analyses, with a focus on consumptive uses and losses data, demand estimates, as well as hydrology.
- Operational strategies – integrate concepts into future operations such as alternative triggers and operational release strategies, modifications to infrastructure, reservoir recovery, reduced use, water banking and market-related strategies, and augmentation and exchanges.

- Resource analysis – analyze the impacts to social, cultural, and environmental resources and tribal trust assets.
- Environmental concerns – address water quality and temperature concerns, as well as issues regarding high-risk non-native species, provide greater environmental flow buffers, and integrate resilience strategies for nature, fish and wildlife, and the broader environment.
- Scope – include analysis of other federal water projects beyond Hoover and Glen Canyon dams.
- Policy and governance – build upon and modify the current legal framework, develop equitable policies and governance that provide for water allocations based on water availability and full utilization of tribal water rights, and align federal support and operations with state and local policies/initiatives.
- Equity – equitably distribute the impacts of reduced use and shortages among all users, accounting for commitments to tribes, economic sectors, and geographic locations.

Tribal comments included the themes above and further emphasized inclusion, cultural impacts, tribal water rights, and the inherent value of the River. Citizen comments focused on solutions and strategies; the most common themes include water efficiency and conservation, infrastructure, and operational strategies.

The equitable distribution of operational impacts and the need to balance Basin water use with existing available supply are common priorities reflected in both stakeholder and citizen input. Also reflected is the need for clear, efficient and enhanced communication and information sharing throughout the process.

The input received in response to the FRN will inform the development of the formal NEPA process and the strategies considered as part of these efforts. Reclamation intends to initiate a formal NEPA process to develop long-term operations for Lake Powell and Lake Mead in early 2023 with the publication of a Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register.

# Introduction

## Background

The Colorado River Basin provides essential water supplies to approximately 40 million people, nearly 5.5 million acres of agricultural lands, and habitat for ecological resources across the Southwestern United States and Northwestern Mexico. Declining Colorado River water supplies, coupled with record-low runoff conditions, are contributing to the prolonged drought in the Colorado River Basin, resulting in historically low reservoir levels at Lake Powell and Lake Mead.

Several reservoir and water management decisional documents and agreements that govern the operations of Lake Powell and Lake Mead expire at the end of 2026—including the 2007 Interim Guidelines, the 2019 Drought Contingency Plans, as well as international agreements between the United States and Mexico pursuant to the United States-Mexico Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande (1944 Water Treaty) and Minute 323. The Bureau of Reclamation (Reclamation), as directed by the Secretary of Interior (Secretary), is beginning work to develop successor domestic agreements for the continued operation of Lake Powell and Lake Mead (“post-2026 operations”). Specifically, Reclamation anticipates initiating a formal process pursuant to the National Environmental Policy Act (NEPA) to start the development of these agreements in early 2023.

In June 2022, Reclamation published a FRN requesting input on the process and substantive elements for post-2026 operations. The purpose of the FRN was to seek input and stakeholder perspectives as early as possible and prior to the initiation of the formal NEPA process. While not an official NEPA phase or term, “Pre-Scoping” is the term used to describe this invitation for public input prior to the initiation of the formal NEPA process. In general, the Notice provided background information, a summary of the changed circumstances since the adoption of the 2007 Interim Guidelines, and a request for input.

The FRN, published on June 24, 2022, requested public input in two specific areas:

1. Suggested mechanisms for the anticipated NEPA process(es) to ensure that a wide range of Basin partners, stakeholders, and the general public can meaningfully engage and participate in the development of post-2026 operational strategies; and
2. Potential substantive elements and strategies that should be considered for post-2026 operations and in the anticipated upcoming NEPA process(es).

Reclamation was particularly interested in receiving specific recommendations that (1) recognize the need for robust policies that withstand a broad range of future conditions and are not based on a single set of assumptions about water supply and demand; (2) address the current and emerging operational challenges resulting from low runoff conditions; and (3) feature engagement and inclusivity—including all Basin tribes and Mexico—in Colorado River decision-making processes.

As indicated in the FRN, Reclamation will potentially integrate specific recommendations in the NEPA process. Reclamation has not made any determinations on what recommendations will be included in the forthcoming NEPA process. However, Reclamation notes that many of the recommendations received and reflected in this report would require additional actions and/or agreement by parties other than Reclamation, such as Basin tribes, states, and water users along with potential action by Congress.

In addition to requesting input via the published FRN, Reclamation issued a news release on June 23, 2022 announcing the FRN and details for two associated public webinars. These webinars—held on Tuesday, July 12, 2022, and Thursday, July 14, 2022—provided an overview of the purpose and content of the FRN, details on how to submit public comments, and the types of input sought by Reclamation. The comment period for the FRN extended for 70 days from June 24 through September 1, 2022.

## **Purpose of Report**

This report summarizes the written comments Reclamation received in response to its Request for Input on Development of Post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and Lake Mead Under Historically Low Reservoir Conditions, published in the June 24, 2022, FRN. Information about the number and type of comments Reclamation received, as well as summaries of the comments—organized by common themes—are presented in this report.

Note, Reclamation is voluntarily publishing this Pre-Scoping Summary Report to enable a broader understanding of the important issues, concerns, and recommendations related to the development of post-2026 operations.

## **Disclaimer**

Reclamation acknowledges and appreciates the input submitted by stakeholders and citizens. As stated above, the purpose of this report is to summarize the comments submitted to Reclamation. This informational report summarizing input received from the public does not provide recommendations or represent a statement of policy or position of the Bureau of Reclamation or the U.S. Department of the Interior. Nothing in this report is intended to, nor shall be construed so as to, interpret, diminish or modify the rights of any Basin State, any federally recognized tribe, the federal government, or the Upper Colorado River Commission under federal or state law or administrative rule, regulation, or guideline.

## **Comments Received**

During the comment period, Reclamation received the following input:

- 56 in-depth stakeholder letters signed by 82 unique stakeholders;
- 141 unique comment letters from concerned citizens; and

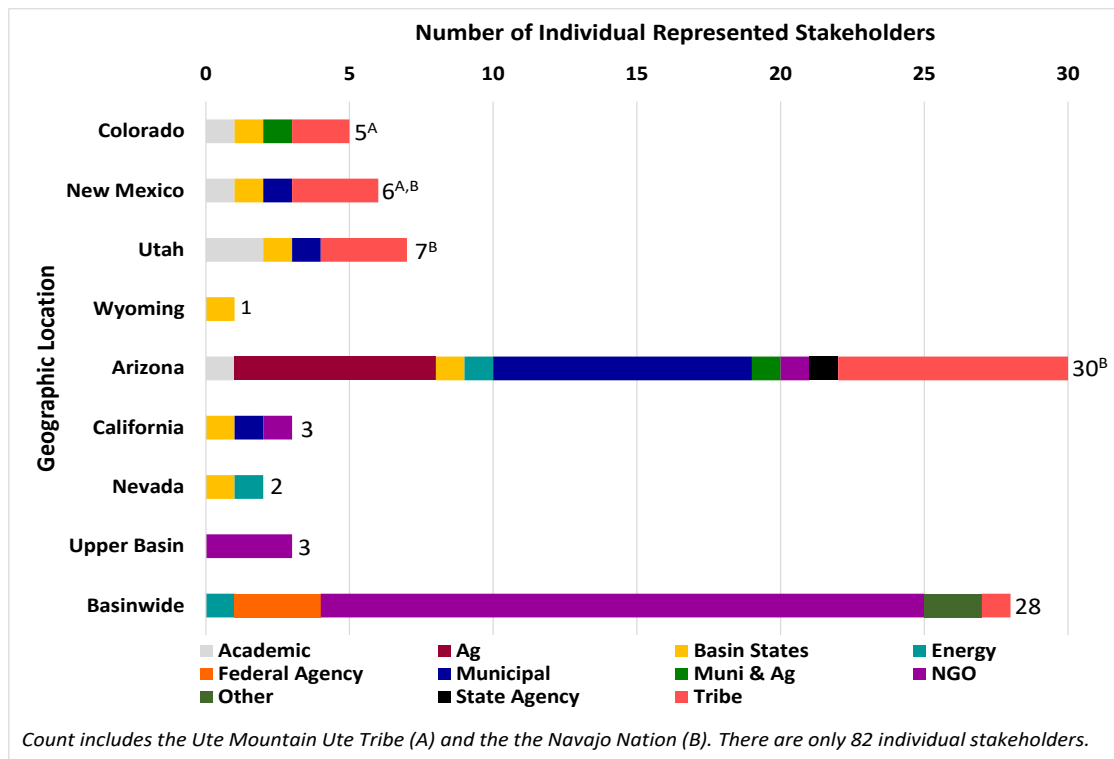
- More than 1,975 submittals of the BlueRibbon Coalition “Fill Lake Powell – the Path to 3588 ft” form letter.

A summary of the number of stakeholder letters received by sector, coupled with the number of signatory stakeholders per letter, is shown below in **Table 1**. Nearly a quarter of the stakeholder letters were submitted by 11 individual tribes in addition to the Water and Tribes Initiative and the Upper Basin Dialogue group—comprised of four Upper Basin tribes and ten conservation groups.

*Table 1. Summary of Stakeholder Letters by Sector*

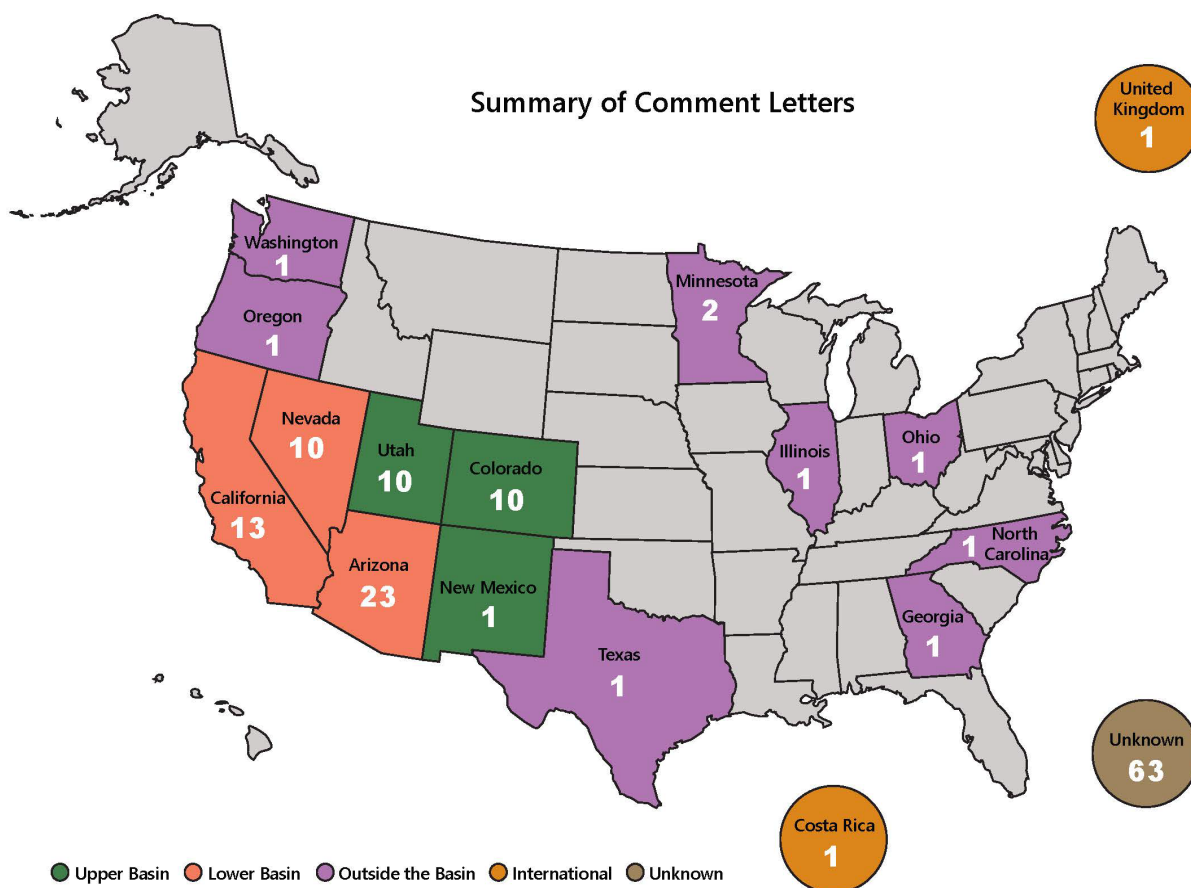
<b>Sector</b>	<b>Number of Letters Received by Sector</b>	<b>Number of Individual Stakeholders Represented by Sector</b>
Academic	3	5
Ag	3	7
Basin States	1	7
Energy	3	3
Federal Agency	3	3
Municipal	12	12
Muni & Ag	2	2
NGO	14 <sup>A</sup>	26
Other	2	2
State Agency	1	1
Tribal	13 <sup>A</sup>	14
<b>Total</b>	<b>56</b>	<b>82</b>
<i>A) Count includes a joint tribal and NGO letter, which is only counted once in the total number of letters received.</i>		

Appendix C, **Table C-1**, includes a list of stakeholders by sector, denoting the individual stakeholders as well as the stakeholders who signed multiple letters. Additionally, a breakdown of the individual represented stakeholders by geographic location and sector is shown below in **Figure 1**.



*Figure 1. Stakeholders by Geographic Location & Sector*

In terms of the citizen letters received, of the known geographic locations, 33% of the letters came from citizens in the Lower Basin, followed by 15% in the Upper Basin, and 7% outside the Basin. The geographic location for 45% of the citizen letters received is unknown. **Figure 2** provides a summary of the number of citizen letters received by geographic location.



*Figure 2. Location Source and Number of Citizen Letters Received*

All stakeholder letters and most of the letters from citizens are publicly available at [www.usbr.gov/ColoradoRiverBasin/Post2026Ops.html](http://www.usbr.gov/ColoradoRiverBasin/Post2026Ops.html). Although the FRN indicated any received input may be made publicly available, as a courtesy, Reclamation reached out to the citizens who submitted input, seeking confirmation to publicly post each letter. As a result, some letters are publicly withheld and not posted due to individual privacy preferences. A list of all commenters is also provided as Appendix C.

## Prevalent Comment Themes

As part of the review process, Reclamation identified key themes to help summarize the input received.

### Stakeholder and Tribal Themes

The stakeholder comments included both process-focused suggestions and specific strategies and substantive elements recommended for inclusion in the post-2026 process. The themes identified in the stakeholder letters are listed below and discussed in more detail in the next section of this report.

***Process Themes.*** Process-oriented comments are focused on steps that stakeholders believe should be taken to help define the NEPA process and to ensure a wide range of Basin partners, stakeholders, and the general public can meaningfully engage and participate in the development of post-2026 operational strategies. Specific process-related themes include:

- Stakeholder engagement and public involvement
- NEPA process

***Strategy & Substantive Element Themes.*** Strategy-oriented comments encompass stakeholder suggestions regarding substantive elements and strategies that should be considered for post-2026 operations and in the anticipated upcoming NEPA process. These comments focus on:

- Purpose and need
- Sustainable, reliable, and adaptive management
- Technical framework
- Operational strategy
- Resource analysis
- Environmental concerns
- Scope
- Policy and governance
- Equity

Although stakeholder and tribal comments are discussed separately in the Summary of Comments section, the themes identified here encompass both stakeholder and tribal comments.

### Citizen Themes

The input received from concerned citizens was focused on strategies that should be considered for post-2026 operations. Prevalent themes identified in the citizen comment letters include:

- Water efficiency and conservation
- Infrastructure
- Demand management
- Legal and policy considerations
- Operational strategies



- Education and information sharing
- Energy production

## Summary of Comments: Stakeholder, Tribal, and Citizen

This section provides separate summaries of stakeholder comments, tribal comments, and citizen comments each grouped by theme, and a summary of the prevalent themes found across all comment letters.

### Comments from Stakeholders

#### Process Themes

Process-oriented comments identify what mechanisms can be taken to help define the NEPA process to ensure a wide range of Basin partners, stakeholders, and the general public can meaningfully engage and participate in the development of post-2026 operational strategies.

#### *Stakeholder and Public Involvement*

Reclamation received many comments related to stakeholder and public involvement/outreach for the post-2026 process. In general, the input reiterated the need for an outreach process that is accessible, inclusive, transparent, timely and collaborative, with Reclamation clearly defining what a transparent process looks like. Additionally, stakeholders recommended Reclamation earnestly consider and incorporate, as appropriate, the values and ideas of a diverse range of Basin partners, stakeholders, and the public. Stakeholders also commented on the importance of creating a framework that builds upon the traditional informative approach and fosters improved two-way communication, encourages collaboration among subsets of interconnected parties, and helps build basin-wide relationships and trust. Comments suggested that engagement and external participation should expand upon the traditional approach of just providing education, outreach, and technical information.

The stakeholder and public involvement comments are further detailed below by sub-theme:

**Enhanced Communication.** Many comments voiced a desire for implementing processes and tools that will help keep the public, including stakeholders, informed of progress and developments. Recommendations include:

- Develop strategies and approaches for Reclamation to provide written responses to input received from stakeholders.
- Explicitly establish timelines and deadlines that allow for adequate review by both Reclamation and external stakeholders. This could build upon the processes used in the 2012 Colorado River Basin Water Supply and Demand Study (Basin Study) for soliciting modeling options and technical information from interested parties.

- Create an outreach website that contains relevant information, including key contacts; important dates; notices and agendas of public meetings, webinars, and conferences; meeting minutes and recordings; and a mechanism for interested parties to provide feedback and submit questions/documents.
- Advertise notices of public meetings using a variety of media sources—such as the aforementioned website, social media platforms, broadcasting on local radio stations, publishing in local/regional newspapers, utilizing general water and power utility mailings to invite/inform participants in rural areas, and posting paper copies of NEPA-related documentation in strategic locations—including State Engineer district offices (e.g., Aztec, Santa Fe, and Albuquerque) and Bureau of Indian Affairs offices (e.g., Crownpoint and Shiprock).
- Include options for both in-person and virtual participation.
- Hold informational/scoping and workgroups meetings at the local level.
- Hold a series of larger, regional public meetings at strategic locations throughout the Basin and adjacent areas that receive Colorado River water.
- Provide and disseminate short, condensed, digestible informative articles on the management of the system, as well as potential impacts to the system associated with the development of new operating criteria. Similar types of material outlining each phase of the NEPA process also need to be developed and broadly shared. Example types of material include, but are not limited to, summary graphics, story maps, and meaningful summaries accessible to the general public.
- Translate all materials, including public outreach and messaging, into Spanish.

Other comments emphasized the need to publicize public meetings in rural areas, including but not limited to, the Jicarilla Apache Nation and the Navajo Nation, as well as scheduling outreach at relevant and timely intervals to provide sufficient opportunity for understanding analyses, engagement, and collaborative discourse.

**Tribal Outreach and Involvement.** Throughout the stakeholder and tribal letters, there was a resounding consensus advocating for increased tribal participation in the post-2026 process. Recommendations included inviting tribes to participate directly in federal-state negotiations and establishing regularly scheduled meetings; meaningfully considering, integrating, and responding to tribal input; clearly and explicitly specifying opportunities and timeframes for tribal input; directly involving DOI or other federal agency personnel involved with tribal coordination; and initiating Section 106 (pursuant to the National Historic Preservation Act) government-to-government consultation with tribes early in the process. Stakeholders further recommended using Indigenous Traditional Ecological Knowledge to inform the decision-making process.

**Stakeholder Inclusion and Collaboration.** Comments and recommendations pertaining directly to stakeholder inclusion and collaboration include:

- Review the comment letters received in the pre-scoping efforts to identify gaps in participation and reach out to groups that did not participate.

- Utilize an outreach specialist who represents members of the greater stakeholder community.
- Include governmental entities, especially local entities who have not traditionally been involved in federal decision-making, through smaller group processes.
- Include agricultural stakeholders in the decision-making process.
- Consult with external experts—such as academics, the National Academy of Science, the Center for Climate Adaptation Science and Solutions, the Scripps Institute of Oceanography, the Lamont-Doherty Earth Observatory—as well as other federal agencies, e.g., the National Park Service, the U.S. Fish & Wildlife Service, and the U.S. Geological Survey.
- Establish a basin-wide municipal sector workgroup.
- Develop strategies and mechanisms for NGOs to provide input throughout all meaningful stages of the NEPA process.
- Provide ample opportunities for iterative feedback and discussions.
- Provide free RiverWare licenses, training, and Colorado River Simulation System (CRSS) model support as needed.

### **NEPA Process**

In addition to providing recommendations for stakeholder and public involvement, stakeholders also provided recommendations to help guide the formal NEPA process. Specifically, it is recommended that Reclamation develop overarching principles to help inform the process, set expectations, and define the scope of the action. Examples include, but are not limited to, advancing water security for people, economies, and the environment; recognizing and including all sovereigns from the outset; contributing to the Basin’s resilience to drought and climate change; and enhancing measures for environmental protection.

Other notable recommendations include:

- Explicitly define and limit the scope of the NEPA process. Some stakeholders would like the scope to include upstream storage, some prefer a narrower scope focused on Lake Mead and Powell operations, while others prefer a hybrid approach that considers specific upstream storage units in conjunction with Lake Powell and Mead operations. Please see the “Scope” section below for additional details.
- Extend the time for public participation beyond the minimum NEPA requirements.
- Assemble an integrated, interdisciplinary team that helps prepare the Environmental Impact Statement (EIS). Team members could include an independent contractor who collaborates with federal and state agencies, academics, and other Basin experts (e.g., scientific, operational, nonprofit, etc.).
- Provide regular and frequent opportunities for the public and stakeholders to provide timely input and recommendations on the effectiveness of the NEPA process.
- Establish an expiration date for the new guidelines.
- Create an online interactive EIS.

- Collaborate with (or enable) engaged stakeholders to explore a broader, more creative, range of alternatives in the NEPA process and develop a Preferred Alternative that incorporates multiple viewpoints.

## **Strategy & Substantive Element Themes**

Strategy-oriented comments encompass the substantive elements and strategies recommended for consideration in post-2026 operations and in the anticipated upcoming NEPA process(es). An overview of the strategy-related themes and comments are included.

### ***Purpose and Need***

As part of the pre-scoping efforts, Reclamation sought input that could be considered and potentially integrated into the development of the upcoming post-2026 NEPA process. As such, some of the stakeholders provided recommendations on the Purpose and Need for the formal NEPA process. In general, the Purpose and Need comments identified a desire to shift away from focusing primarily on existing water availability, Lake Powell and Lake Mead operations, and maximizing diversions, and instead use a more holistic, proactive, approach that helps:

- Minimize system vulnerability;
- Increase system resiliency;
- Expand/enhance environmental protection measures; and
- Integrate mechanisms for system recovery.

Additionally, stakeholders recommended developing a framework that encourages parallel planning efforts focused on resolving issues beyond the scope of the formal NEPA process. Specific strategies and approaches targeting these goals are elaborated on throughout the report.

It is also recommended that the Purpose and Need be clearly defined and explicitly describe Reclamation's role and the federal action.

### ***Sustainable, Adaptive, and Reliable Management***

Comments highlighting sustainable, adaptive, and reliable management were prevalent throughout the stakeholder letters—focusing on the long-term sustainability of both the Basin's population and natural environment. Overall, these comments iterated the need to stabilize the system; utilize and establish long-term federal funding sources; create an adaptive, flexible, proactive framework; integrate developed, undeveloped, and unsettled tribal water rights; and increase system reliability.

As noted in the comments, sustainable management depends on balancing consumptive uses and depletions with available supply. The unprecedented ongoing drought, coupled with low runoff conditions, underscores the need to reduce basin-wide consumptive uses and losses in order to stabilize the system given current natural supply conditions. Recommended strategies to help equitably balance the system include:

- Create a framework in which the long-term average consumptive use and losses do not exceed the average natural water supply provided by the watershed.

- Address the structural deficit by proportionally allocating Lower Basin reservoir evaporation and other system losses to Lower Basin contractors based on water use.
- Proportionally assess the impacts of climate change and aridification on all Colorado River users.

Additionally, stakeholders recommend that Reclamation develop a framework that allows for more long-term proactive management, rather than short-term reactive management, focused on maintaining the availability of natural resources. It was suggested that this approach may enable Reclamation to manage beyond short-term crises—allowing for both system stabilization and recovery.

To help achieve long-term sustainable management of the Colorado River system, many stakeholders recommended capitalizing and building on current federal funding opportunities provided through the Inflation Reduction Act. Comments suggest that there is a long-term need for significant investment in various types of projects—including those that result in temporary reductions in consumptive use; long-term and permanent reductions in consumptive use; increase overall storage capacity throughout the Basin; and improve our ability to accurately measure and quantify system uses and losses, including streamflow, diversions, return flows, evaporation, and transit losses. It’s important to note, some stakeholder letters emphasized the need to prioritize funding projects that result in long-term reductions in consumptive use over shorter-term and temporary projects, which can adversely impact system reliability and cost.

In addition to funding projects and investing in measurement tools, some stakeholders suggested using federal funding opportunities to create flexible, adaptive mechanisms that enable water trades and exchanges in addition to reductions in consumptive use. Other suggestions also support state and local water agency efforts to reduce energy use and help identify carbon-free alternatives to replace lost hydropower production.

In terms of adaptive management, many stakeholders echoed the need for developing a flexible framework that can readily adapt to changing system conditions and vulnerabilities. As part of this, it is recommended that the framework be designed to incorporate and respond to updated or real time information as it becomes available. Additionally, it was suggested that flexible management tools and strategies could help to adequately consider the role of developed, undeveloped, and unsettled tribal water rights; allow water users to adapt more readily to changing conditions; and balance and restore environmental values and needs beyond minimum thresholds.

A diverse group of stakeholders also highlighted the need for strategies that result in increased system reliability—including increased certainty and reliability of available water supplies, and the urgent need to address reliable access to clean, running, drinking water throughout the tribal nations (also discussed below in “Scope” section). As noted in some stakeholder letters, managing for reliability provides increased stability and predictability for water users under varied and extreme conditions.

Examples of strategies focused on reliable management provided in the comments include:

- Define reservoir operations at lower elevations.
- Provide additional notice regarding multi-year supply availability.
- Implement proactive shortage-sharing agreements.
- Evaluate reservoir operations to ensure holistic coordination, and storage is protected at both Lake Mead and Lake Powell.

### ***Technical Framework***

Reclamation recognizes the need for incorporating robust policies that withstand a broad range of future conditions and are not based on a single set of assumptions about water supply and demand. With increasing temperatures across the Basin, coupled with decreases in reliable supply and uncertainty in future demands, Reclamation believes future policies must be tested across a wide range of potential future conditions—including drought sequences that are longer and more severe than those observed in the historical record. As such, Reclamation is particularly interested in comments focused on planning under deep uncertainty, data integration, and approaches to both modeling and the technical framework. Reclamation also recognizes that aspects of the technical framework are intrinsically linked to resource analysis, as further discussed in the “Resource Analysis” section below.

Many stakeholders commented on the need for modeling and analyses to include realistic, transparent, and agreed-upon data—with a focus on consumptive uses and losses data, demand estimates, as well as hydrology. In terms of consumptive use and losses data, one stakeholder recommended that Reclamation collaborate with the U.S. Department of Agriculture and other state and federal agencies to create comprehensive crop type and use reports. Multiple other stakeholders commented on the need to improve the data and methods used for estimating consumptive use. This includes implementing agreed-upon, uniform, consumptive use methodologies across the Basin, and making both the data and associated modeling publicly available in a timely manner. Stakeholders also recommended that Reclamation accurately estimate and report all system losses, including conveyance losses and evaporation.

Regarding water demand data, some stakeholders stressed the need to incorporate realistic Upper Basin demand forecasts, including forecasts that account for plausible increases in Upper Basin tribal use and other changes to demand levels. A couple of stakeholders also recommended that Reclamation update some of the information and data in the Basin Study. One stakeholder also proposed that the NEPA analysis include a detailed appendix outlining the effects of each water supply and demand scenario on the projected reservoir levels for each alternative.

With respect to hydrology, stakeholders recommended that Reclamation incorporate hydrology scenarios that account for increasing temperatures, aridity, decreasing runoff, and the associated effects on soil moisture. Specific examples include the 24- and 60-month projections often referred to as the Udall Hot Drought ensembles, hydrology scenarios reflecting the millennium drought (2000-2020), shorter hydrology scenarios containing significantly drier years (e.g., 2000-2004 and 2020-2022), and implementing various scenarios in which the inflows to Powell

equal the 30-year average of 9.6 million acre-feet, the projected 30-year average in 2051, and the projected 30-year average in 2081.

A couple of stakeholders also recommended that the technical framework and decision-making processes incorporate the following:

- An ensemble of vetted physical-hydrological-ecological models from various sources (e.g., government and academia);
- Scenarios driven by current weather and climate conditions, as well as CO<sub>2</sub> varied levels;
- A scenario reflecting business-as-usual trends in rising temperatures through 2101;
- A scenario reflecting trends in rising temperatures that stabilize by 2051; and
- A scenario reflecting trends in rising temperatures that begin to reverse by 2081.

In terms of existing operational and planning models used by Reclamation—specifically the Colorado River Mid-term Modeling System (CRMMS) model and the Colorado River Simulation System (CRSS) model—some stakeholders would like to see the following completed prior to using the tools to inform post-2026 operations:

- A comprehensive evaluation of the 24-Month Study, highlighting the accuracy and usefulness of incorporating probabilistic forecasting.
- Expanding and modifying both models to include the effects of different water management models on the fluvial and riparian environment, including biodiversity and threatened and endangered species.
- Revising CRSS pursuant to the recommendations outlined in the Utah State University White Paper 2 titled “Water Resource Modeling of the Colorado River: Present and Future Strategies.”

A list of additional modeling suggestions—many of which complement comments outlined in the “Resource Analysis” section—is provided below:

- Integrate the impacts of inter-related climate events on water availability into a worst-case scenario—including modeling the scale of fallowed land over time, the impacts of increased wildfire and ash, and the potential for more rapid snowmelt.
- Incorporate the impacts policies may have on the representation of modeled acreage of fallowed land—including the effects of dust on snow.
- Model the annual and multi-annual impacts to fish and prioritize these over the impacts to hydropower generation.
- Include accurate representation of future water levels, characterization of groundwater resources and use, and water quality analysis.
- Carefully select indicators that help balance both long- and short-term needs of the system.

Reclamation also received input related to the scope of the technical framework. Notably, multiple stakeholders urged Reclamation to design the technical framework with diverse perspectives in mind, with an emphasis on integrating traditional indigenous knowledge and sources. One stakeholder also recommended that the scope of the technical framework include a

comprehensive analysis of the federal water projects located outside of, but connected to, the Colorado River Basin. It was also noted that federal water reductions should be analyzed in the EIS alternatives, including a cost-benefit analysis that addresses a broad range of federal water projects. Similarly, the analysis embedded in the technical framework should extend beyond storage conditions and static trigger levels at both Lake Powell and Lake Mead. This is discussed further in the “Operational Strategies” section below.

Additional comments focused on the importance of synthesizing, communicating, and presenting technical results and information—specifically, the interplay between supply and demand, and the associated impacts on system conditions. It is also important to use language and descriptions that are explicit, well defined, and build upon common understandings/definitions. If a range of possibilities is presented, accompanying descriptions detailing the range would be helpful for public understanding. For example, if the results reflect risk, explicitly define risk as well as the minimum and maximum ranges. Similarly, distilling the results and highlighting select scenarios will help stakeholders and the public digest crucial information used to inform post-2026 decision-making.

### **Operational Strategies**

Stakeholders provided a myriad of comments focused on operational strategies, considerations for developing future operations, and proposed future operations. In general, stakeholders recommended that future operations consider balancing water supply and demand, while providing operational certainty for the entire ecosystem—including connected habitat, fish, and wildlife—under all future scenarios. Additionally, the post-2026 operations should identify how the strategies and operations will be implemented, thereby increasing transparency and enabling the Colorado River community to better plan and adapt. In terms of developing alternatives, several stakeholders recommended that Reclamation coordinate closely with either all Department of the Interior bureaus to optimize meeting agency-wide mandates or coordinate closely with a select few—mainly the National Park Service and U.S. Fish and Wildlife Service.

Summaries of proposed elements of future operations, organized by category, are provided below, followed by a review of additional ideas and considerations that can be integrated into any future operational paradigm.

**Alternative Triggers.** A range of stakeholders suggested a combination of triggers that differs from those currently used to drive operational decisions. Currently, under the Interim Guidelines, tier determination at Lake Powell and shortage conditions at Lake Mead are driven by the associated reservoir’s pool elevation. In addition to pool elevation, proposed alternative triggers include, but are not limited to, integrating systemwide storage (e.g., storage in Lake Mead, Lake Powell, and the Colorado River Storage Project [CRSP] reservoirs); using combined storage levels at Lake Powell and Lake Mead; combining pool elevation triggers with hydrology and Upper Basin streamflow; and integrating multi-year inflows to Lake Powell. It was suggested that the inclusion of dual alternative triggers—such as combined storage in conjunction with inflow to Powell—may allow for increased flexibility, improved management of



environmental flows through the Grand Canyon, more effective and timely shortage operations, and long-term water savings.

**Operational Releases.** Instead of using the current tier structure to determine releases from Lake Powell, some stakeholders recommended developing either a rule curve or continuous function that allows for smaller, incremental, and more gradual releases. This method could also be applied for determining Lower Basin shortages, thereby helping eliminate larger shifts in reservoir pool elevations associated with step function operations.

**Shortage Criteria.** Similar to the use of alternative and dual triggers, one stakeholder noted different criteria should be used to turn shortages both on and off. For example, the “off” criteria could depend on hydrologic conditions coupled with system reservoir levels that are sufficient to endure a subsequent sequence of very dry years. Other shortage criteria recommendations included determining the total shortages based on the volume of water needed to protect critical, and agreed upon, pool elevations at Lake Mead (e.g., 1020 feet); and increasing the shortage tier elevation thresholds. These recommendations should be designed to integrate reservoir recovery, resulting in increased system resiliency and stabilization.

**Modified Infrastructure at Glen Canyon Dam.** Some comments focused on future operations that include reassessing the infrastructure at Glen Canyon Dam to identify renovation options that allow for low-river and run of the river operations to full dam removal. One stakeholder also recommended including a one-dam alternative in which water could be stored at either Lake Powell or Lake Mead, with options to analyze draining or not draining one of the reservoirs, and decommissioning or removing one of the dams.

In addition to the proposed future operations, the stakeholders provided suggestions that can be included in any future operational paradigm. An overview of these comments is presented below.

**Reservoir Recovery.** It is recommended the post-2026 operations explicitly target reservoir recovery in non-extreme dry years to help prevent systemwide drawdown.

**Reduced Use.** Several stakeholders provided strategies for the post-2026 operations related to reduced use. These included purchasing, fallowing, and dedicating land to local community uses and habitat mitigation; transitioning to a systemwide mindset of reduced water use rather than incorporating short-term conservation and demand management measures; limiting Upper Basin consumptive use to agreed-upon levels based on projected elevations at Lake Mead; capping demands at current, or agreed-upon, levels; enforcing proportionate and permanent water reductions across the Basin; and permanently reducing Colorado River delivery contracts by 20%.

**Intentionally Created Surplus & Comparable Concepts.** In the spirit of on-going conservation efforts, many stakeholders provided recommendations for enhancing and

expanding current Intentionally Created Surplus (ICS) rules, and/or creating comparable incentive programs. Recommendations include:

- Eliminate Extraordinary Conservation ICS and Drought Contingency Plan (DCP) ICS storage limits.
- Expand ICS eligibility to include all agencies that currently use Colorado River water (e.g., retail water agencies) and Upper and Lower Basin tribes.
- Increase ICS flexibility to allow eligible users to store in any available system storage—including allowing Upper Basin states to legally store water in Lake Mead pursuant to new/expanded ICS guidelines.
- Incentivize Upper Basin cooperative conservation through ICS-like provisions.
- Provide mechanisms to allow on-river users to benefit from their full and unused entitlements through ICS-like opportunities, resulting in increased resiliency and reliability.

**Drought Response Operations Agreement Operations.** Multiple stakeholders commented on the role of the Drought Response Operations Agreement (DROA) operations in post-2026 operations. Specifically, one stakeholder noted that the water released pursuant to DROA operations needs to remain in Lake Powell—not subject to balancing/equalization—until Lake Powell and other initial CRSP reservoirs have recovered. Additionally, comments suggested that future analyses should include Flaming Gorge operations and the multi-year impacts from DROA releases, and/or maximizing the benefit of DROA releases to help meet environmental flow targets (e.g., larger spring peak flows and hydrological patterns recommended by the Upper Basin Recovery Program Green River Evaluation and Analysis Team).

**Market-Related Strategies.** To help achieve some of the post-2026 goals as identified by those stakeholders, some letters recommended using market-related strategies to incentivize conservation, i.e., sell or temporarily lease permitted rights. Alternatively, one stakeholder recommended Reclamation cap annual payments for water conservation relative to the market price for land and/or, if economically beneficial, purchase available land rather than paying for temporary conservation. Reclamation could also explore opportunities for private investments to drive innovation and help reduce water use.

Along these same lines, it was recommended that system efficiencies be factored into allocations. It was suggested that this could be accomplished by using reducing the availability of inexpensive water, which in turn, inherently increases system efficiency.

**Augmentation & Exchange.** Some stakeholders commented on the importance of increasing operational flexibility by including a framework that facilitates augmentation and exchange of Colorado River water in the post-2026 operations. Allowing exchanges among individual water users, Basin States, and Mexico, as well regional augmentation projects, could help balance supply and demand by increasing system flexibility and adaptability.

**Recreational Considerations.** The recreational considerations outlined below complement the summary provided in the “Resource Analysis” section. Specific to the development of future operations, the following recommendations were provided:

- Design flow release scenarios that allow for year-round motorboat access in the reach of Lee’s Ferry below Glen Canyon Dam.
- Develop more permanent solutions for the Hite boat ramp and the broader Glen Canyon National Recreation Area if Lake Powell will be operated at low-flow levels.
- Create a recreational alternative in which the Lake Powell Mid-Elevation release tier and Lower-Elevation balancing tiers are triggered when the pool elevation drops below 3,588 feet, an elevation critical for maintaining major recreational amenities.

**Environmental Considerations.** Similar to the recreational considerations, the comments provided below complement the recommendations noted in both the “Resource Analysis” and “Environmental Concerns” sections. Specific to the development of future operations, the following recommendations were provided:

- Operationally manage temperature in conjunction with pool elevation to ensure trust resources are not further impacted. For example, consider operations that maintain Lake Powell’s pool elevation at a specified level (e.g., 3525 feet) to minimize the passage of nonnative fish through Glen Canyon Dam and reduce the warming of the river below the dam. Operations, coupled with modifications to the dam, could help reduce the risk and impacts associated with invasive species, while enhancing other resources such as hydropower generation at the bypass tubes, water quality, and temperature-driven release options to benefit native and federally listed fish, as well as the Rainbow Trout fishery.
- Consider operational releases that prioritize flows during critical times for biological processes, and meet critical flow needs for both ESA-listed species and habitats.
- Account for and retain flood preparedness protocols in post-2026 operational strategies.
- Include development of a comprehensive sediment plan in Lake Powell and Glen Canyon as well as an option for adjusting both the sediment windows and the operational timing for the Glen Canyon Dam High Flow Experiments.

**Other Operational Strategies.** Additional operational strategies provided in the comments include developing:

- A conservation-only alternative that outlines how the dams can be managed for sustainability given only conservation.
- A worst-case scenario alternative that accounts for worst-case prediction for future flows.

- A strategy in which Lower Basin reservoir evaporation is accounted for and adjusted based on projected system storage. For example, Lower Basin reservoir evaporation could be waived when system storage is projected to exceed 60% on January 1 and decreased proportionally based on lower system storage projections (e.g., 55% and 50%).
- Operations that mitigate environmental and public health impacts associated with reduced water use, and provide resiliency to support human health factors, environmental conservation, tribal needs, food security, recreation, and preservation of existing infrastructure.

### **Resource Analysis**

A number of stakeholder letters contained comments addressing resource analysis, with an emphasis on understanding the impacts to cultural and environmental resources. Specifically, comments underscored the importance of analyzing the impacts to social, cultural, and environmental resources and tribal trust assets. Example recommendations include integrating spiritual and cultural values associated with water into the scope of the environmental investigation, preserving national historic resources, and understanding the impacts of developed, undeveloped, and unsettled tribal water rights. As part of this, it is recommended that modeling—including the evaluation of water deliveries and shortages—account for the quantification of unresolved tribal water rights as well as the full buildout and use of all tribal water rights, such as currently unused entitlements.

Stakeholders also addressed the importance of avoiding harm to systems that are separate from, but are either interconnected and/or dependent on, the Colorado River. These systems include, but are not limited to, groundwater, Grand Canyon National Park, transbasin diversions (e.g., San Juan Chama/Rio Grande), and the Salton Sea. Similarly, stakeholders noted the importance of evaluating operational and management impacts on the environment and various resources, such as:

- Watershed health and aquatic habitats—including temperature, dissolved oxygen, and nutrients.
- Ecosystem conditions in the Grand Canyon
- Quantity of streamflow and timing of runoff
- Colorado River Delta
- Native, nonnative, and federally listed fish, with an emphasis on understanding the risk to humpback chub populations and critical habitat.
- Recreation—including recreational activities; recreational flows; revenue; regional economies dependent on recreation and tourism; and boating rules, traffic patterns, and travel time.
- Cultural, archeological, and paleontological resources
- Air quality
- Channel structure/geomorphology and sediment—including shoreline exposure and erosion.
- Wildlife

- Vegetation
- Hydropower

Many comments emphasized the importance of fully understanding operational impacts on hydropower production. Stakeholders recommended that Reclamation coordinate closely with the Western Area Power Administration (WAPA) to help evaluate the impacts to hydropower—including how hydropower revenues may impact available funding for CRSP programs and activities—and utilize WAPA’s expertise to complete the associated impact assessments and resource modeling. One comment specifically recommended that the hydropower impact analyses include climate scenarios reflecting increasing temperatures.

Several federal agencies also indicated a need for continued collaboration and a desire to participate in all the processes, including resource analyses and associated modeling. Comments suggest that the EIS should include a comprehensive set of resource studies and impacts modeling, and Reclamation should coordinate closely with other federal agencies to develop, peer review, and complete these analyses. Noted federal agencies include, but are not limited to, the National Park Service and the U.S. Fish and Wildlife Service.

The comments also highlighted the importance of integrating the best available science into the resource-impact models and analyses; beginning development of the needed resource-impact models as soon as possible; quantifying cumulative impacts across all resource areas; using new and existing tools to identify overlapping resource objectives (e.g., environmental and recreational flows); and prioritizing/optimizing overlapping resources objectives if possible (e.g., prioritize overlapping environmental and recreational flows when determining timing and volume of downstream deliveries).

### ***Environmental Concerns***

The environment was a prevalent theme highlighted in the stakeholder letters. Many stakeholders emphasized the need for Reclamation to understand how Colorado River operations (and alternatives) impact the broader environment, including, but not limited to, watershed and tributary health, fish and wildlife, and ecosystems in the Grand Canyon, Colorado River Delta, and Salton Sea. In general, comments recommended that the post-2026 operational alternatives address water quality and temperature concerns, as well as issues regarding high-risk non-native species, provide greater environmental flow buffers, and integrate resilience strategies for nature, fish and wildlife, and the broader environment. Stakeholders also suggested that Reclamation consider the long-term impacts to ecosystem processes caused by near-term water management decisions.

Specific to non-native species, comments recommended that Reclamation develop operational alternatives that help reduce non-native fish passthrough by maintaining higher elevations at Lake Powell, temperature management, and infrastructure enhancements that reduce the potential for non-native species to establish themselves.

Other comments included consideration of the health of aquatic species, habitat, and flow management in tributaries, and a need for modeling tools that integrate environmental values such as water quality; native, non-native and federally listed fish; vegetation; channel

structure/geomorphology; and sedimentation (as noted above in the “Resource Analysis” section).

### **Scope**

Stakeholders provided a variety of comments focused on the scope of the NEPA process, including the geographic scope, suggestions for what should and should not be included in the NEPA process, as well as recommendations for establishing and integrating parallel processes.

In terms of geographic scope, some stakeholders recommended expanding the scope beyond the operation of Hoover and Glen Canyon dams. For example, one stakeholder advocated for expanding the scope to include an analysis of Flaming Gorge and the multi-year, basin-wide, impacts associated with operating pursuant to DROA. Other stakeholders recommended including federal water projects that are either interconnected, and/or dependent on, the Colorado River Basin. It was also specifically recommended that the Aspinall Unit operations and Record of Decision not be included or reconsidered in this scope.

Additionally, one stakeholder recommended broadening the scope of the proposed action to include the full spectrum of local, state, and federal actions that could decrease Colorado River use.

Many stakeholders voiced a need for establishing planning processes that can help address other issues afflicting the Colorado River Basin. Some of these processes include, but are not limited to:

- Address unresolved tribal water rights.
- Provide all tribes with clean water.
- Evaluate operational impacts to Mexico/Delta, the Grand Canyon, Salton Sea, groundwater, and access to clear water.
- Focus on the Salton Sea and the associated environmental impacts—including habitat and dust suppression projects, mitigation efforts, environmental monitoring, and community public health interventions (e.g., air filters).
- Establish a basin-wide, consistent approach for measuring and reporting reservoir evaporation.
- Address the role of hydropower cost, revenue, and grid stability, and affordable replacement power.
- Replace Lower Basin delivery accounting with depletion accounting.
- Improve overall Basin conditions to increase water availability, enhance water quality, and/or reduce risk associated with water-related disasters and climate change.
- Streamline projects that enhance source water protection—including watershed, forest, and rangeland health.

### **Policy and Governance**

Stakeholders provided a variety of comments regarding recommendations and strategies for policy and governance. Regarding existing laws and policies, stakeholders expressed the need for the post-2026 operations to either be anchored in, or build upon, the current legal framework

(i.e., the Law of the River and other applicable provisions of federal law). Some recommended creating a framework in which the allocations across the Basin—including Mexico—are based on percentages of available water, rather than static volumes. Comments also included the recommendation that the post-2026 operations be more consistent with wording and intent regarding non-impairment of annual consumptive uses in the Upper Basin pursuant to Section 602(a) of the 1968 Colorado River Basin Project Act.

In terms of equitable policies and governance, stakeholders provided the following suggestions:

- Consider how climate change is impacting flows and the legal implications associated with portions of the Law of the River (e.g., the Colorado River Compact, Treaty with Mexico, the Boulder Canyon Project Act, Upper Colorado River Compact, etc.).
- Identify and address traditional governance and institutional barriers that prevent tribes from resolving outstanding claims, fully utilizing recognized rights, and obtaining full access to clean drinking water.
- Fully understand the primary and ancillary impacts associated with reducing entitlements—including the feasibility of acquiring/securing alternative water supplies, and the ability to develop full use relative to the existing governance framework.
- Create subsidies and incentives to keep agricultural products (e.g., food) within the United States.

Recommendations to align federal support and operations with state and local policies/initiatives were also provided. These suggestions included:

- Minimize the effects of “use it or lose it.”
- Seek county or city input regarding Colorado River entitlement/allocation issues (e.g., entitlement contracts servicing county or municipal lands in the on-river region) that impact land use and economic development.
- Support state and local efforts to decarbonize their operations.
- Align federal and state entitlement holder requirements (e.g., entitlement requirements needed to account for exempt well usage).
- Provide federal funding for utility-level conservation and efficiency programs to help low-income communities maintain access to clean, affordable water.

Additionally, stakeholders suggest that Reclamation should explore options to either temporarily or permanently regulate non-functional turf, as well as emergency water conservation ordinances.

As noted above, Reclamation has not made any determinations on what recommendations will be included in the forthcoming NEPA process. However, Reclamation notes that many of the recommendations received and reflected in this report would require additional actions and/or agreement by parties other than Reclamation, such as Basin tribes, states, and water users along with potential action by Congress.

## **Equity**

Equity is an important theme in water management and was discussed in a number of stakeholder letters. Specifically, comments focused on the need to equitably distribute the impacts of reduced use and shortages among all users—accounting for commitments to tribes, economic sectors, and geographic locations. It is also noted, operational benefits need to be equitably shared, such that opportunities for “gaming the system” are minimized and/or avoided.

Stakeholders suggested equity can be addressed through operating guidelines or criteria that include greater detail regarding equitable distribution of reduced deliveries. Similarly, more active management from the Secretary of the Interior could help ensure equity throughout the Colorado River community. As part of this, it is recommended that Reclamation consider the importance of the Central Arizona Project’s “Ag Pool”—which is one of the first supplies to be shorted under the Interim Guidelines and DCP—relative to agricultural production, system recovery, and the post-2026 guidelines.

## **Comments from Tribes**

As previously noted, nearly a quarter of the stakeholder letters were submitted by 11 individual tribes in addition to the Water and Tribes Initiative and the Upper Basin Dialogue group—comprised of four Upper Basin tribes and ten conservation groups. While many of the comments submitted by the tribes are reflected in the larger stakeholder summary above (“Comments from Stakeholders”), this section provides an overview of the comments highlighted throughout the tribal letters.

### **Process-Related Comments**

Many of the comments received from tribes focused on the process for developing post-2026 operations. Notable points underscored in the tribal letters include the federal trust responsibility to fully protect tribal water rights coupled with the active inclusion of tribes in the decision-making process. Other recommendations related to this theme include the following:

- Actively include tribes in discussions with other Basin partners (e.g., Basin States, Basin tribes, and Reclamation) from the start.
- Ensure tribes are included in discussions that lead to decisions and are not solely informed of the decisions after they are effectively made.
- Establish a formal coordination and engagement structure to promote integrated discussions regarding the post-2026 decision-making process and operational implementation.
- Coordinate with and visit all tribes throughout the Basin.
- Leverage existing forums—such as the Colorado River Basin Tribal Information Exchange, Ten Tribes Partnership, Inter-Tribal Council of Arizona, and Basin Tribal Coalition—in addition to one-on-one tribal consultation. It was noted in the comments that consultation does not replace the federal trust obligation to fully protect tribal water rights and ensure tribes are included in development and implementation.



- Coordinate with the Bureau of Indian Affairs and/or establish a federal representative within the Department of the Interior.

The tribes also requested technical assistance—both federal expertise and funding—to help ensure they have a comprehensive understanding of the tribal impacts associated with post-2026 proposed operations.

### **Strategy & Substantive Element-Related Comments**

The tribes also provided recommendations focused on post-2026 strategies. These recommendations underscore the need to develop a framework that integrates and protects:

- Cultural resources and address any potential impacts to cultural and ecological resources;
- Current and future tribal water rights and uses, including unresolved water rights;
- The health and safety of tribal reservations and communities;
- The value of the River;
- Indigenous knowledge; and
- Actions taken in response to protection volumes.

Other suggestions include aligning water supply and demand in the Basin, evaluating a broad range of assumptions and hydrology, and changing consumptive use incentives for tribes.

### **Comments from Citizens**

Reclamation received and reviewed 141 unique comment letters submitted by concerned citizens. A summary of the citizen comments, grouped by theme, is provided below.

#### **Water Efficiency and Conservation**

Comments focused on water efficiency, conservation, and system losses were prevalent throughout the citizen letters. Many of these comments focused on reducing potable water use for municipal irrigation. Suggestions to achieve this include:

- Prohibit the use of potable water for watering grass;
- Restrict the size of grass lawns;
- Eliminate turf lawns altogether;
- Require drought tolerant or native plants in landscaping and golf courses; and
- Use xeriscape techniques in non-functional public areas (e.g., road medians).

Citizens also recommended increasing agricultural irrigation efficiency, planting less water intensive crops, and covering (or piping) open canals and reservoirs to reduce evaporative losses. Additionally, others suggested increasing conservation efforts by limiting (or eliminating) water use for non-essential purposes—such as swimming pools, fountains, water features, and golf courses.

## **Infrastructure**

Infrastructure was a recurring theme in the citizen comment letters. Specifically, many comments focused on developing new types of infrastructure, as well as removing or modifying existing infrastructure.

In terms of new infrastructure, many recommended importing water from other hydrologic basins into the Colorado River Basin. Examples include importing water from:

- Columbia River;
- Missouri River;
- Mississippi River;
- Canadian River; and
- Great Lakes.

Some suggested using pipelines to import water from these areas to the Colorado River Basin, while others proposed using natural river conveyance systems—such as the Green River and the Platte River—to move the water. Similarly, water could be imported from other basins (e.g., the Columbia River) to offset the use of Colorado River water in California.

Reclamation also received many comments focused on constructing desalination facilities to create new water supplies. Recommendations included constructing desalination plants along the coast of California to provide in-state water supplies. They also included construction of desalination plants in California to provide treated water that could be pumped to Lake Powell through a pipeline. Others suggested piping ocean water inland for desalination and use within the Colorado River Basin.

A small number of the comments further suggested constructing new dams and reservoirs to provide additional storage, while others recommend the removal of all Colorado River dams. Other proposed approaches focused on draining Lake Powell, building bypass tunnels at Glen Canyon Dam, and only storing water in Lake Mead.

## **Demand Management**

Reclamation also received recommendations for reducing water demands and implementing demand management strategies. Examples include implementing growth guidelines, restrictions, or moratoriums within the Colorado River Basin as well as surrounding areas that use Colorado River water. Others suggested restricting the number of future building permits issued, as well as modifying guidelines that allow for new swimming pools and golf courses.

Other comments recommended using pricing structures to help incentivize water conservation and reduce demands. Examples include applying surcharge pricing for water users who consume more than specified thresholds, and implementing both separate meters and rates for specific water uses such as irrigation.

Additionally, other recommendations include restricting inefficient water use and/or or implementing rationing programs, and reducing agricultural demand in the Basin by:

- Discontinuing production of water-intensive crops such as almonds.
- Prohibiting commercial agriculture in the Basin.
- Prohibiting agricultural water use altogether.
- Relocating agricultural operations currently using Colorado River water to southeastern states.

## **Operational Strategies**

Similar to the stakeholder comments, the general public submitted recommendations for future operational and management strategies. Some of these comments echo similar, overarching, concepts presented in the stakeholder comments. For example, it is recommended that Reclamation address system delivery losses, with an emphasis on the Lower Basin. Specific recommendations include addressing seepage losses associated with the All-American Canal coupled with more transparent accounting, and proportionally charging each Lower Basin state for conveyance losses below Hoover Dam.

Additionally, strategies to reduce use from the Colorado River Basin were also common in the citizen letters. Explicit recommendations include equally reducing use for each state by a specified percentage (e.g., 10% or 5%) based on a 10-year (or 5-year) average; equally reducing overall allocations by a specified percent; reducing allocations proportional to the anticipated annual flow; and/or supplementing use with secondary supplies. Examples include replacing 20% of the diversions to the Yuma Valley with groundwater from the 242 well field and requiring municipalities to supplement a portion of their Colorado River use with groundwater/other sources.

The public also submitted suggestions for future operations, a handful of which embody concepts previously discussed, as well some new ideas. Specific recommendations include:

- Incorporate combined storage and continuous release rule curves into Lake Powell and Lake Mead operations.
- Manage the Basin as a single system, including Lake Mead, Lake Powell, Blue Mesa Reservoir, and Flaming Gorge Reservoir.
- Constrain Lake Powell releases to match inflow.
- Maintain a target elevation of 3,588 feet at Lake Powell.
- Find alternative renewable energy sources and operate the reservoirs to allow both Lake Powell and Lake Mead to refill.
- Limit deliveries (and depletions). Ideas include limiting both Lower Basin deliveries and Upper Basin depletions to 7.5 million acre-feet per year except when Lake Powell and Lake Mead are close to full; reducing the amount of water released for agricultural use by 15% over the next 10 years; reducing Lower Basin water deliveries by a specified percent (i.e., 20%); and decreasing outflow from Lake Powell and Lake Mead to increase reservoir elevations.
- Increase Upper Basin conservation efforts to maintain reliable power production at Lake Powell, while also ensuring Lower Basin deliveries are met.
- Fill Lake Powell and drain Lake Mead when there is not sufficient water to fill both.

- Stop releasing water from the CRSP storage units, as well as Lake Powell, regardless of the impact to Lake Mead.
- Address unmeasured return flow credits.

Regardless of the operational strategy, it is recommended the operational impacts on Lake Powell's ecological resources be fully considered.

### **Legal and Policy Considerations**

As noted, the Colorado River is managed and operated under numerous compacts, federal laws, court decisions and decrees, contracts, and regulatory guidelines. Reclamation received several comments targeting changes that could be made to tribal water rights, Western water law, the 1922 Colorado River Compact, as well as other aspects of the river's legal and policy framework. For example, there is continued support to fully adjudicate tribal water rights. Others suggested specific changes to the "use it or lose it" concept in Western water law, which some see as a disincentive to water conservation. Similarly, entities that use less than their full allocation should be able to sell their excess water without their future allocations being potentially reduced. Along these lines, some suggested Western water law, including the Colorado River Compact, needs to be modified to incorporate more flexibility.

Multiple comments advocate for renegotiating the Colorado River Compact of 1922 to account for more recent hydrology in order to protect (and stabilize) the entire ecosystem. This extends to modifying each state's respective allocation based on a percent of total runoff. Another suggested Congress needs to pass legislation to change the priorities of water use for the entire Colorado River.

Additional legal and policy-oriented suggestions include:

- Implement new regulations to limit consumer use of water.
- Remove or expedite environmental restrictions and permitting for water projects that would enhance water supply or reduce water demand.
- Revise the authorized purpose of the Salt River Project to recognize the need for urban water supply, thus broadening the benefits of the Central Arizona Project.
- Increase groundwater regulation.
- Extend the Secretary's existing power and authority by invoking the Defense Production Act to give broad emergency powers to the President and, subsequently, delegate these powers to the Secretary.
- Establish an executive level position that works across agencies, authorizes high-level decision-making, and has access to funding resources.

As noted above, Reclamation has not made any determinations on what recommendations will be included in the forthcoming NEPA process. However, Reclamation notes that many of the recommendations received and reflected in this report would require additional actions and/or agreement by parties other than Reclamation, such as Basin tribes, states, and water users along with potential action by Congress.

## **Education and Information Sharing**

A handful of comments focused on the need for additional education and information sharing. Some suggestions included increasing public awareness regarding critical water issues and possible solutions by increasing the number of public presentations; developing hands-on activities that could be used in schools; creating an interagency annual report card detailing the progress toward major goals; and creating a goal- (and action-) oriented communication network. Another suggestion was to develop and publish a regular report outlining the current state of the rivers, springs, wetlands, and groundwater reserves within the Colorado River Basin.

## **Energy Production**

Glen Canyon and Hoover powerplants combined have the capacity to generate over 3,000 megawatts of hydropower annually. However, low reservoir levels are impacting Reclamation's ability to generate hydropower at these dams. As such, comments highlighted the importance of hydropower generation or the need to implement alternative methods to generate renewable energy.

For example, some comments noted the importance of hydropower generation at Lake Powell and Lake Mead relative to Western grid stability and, as a result, recommend Reclamation take all necessary actions to continue stable hydropower production. Alternatively, others suggested Reclamation replace or supplement hydropower with power resources generated using alternative renewable methods such as wind and/or solar.

## **Summary of Common Themes**

While there is overlap among the comments received from the larger stakeholder group, tribes, and citizens, each sector submitted comments with a distinct approach and focus. In general, the stakeholder and tribal comments are predominately process-oriented, whereas the citizen comments are more focused on solutions and strategies. Both the stakeholders and tribes highlighted the need for inclusion, outreach, and transparency, with specific emphasis on tribal inclusion and coordination with existing groups and processes.

Additionally, while all three sectors—the stakeholders, tribes, and citizens—submitted strategy comments, the stakeholder- and citizen strategy-oriented comments focused on specific operational strategies and alternatives targeting future operations and infrastructure. For example, the citizen comments provided recommendations for water conservation and efficiency, water use regulations throughout the Basin, and importing water from transbasin sources outside the Basin. In general, the stakeholders' strategy comments provide big-picture recommendations for the operations of existing infrastructure (e.g., implement alternative triggers or continuous release rule curves), as well as recommendations for developing post-2026 processes and frameworks—such as the technical framework, components of the resource analysis, and environmental concerns that need to be considered. Meanwhile, the tribal strategy-oriented comments focused more on cultural impacts, tribal water rights, and the inherent value of the River.

It is important to note, the equitable distribution of operational impacts of post-2026 operations is important to all who submitted comments. Also of importance and expressed by all sectors is the need to consider balancing Basin water use with existing available supply in the post-2026 operations. From a process standpoint, the need for clear, efficient and enhanced communication and information sharing is a commonality.

## Next Steps

Reclamation intends to initiate a formal process to develop long-term operations for Lake Powell and Lake Mead. The intent of the June 2022 FRN was to receive public input on the process and substantive elements of the post-2026 process *prior* to the formal initiation such that the input received could be considered prior and within the design of the process. The formal process is anticipated to begin in early 2023 with the publication of a Notice of Intent to Prepare an Environmental Impact Statement in the Federal Register. Currently, Reclamation is taking steps to finalize the technical framework that will support the post-2026 process and is actively working to bring partners and stakeholders together to assist in their understanding of the technical approaches Reclamation will use in the post-2026 process. One recent example is the Integrated Technical Education Workgroup that Reclamation formed in December 2022 to assist interested partners from across the Basin to gain a better understanding of the technical tools and approaches that we anticipate using in the post-2026 process.

The input received in response to the June 2022 FRN and summarized in this report will inform the development of the formal NEPA process and the strategies considered as part of these efforts. We sincerely appreciate the substantial and thoughtful input submitted by Basin Tribes and States, stakeholder and citizens as part of this pre-scoping phase and are committed to provide ample future opportunities for further participation in upcoming phases of the post-2026 process.

## **Appendices**





## **Appendix A: Federal Register Notice**



the individual turbines to the offshore substations, substation interconnector cables linking the substations to each other, offshore export cables, an onshore export cable system, 2 onshore substations, and connections to the existing electrical grid in New Jersey. The WTGs and offshore substations, inter-array cables, and substation interconnector cables would be located on the OCS approximately 13 nautical miles (15 statute miles) southeast of Atlantic City, New Jersey, within the area defined by Renewable Energy Lease OCS-A 0498 (Lease Area). The offshore export cables would be buried below the seabed surface in the OCS and State of New Jersey owned submerged lands. The onshore export cables, substations, and grid connections would be located in Ocean County and Cape May County, New Jersey.

**Alternatives:** BOEM considered 26 alternatives when preparing the DEIS and carried forward 6 alternatives for further analysis in the DEIS. These six alternatives include five action alternatives and the no action alternative. Twenty alternatives were rejected because they did not meet the purpose and need for the proposed action or did not meet screening criteria, which are presented in DEIS appendix C. The screening criteria included consistency with law and regulations; technical and economic feasibility; environmental impact; and geographic considerations.

**Availability of the DEIS:** The DEIS, Ocean Wind 1 COP, and associated information are available on BOEM's website at: <https://www.boem.gov/renewable-energy/state-activities/ocean-wind-1>. BOEM has distributed digital copies of the DEIS to all parties listed in DEIS appendix K, which also includes the location of all libraries receiving a copy. If you require a flash drive or paper copy, BOEM will provide one upon request, as long as copies are available. You may request a flash drive or paper copy of the DEIS by calling (703) 787-1520.

**Cooperating Agencies:** The following nine Federal agencies and State governmental entities participated as cooperating agencies in the preparation of the DEIS: Bureau of Safety and Environmental Enforcement; U.S. Environmental Protection Agency; U.S. National Marine Fisheries Service; U.S. Army Corps of Engineers; U.S. Coast Guard; U.S. Fish and Wildlife Service, Department of Defense; New Jersey Department of Environmental Protection; and New York State Department of State. The National Park Service participated as a participating agency.

**Information on Submitting Comments:** BOEM does not consider anonymous comments. Please include your name and address as part of your comment. BOEM makes all comments, including the names and addresses of respondents, available for public review online and during regular business hours. Individual respondents may request that BOEM withhold their names, addresses, or any other personal identifiable information (PII) included in their comment from the public record; however, BOEM cannot guarantee that it will be able to do so. If you wish your name, address, or other PII to be withheld, you must state your request prominently in a cover letter and explain the harm that you fear from its disclosure such as unwarranted privacy invasion, embarrassment, or injury. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public inspection in their entirety.

**Authority:** 42 U.S.C. 4231 *et seq.* (NEPA, as amended) and 40 CFR 1506.6.

**William Y. Brown,**

Chief Environmental Officer, Bureau of Ocean Energy Management.

[FR Doc. 2022-13490 Filed 6-23-22; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

**[RR03040000.22XR068080.RX.18786000.5004001]**

### Request for Input on Development of Post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and Lake Mead Under Historically Low Reservoir Conditions

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice and request for input.

**SUMMARY:** The Secretary of the Interior has directed the Bureau of Reclamation (Reclamation) to begin work to develop operating strategies for the continued coordinated operation of Lake Powell and Lake Mead. A number of reservoir and water management decisional documents and agreements that govern operation of Colorado River facilities and management of Colorado River water are currently scheduled to expire at the end of 2026. These include the December 2007 Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead (2007 Interim

Guidelines), among other important management documents, both within the United States, as well as international agreements between the United States and Mexico pursuant to the United States-Mexico Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande (1944 Water Treaty).

**DATES:** Submit written comments on the proposed development of Post-2026 Colorado River Operational Strategies pursuant to this notice on or before September 1, 2022.

Reclamation will host two public webinars to summarize the content and purpose of this **Federal Register** notice. The webinars will take place on Tuesday, July 12, 2022, from 10 a.m. to 11 a.m. (MDT), and on Thursday, July 14, 2022, from 10 a.m. to 11 a.m. (MDT).

**ADDRESSES:** Send written comments on the proposed development of Post-2026 Colorado River Operational Strategies to [CRB-info@usbr.gov](mailto:CRB-info@usbr.gov).

The virtual meeting held on Tuesday, July 12, 2022, may be accessed at [The virtual meeting held on Thursday, July 14, 2022, may be accessed at \[### FOR FURTHER INFORMATION CONTACT:\]\(https://teams.microsoft.com/l/meetup-join/19%3ameeting\_MWE0YmZhNDItOGQwZC00YmRiLWJiMmItZDM4ZDUwN2JlNzc%40thread.v2/0?context=%7b%22Tid%22%3a%220693b5ba-4b18-4d7b-9341-f32f400a5494%22%2c%22Oid%22%3a%22e792bef3-e313-4746-82d1-a6064d5ee897%22%7d; or call in \(audio only\) at \(202\) 640-1187, Phone Conference ID: 795 497 392#.</a></p>
</div>
<div data-bbox=\)](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTg1ZmVmMDItNzIxMC00YjM2LTg3NmEtNmIwMWI3ZGEyNjJm%40thread.v2/0?context=%7b%22Tid%22%3a%220693b5ba-4b18-4d7b-9341-f32f400a5494%22%2c%22Oid%22%3a%22388b569b-9117-49f0-b6f1-cd12ff0587b0%22%7d; or call in (audio only) at (719) 733-3211, Phone Conference ID: 100 899 510#.</a></p>
</div>
<div data-bbox=)

Carly Jerla, Senior Water Resources Program Manager, Bureau of Reclamation, at (303) 517-1160; or by email at [cjerla@usbr.gov](mailto:cjerla@usbr.gov). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** Through this notice, and prior to formally initiating a National Environmental Policy Act (NEPA) process (or processes) to develop post-2026 operations for Lake Powell and Lake Mead (among other potential actions), Reclamation is requesting input on: (a) processes that can be employed to encourage and facilitate meaningful participation of Colorado River Basin (Basin) partners, stakeholders, and the general public in the anticipated upcoming NEPA process(es); as well as (b) potential substantive elements and strategies for post-2026 operations to consider in the anticipated upcoming NEPA process(es). Reclamation anticipates formally initiating the NEPA process through a Notice of Intent to Prepare an Environmental Impact Statement in the **Federal Register** in early 2023. As noted in more detail below, given current conditions in the Colorado River Basin, Reclamation may utilize multiple NEPA efforts, or other appropriate processes, to address emerging low-reservoir conditions in the Basin.

The Colorado River Basin provides essential water supplies to approximately 40 million people, nearly 5.5 million acres of agricultural lands, and habitat for ecological resources across the Southwestern United States and Northwestern Mexico. The limited water supplies of the Colorado River are declining and the Colorado River Basin is currently experiencing a prolonged period of drought and record-low runoff conditions resulting in historically low reservoir levels at Lake Powell and Lake Mead. The period from 2000 through 2022 is the driest 23-year period in more than a century and one of the driest periods in the last 1,200 years. Absent a change in hydrologic conditions, water use patterns, or both, Colorado River reservoirs will continue to decline to critically low elevations threatening essential water supplies across nine states in the United States and the Republic of Mexico (Mexico). It is foreseeable that without appropriate responsive actions and under a continuation of recent hydrologic trends, major Colorado River reservoirs could continue to decline to “dead pool”—elevations at which water cannot be regularly released from a reservoir—in coming years. As stated in the 2019 Lower Basin Drought Contingency Plan:

... as a result of actual operating experience subsequent to the adoption of the 2007 Interim Guidelines, as well as emerging scientific information regarding the increasing variability and anticipated decline in Colorado River flow volumes, the Parties

recognize and acknowledge that entities that rely on the Colorado River as a water source face increased individual and collective risk of temporary or prolonged interruptions in water supplies, with associated adverse impacts on the society, environment and economy of the southwestern United States.

The current unprecedented drought and low-runoff conditions are anticipated to persist and potentially worsen as a result of a number of factors, including increasing temperatures in the Basin, and other effects of climate change.

As a result of the exceptionally low runoff conditions over the past 3 years (2020, 2021, and 2022), unprecedented drought response operations have been triggered at Lake Powell and Lake Mead consistent with the 2007 Interim Guidelines and agreements adopted pursuant to the 2019 Colorado River Drought Contingency Plan Authorization Act (Pub. L. 116–14) (the 2019 Drought Contingency Plan (DCP) Act). The unprecedented risks facing the Colorado River Basin was the subject of a June 14, 2022 U.S. Senate hearing in which Reclamation Commissioner Camille Touton noted that while no one knows how dry the next few years could be, if recent (2018-present) dry conditions continue, Lake Powell and Lake Mead face extraordinary risks over the next 12–24 months, and that additional actions are needed to protect the reservoirs from rapidly declining to critically-low elevations: reductions totaling millions of acre-feet in reductions of use across the Basin could be needed to stabilize the reservoirs.

#### **Background on Development of the 2007 Interim Guidelines.**

Initially spurred by a 5-year period in which Lake Powell and Lake Mead lost nearly half of the combined storage in the reservoirs as a result of an ongoing multi-year drought, decreasing overall system storage, and growing demands for Colorado River water, at the direction of the Secretary of the Interior, Reclamation initiated a NEPA process in 2005 to develop operating guidelines for the coordinated operations of Lake Powell and Lake Mead, along with Lower Basin shortage criteria (and other related actions). See 70 FR 57322 (September 30, 2005). Following completion of the NEPA process (and associated compliance activities), in December 2007 Secretary of the Interior Kempthorne approved the Record of Decision for the 2007 Interim Guidelines. Published at 73 FR 19873 (April 11, 2008). The 2007 Interim Guidelines provided objective operating criteria for the coordinated operations of Lake Powell and Lake Mead and for

determining Lower Basin shortage conditions, as well as establishing a program to encourage water conservation actions in the Lower Basin.

#### **Operational Agreements, Operating Experience and Changed Circumstances Since Adoption of the 2007 Interim Guidelines.**

##### *Operational Agreements*

Since their adoption, the 2007 Interim Guidelines have provided operating criteria for Lake Powell and Lake Mead including provisions designed to provide a greater degree of certainty to water users about timing and volumes of potential water delivery reductions, as well as additional operating flexibility to conserve and enhance water storage in Colorado River system reservoirs. In 2012, the United States and Mexico adopted Minute 319, a binational agreement adopted pursuant to the 1944 Water Treaty. Minute 319 provided interim (2012–2017) operating provisions that implement the provisions of the 1944 Water Treaty, establishing objective criteria for treaty deliveries through a wide range of reservoir conditions, and established mechanisms that provide Mexico with the flexibility to reduce water use and defer delivery of the reduced volumes in subsequent years. Minute 319 also provided U.S. funding to enhance water conservation and riparian habitat in the Colorado River Delta and Limitrophe region.

Notwithstanding the elements of the 2007 Interim Guidelines (and Minute 319), as hydrologic conditions worsened thereby increasing the risk of reservoirs declining to critically-low conditions, in 2013–2014, Reclamation and stakeholders began pursuing additional adaptive management actions. Among other drought response activities, the Upper and Lower Basin DCPs were adopted pursuant to the 2019 DCP Act. A further agreement with Mexico in 2017 (Minute 323) had previously established enhanced water reduction, water conservation, and savings mechanisms pursuant to the 1944 Water Treaty. Both the 2007 Interim Guidelines and the DCPs are anticipated to be in place for an interim period through 2026.<sup>1</sup> Similarly, Minute 323 is anticipated to be in effect through 2026.

<sup>1</sup> Except for the special provisions described in Section XI.G.8. of the 2007 Interim Guidelines, the 2007 Interim Guidelines are anticipated to remain in effect through December 31, 2025 (through preparation of the 2026 Annual Operating Plan). With the exception of certain Intentionally Created Surplus recovery and Upper Basin demand management provisions, operations under the

### 2020 Review of Operating Experience

The interim nature of the 2007 Interim Guidelines has provided the opportunity to gain valuable experience in the management of Lake Powell and Lake Mead under the adopted operations, improving the basis for making future operational decisions, both during the interim period and after. Section XI.G.7.D. of the 2007 Interim Guidelines required the documentation of this experience and an evaluation of the effectiveness of the 2007 Interim Guidelines. In fulfillment of this provision, in December 2020, Reclamation published on its website its “Review of the Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead” (the 2020 7.D. Review).

The purpose of the 2007 Interim Guidelines was determined in the early stages of the NEPA process led by Reclamation to develop the guidelines and consists of 3 components. As stated in Section IV of the 2007 Interim Guidelines, the purpose is to:

- “improve Reclamation’s management of the Colorado River by considering trade-offs between the frequency and magnitude of reductions of water deliveries, and considering the effects on water storage in Lake Powell and Lake Mead, and on water supply, power production, recreation, and other environmental resources;
- provide mainstream United States users of Colorado River water, particularly those in the Lower Division states, a greater degree of predictability with respect to the amount of annual water deliveries in future years, particularly under drought and low reservoir conditions; and
- provide additional mechanisms for the storage and delivery of water supplies in Lake Mead to increase the flexibility of meeting water use needs from Lake Mead, particularly under drought and low reservoir conditions.”

The 2020 7.D. Review found that the 2007 Interim Guidelines were largely effective as measured against this stated purpose.

However, with respect to the 4 operational elements of the 2007 Interim Guidelines (Coordinated Operations of Lake Powell and Lake Mead, Lower Basin Surplus Guidelines, Lower Basin Shortage Guidelines, and Storage and Delivery of Conserved Water in the Lower Basin), the 2007 Interim Guidelines failed to provide sufficiently robust operating provisions to address the increasing severity of the drought

and low runoff conditions exacerbated by climate change. By 2013–2014, as a result of the worsening drought, a broad consensus within the Basin emerged that additional actions were needed to reduce the risk of Lake Powell and Lake Mead reaching critically low elevations. This led to the adoption of the DCPs and other voluntary adaptive actions.

The 2020 7.D. Review also documented important considerations for enhancing future effectiveness: (1) enhanced flexibilities and transparency for water users; (2) expanded participation in conservation and Basin-wide programs; (3) increased consideration of the linkage that occurs through coordinated reservoir operations, particularly with respect to the uncertainties inherent in model projections used to set operating conditions; and (4) more robust measures to protect reservoir levels.

Reclamation received written input during the 2020 7.D. Review process from a diverse group of partners and stakeholders across the Colorado River Basin. One area of significant comment was with respect to the stakeholder engagement process used to develop the 2007 Interim Guidelines. Multiple commenters expressed that the process was inadequate to meaningfully engage a sufficiently diverse group of stakeholders. Given the increased partner and stakeholder participation in Basin decision-making processes since the adoption of the 2007 Interim Guidelines, the Department of the Interior (Department or Interior) is particularly focused on developing and implementing a process that facilitates and encourages meaningful participation of Basin partners and stakeholders including other Federal agencies, the seven Colorado River Basin States, Native American Tribes, non-governmental organizations (NGOs), academic experts, and the general public. As discussed below, the Department is also committed to identifying processes that can complement the efforts of the International Boundary and Water Commission (IBWC) to develop post-2026 agreements that would succeed current agreements contained in Minute 323.

### Changed Circumstances Since Adoption of the 2007 Interim Guidelines

As Reclamation and the Department prepare to initiate a NEPA process for the post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and Lake Mead under historically low reservoir conditions, it is important to succinctly highlight a few areas where circumstances have changed since

adoption of the 2007 Interim Guidelines. Reclamation welcomes input on these changed circumstances as well as suggestions on potential strategies that would be appropriate to more successfully address these changed circumstances given the expectation that conditions will continue to change in the Colorado River Basin in the years and decades ahead.

#### 1. With respect to issues involving hydrology, risk facing the Basin, and advances in scientific understandings:

Since 2000, 50 percent of these years have seen less than 11 million acre-feet (maf) of annual natural flow at Lees Ferry and 13 percent have seen less than 8 maf. The 21st century has been 20 percent drier than the 20th century, and the 5-year average has declined by 33 percent in 23 years. Future strategies should consider these conditions and the likelihood of continued declines in supply.

The 2007 Interim Guidelines were developed in response to 5 years of drought and precipitous reservoir declines and were based primarily on the modeling assumption of a stationary climate where future inflows were adequately represented in the observed historical record.

Since 2007, unprecedented drought has changed our understanding of basin hydrology; climate science tells us that the future temperatures in the Colorado River Basin will continue to warm and that we can expect an increased likelihood of experiencing deep, prolonged droughts.

The 2020 7.D. Review found that while the 2007 Interim Guidelines were effective at meeting their overall purpose, the increasing severity of the drought demonstrated that the 2007 Interim Guidelines were insufficiently robust to protect reservoir storage, requiring the adoption of the DCPs and other responsive adaptive actions.

Nevertheless, even the additional actions adopted subsequent to the 2007 Interim Guidelines were demonstrably insufficient to address the ongoing drought and low runoff conditions. With declining reservoir conditions, Reclamation undertook emergency and other drought response actions in both 2021 and 2022 to protect infrastructure and operations at Glen Canyon Dam.

The latest global climate model-derived projections of climate change agree that temperatures will warm, but precipitation and impacts on basin hydrology continue to show a wide range of potential futures and experts cannot say with a high degree of confidence or specificity what is most likely to happen in a nonstationary

climate (*i.e.*, the question “what will future runoff be?” cannot be answered). Hydrologic uncertainty combined with uncertain future growth and water use compound to mean that it is impossible to assign probabilities to any given future and the basin is experiencing conditions of deep uncertainty.

These factors lead Reclamation to observe that in developing post-2026 guidelines in a nonstationary, drying system, a different approach toward addressing risk that employs planning methods that account for deep uncertainty must be taken. Such an approach should enhance the ability to identify robust policies that are better prepared to adapt to changing conditions.

For planning purposes, robust policies are those that withstand a broad range of future conditions and are not based on a single set of assumptions about water supply and demand. With increasing temperatures across the basin, predictions of commensurate decreases in reliable supply, and uncertainty in future demands, Reclamation believes that future policies must be tested across a wide range of potential future conditions, including drought sequences that are longer and more severe than those that have been observed. Absent such an approach, policies are likely to be insufficiently robust, adaptable, and successful.

*2. With respect to issues regarding engagement and inclusivity in Colorado River decision-making:*

The domestic stakeholder process used to develop the 2007 Interim Guidelines was considered, at the time, to have engaged a wide range of stakeholders and included extensive public involvement. Central to this process was technical outreach and modeling support provided by Reclamation.

In the intervening 15 years, there has been an increasing level of collaboration and communication across the Basin—indicating the necessity of more deeply engaging a broader range of stakeholders during the upcoming process(es). Meaningfully engaging and encouraging the participation of Colorado River Basin Tribes, representatives of Mexico, and NGOs was crucial to the success of the key and essential operational decisions that have come about since the adoption of the 2007 Interim Guidelines.

As we approach the initiation of efforts to develop post-2026 guidelines, Reclamation has identified that it intends to design and implement a stakeholder process that is inclusive, transparent, and encourages meaningful

engagement. In order to accomplish this commitment, Reclamation intends to prioritize stakeholder technical education, technical outreach, and timely access to relevant technical information. Reclamation intends to support parties in developing strategies and would welcome input on recommended steps to ensure active participation by a wide range of Basin partners, stakeholders, and the general public. Reclamation will continue to seek to prioritize the development of approaches that have broad-based support.

*a. With respect to Colorado River Basin Tribes:*

During the preparation of the 2007 Interim Guidelines, the Department conducted extensive engagement with Native American Tribes in the Colorado River Basin (Basin Tribes) regarding the potential adoption of operating guidelines for Lake Powell and Lake Mead and related actions, including the adoption of rules regarding creation, accounting and delivery of Intentionally Created Surplus. See 2007 Final Environmental Impact Statement (FEIS), Appendix I, at <https://www.usbr.gov/lc/region/programs/strategies/FEIS/AppI.pdf>.

Notwithstanding the engagement documented in the 2007 FEIS, during the implementation of the 2007 Interim Guidelines, many Basin Tribes have expressed deeply-held concerns, viewpoints, and objections to the lack of full engagement and consultation, and that any engagement during the development (and implementation) of the 2007 Interim Guidelines was insufficient to address the range of interests, needs, and fundamental rights of the Basin Tribes. These concerns have significantly increased as water supply conditions in the Basin have been increasingly impacted by drought, low runoff, and the effects of climate change.

Interior has undertaken extensive efforts across the Basin to facilitate Indian Water Rights Settlements, enhance Tribal utilization of water rights, engage with Tribal Governments, and facilitate Basin engagement. For example, beginning last year, Reclamation has hosted monthly Tribal Information Exchanges as one mechanism to share timely information on Colorado River Basin conditions, challenges, and opportunities for investment and water conservation programs. While these efforts have continuously increased over time, there are extraordinary and unique challenges facing Basin Tribes.

Basin Tribes have expressed their concerns in direct correspondence to

the Secretary of the Interior and have formally requested commitments from Interior for greater inclusion in the NEPA process to develop post-2026 operations, as well as increased engagement and consultation during the implementation of any guidelines developed pursuant to the upcoming NEPA process.

Interior recognizes that each Basin Tribe possesses unique rights (including water rights), unique viewpoints, and concerns with respect to current and projected conditions in the Basin. While it is premature at this time for Interior to make precise decisions about the content of post-2026 operations, the Secretary of the Interior has and is committed to engage and consult with the Basin Tribes in a meaningful and transparent manner during the upcoming NEPA process and to fully consider tribal input and viewpoints through government-to-government consultation, consistent with the Department's Detailed Plan for Improving Interior's Implementation of Executive Order 13175, *Consultation and Coordination with Indian Tribes*, found at [www.doi.gov/priorities/tribal-consultation](http://www.doi.gov/priorities/tribal-consultation). Interior is interested in receiving specific input on the most effective processes that can be employed during the upcoming NEPA process(es) to ensure that these commitments are fully implemented.

*b. With respect to engagement with Mexico:*

The 2007 Interim Guidelines were adopted under the authority of the Secretary of the Interior. Accordingly, the scope of the 2007 Interim Guidelines was domestic, and no decisions were made regarding operations under the 1944 Water Treaty.

Since 2007 an extraordinary cooperative process has been forged between the two nations with the participation of the Department and Reclamation in support of agreements developed between the United States and Mexico Sections of the IBWC. Since adoption of the 2007 Interim Guidelines, significant international agreements on the Colorado River are memorialized in Minutes 316, 317, 318, 319, and 323.

With Minute 323 scheduled to expire at the same time as the 2007 Interim Guidelines and the 2019 DCP, the United States and Mexico have expressed a policy goal of developing a successor to Minute 323 on a parallel timeline as the domestic development of post-2026 operational approaches. This policy goal is intended to ensure that Colorado River reservoirs continue to be managed in a manner that ensures an

appropriate degree of operational alignment.

While not determining in any way what processes the IBWC may choose to utilize, the Department would welcome input on how the Interior-led domestic planning processes could be implemented in a coordinated and complementary fashion to those of the IBWC.

3. *With respect to the current and emerging operational challenges and potential for significant disruptions to Colorado River water supplies under continued low-runoff conditions:*

While previous actions, especially the DCP, were intended to preserve Reclamation's ability to undertake post-2026 planning with a stable system and avoid crisis planning, very dry hydrology since the adoption of the DCP has resulted in Lake Powell and Lake Mead nearing critically low elevations.

Should the conditions continue or worsen, we recognize that in addition to post-2026 planning under the anticipated NEPA process(es), Reclamation may likely need to also prioritize implementation of near-term actions to stabilize the decline in reservoir storage and prevent system collapse. Reclamation has not yet determined what additional actions or processes may be required to address these near-term operational risks. It is anticipated that near-term response actions and development of post-2026 operations will need to proceed on parallel timelines.

- *Process:* Reclamation seeks specific input on suggested mechanisms for the anticipated NEPA process(es) to ensure that a wide range of Basin partners, stakeholders, and the general public can meaningfully engage and participate in the development of post-2026 operational strategies.

- *Substantive elements of post-2026 operations:* Reclamation seeks input on potential substantive elements and strategies that should be considered for post-2026 operations and considered in the anticipated upcoming NEPA process(es).

With respect to both these areas where Reclamation is seeking input through this **Federal Register** notice, Reclamation is particularly interested in receiving specific recommendations that can be considered and potentially integrated as the initiation of the NEPA process is being developed.

Reclamation notes that it intends to formally initiate the NEPA process for development of post-2026 operations through a Notice of Intent to Prepare an Environmental Impact Statement in the **Federal Register** in early 2023. Any input received as part of this **Federal**

**Register** notice request for input will be fully considered by Reclamation but formal scoping comments will be solicited following initiation of the anticipated NEPA process. Decisions by entities whether or not to submit input regarding this **Federal Register** notice shall not limit or prejudice in any manner comments such entities may choose to submit during the formal scoping period following a formal Notice of Intent to initiate preparation of an Environmental Impact Statement (anticipated in early 2023).

#### *Public Disclosure of Comments*

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Tanya Trujillo,**

*Assistant Secretary for Water and Science.*

[FR Doc. 2022-13502 Filed 6-23-22; 8:45 am]

**BILLING CODE 4332-90-P**

## **INTERNATIONAL TRADE COMMISSION**

### **Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Mobile Electronic Devices, DN 3625*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

**FOR FURTHER INFORMATION CONTACT:** Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov).

General information concerning the Commission may also be obtained by

accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Maxell, Ltd. on June 16, 2022. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mobile electronic devices. The complainant names as respondents: Lenovo Group Ltd. of China; Lenovo (United States) Inc. of Morrisville, NC; and Motorola Mobility LLC of Libertyville, IL. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondent, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to





## **Appendix B: Federal Register Notice Webinar Slides**





# Federal Register Notice on Post-2026 Colorado River Operational Strategies

Public Informational Webinars per 87 FR 37884  
July 12 and 14, 2022



# Purpose of Informational Public Webinars

- Purpose of this webinar is to summarize the content and purpose of the Federal Register Notice (87 FR 37884) on Colorado River Operational Strategies for Post-2026 published on June 24, 2022
- Two webinars are being offered (with identical content presented on each):
  - Thursday, July 14, 2022
- The purpose of these informational webinars is NOT to receive comments or input that is being requested in the Notice
  - Please submit comments and input to [CRB-info@usbr.gov](mailto:CRB-info@usbr.gov)
- Please submit your input by September 1, 2022



# Purpose of the Federal Register Notice

- Several reservoir and water management decisional documents and agreements that govern the operation of Lake Powell and Lake Mead expire at the end of 2026
- The purpose of the Notice is to receive input on the process and substantive elements for post-2026 operations prior to initiation of a formal process pursuant to the National Environmental Policy Act (NEPA)
  - Reclamation intends to formally initiate the NEPA process through a Notice of Intent to Prepare an Environmental Impact Statement in early 2023
- The Notice is a tool to seek input and encourage brainstorming prior to initiating the NEPA process





# Content of the Federal Register Notice

- In addition to asking for input on the process and substance for post-2026 operations, the Notice highlights the changing circumstances in the Colorado River Basin since 2007
  - Declining hydrology and drought impacted by a warming and changing climate
  - Inclusivity in Colorado River decision-making
  - Operational alignment and partnership with the Republic of Mexico
- The Notice also highlights the dire state of the system and recognizes that other processes to develop and implement near-term response actions may need to proceed on parallel timelines



# Specific Areas Reclamation is Seeking Input on for Post-2026 Operations

- Process:

Suggested mechanisms for the anticipated NEPA process(es) to ensure that a wide range of Basin partners, stakeholders, and the general public can meaningfully engage and participate in the development of post-2026 operational strategies

- Substantive elements:

Potential substantive elements and strategies that should be considered for post-2026 operations and considered in the anticipated upcoming NEPA process(es)

*Reclamation is particularly interested in receiving specific recommendations that can be considered and potentially integrated as the initiation of the post-2026 NEPA process is being developed.*





# QUESTIONS

For more information visit:

<https://www.usbr.gov/ColoradoRiverBasin/>

Submit comments to:

[CRB-info@usbr.gov](mailto:CRB-info@usbr.gov)



— BUREAU OF —  
RECLAMATION



## **Appendix C: List of Commenters**



*Table C-1. Stakeholder Submitted Comment Letters by Sector.*

Type of Entity	Number of Signatory Stakeholders	Stakeholder	State	Basin Focus
<b>Academic</b> 3 Letters 5 Stakeholders	3	University of New Mexico School of Law (John Fleck)	NM	Upper Basin
		Utah State University (Jack Schmidt)	UT	
		Eric Kuhn	CO	
	1	Utah State University (David Rosenberg)	UT	Upper Basin
	1	Arizona State University (Margaret Garcia)	AZ	Lower Basin
<b>Ag</b> 3 Letters 7 Stakeholders	1	Irrigation & Electrical District Association of AZ (IEDA - Ed Gerak)	AZ	Lower Basin
	1	Arizona Farm Bureau Federation (Stefanie Smallhouse)	AZ	Lower Basin
	5	Central Arizona Irrigation and Drainage District	AZ	Lower Basin
		Maricopa-Stanfield Irrigation & Drainage District	AZ	Lower Basin
		New Magma Irrigation and Drainage District	AZ	Lower Basin
		Queen Creek Irrigation District	AZ	Lower Basin
		San Carlos Irrigation and Drainage District	AZ	Lower Basin
<b>Basin States</b> 1 Letter 7 Stakeholders	7	Arizona (Thomas Buschatzke)	AZ	Basinwide
		California (Peter Nelson)	CA	
		Colorado (Rebecca Mitchell)	CO	
		Nevada (John Entsminger)	NV	
		New Mexico (Estevan Lopez)	NM	
		Utah (Gene Shawcroft)	UT	
		Wyoming (Brandon Gebhart)	WY	
<b>Energy</b> 3 Letters 3 Stakeholders	1	Colorado River Energy Distributors Association (CREDA - Leslie James)	Basinwide Focus	Basinwide
	1	Arizona Power Authority (Jordy Fuentes)	AZ	Lower Basin
	1	Colorado River Commission of Nevada (Eric Witkoski & Sara Price)	NV	Lower Basin

Type of Entity	Number of Signatory Stakeholders	Stakeholder	State	Basin Focus
<b>Federal Agency</b> <i>3 Letters</i> <i>3 Stakeholders</i>	1	National Park Service	Federal	Federal
	1	U.S. Fish and Wildlife Service	Federal	Federal
	1	Environmental Protection Agency	Federal	Federal
<b>Municipal</b> <i>12 Letters</i> <i>12 Stakeholders</i>	1	Arizona Municipal Water Users Association (Warren Tenney)	AZ	Lower Basin
	1	Tucson Water (John Kmiec)	AZ	Lower Basin
	1	City of Tempe, Municipal Utilities Department (Mark Weber)	AZ	Lower Basin
	1	Town of Gilbert (Jessica Marlow)	AZ	Lower Basin
	1	San Juan Water Commission (Aaron Chavez)	NM	Upper Basin
	1	City of Phoenix (Cynthia Campbell)	AZ	Lower Basin
	1	Scottsdale Water (Gretchen Baumgardner)	AZ	Lower Basin
	1	Metropolitan Water District of Southern California (Jennifer Harriger)	CA	Lower Basin
	1	Washington County Water Conservancy District (Zachary Renstrom)	UT	Upper Basin
	1	City of Chandler (Simone Kjolsrud)	AZ	Lower Basin
	1	City of Peoria (Brett Fleck and Cape Powers)	AZ	Lower Basin
	1	City of Avondale (Jennifer Davidson and Kirk Beaty)	AZ	Lower Basin
<b>Muni &amp; Ag</b> <i>2 Letters</i> <i>2 Stakeholders</i>	1	Mohave County Water Authority (Jamie Kelley)	AZ	Lower Basin
	1	Colorado River District (Andy Mueller)	CO	Upper Basin

Type of Entity	Number of Signatory Stakeholders	Stakeholder	State	Basin Focus
<b>NGO</b> 13 Letters 32 Signatory Stakeholders but only 25 Individual Stakeholders; 10 of which signed two letters and 3 of which signed three letters	1	Dolores River Boating Advocate (Rica Fulton)	Upper Basin Focus	Upper Basin
	1	<i>The Sonora Institute (Mike Zellner)</i>	Basinwide Focus	Basinwide
	1	<i>Western Resource Advocates (Bart Miller)</i>	Basinwide Focus	Basinwide
	7	<i>Glen Canyon Institute (Eric Balken)</i>	Basinwide Focus	Basinwide
		Returning Rapids Project (Mike DeHoff)		
		<i>Utah Rivers Council (Zach Frankel)</i>		
		<i>Living Rivers (John Weisheit)</i>		
		<i>Great Basin Water Network (Kyle Roerink)</i>		
		<i>Save the Colorado (Gary Wockner)</i>		
		National Parks Conservation Association (Ernie Atencio)		
	1	Southern California Water Coalition (Charles Wilson)	CA	Lower Basin
	1	Tortolita Alliance (Mark Johnson)	AZ	Lower Basin
	7	<i>The Nature Conservancy (Taylor Hawes)</i>	Basinwide Focus	Basinwide
		<i>Environmental Defense Fund (Kevin Moran)</i>		
		<i>Trout Unlimited (Sara Porterfield)</i>		
		<i>Western Resource Advocates (Bart Miller)</i>		
		<i>National Audubon Society (Jennifer Pitt)</i>		
		<i>Theodore Roosevelt Conservation Partnership (Alex Funk)</i>		
		<i>American Rivers (Matt Rice)</i>		
	1	<i>National Audubon Society (Jennifer Pitt)</i>	Basinwide Focus	Basinwide
	8	<i>Living Rivers (John Weisheit)</i>	Basinwide Focus	Basinwide
		<i>Great Basin Water Network (Kyle Roerink)</i>		
		Center for Biological Diversity (Robin Silver)		
		<i>Save The Colorado (Gary Wockner)</i>		
		Las Vegas Water Defender (Tick Segerblom)		
		<i>Glen Canyon Institute (Eric Balken)</i>		
		<i>Utah Rivers Council (Zach Frankel)</i>		
		Colorado Riverkeeper (John Weisheit)		

Type of Entity	Number of Signatory Stakeholders	Stakeholder	State	Basin Focus
	1	American Whitewater (Kestrel Kunz & Hattie Johnson)	Basinwide Focus	Basinwide
	1	Pacific Institute (Mike Cohen)	Basinwide Focus	Basinwide
	1	Sierra Club Colorado River Task Force (Cary Meister)	Basinwide Focus	Basinwide
	1	Blue Ribbon Coalition (Ben Burr & Simone Griffin)	Upper Basin Focus	Upper Basin
<b>Other</b> 2 Letters 2 Stakeholders	1	AECOM (Jennifer Frownfelter)	Basinwide Focus	Basinwide
	1	Colorado Water Leaders Program – Water Education Foundation	Basinwide Focus	Basinwide
<b>State Agency</b> 1 Letter 1 Stakeholder	1	Arizona Game & Fish Department (Luke Thompson)	State Agency	Lower Basin
<b>Tribe</b> 12 Letters 12 Stakeholders	1	<i>Southern Ute Indian Tribe (Melvin Baker)</i>	CO	Upper Basin
	1	Quechan Indian Tribe (Jordan Joaquin)	AZ	Lower Basin
	1	Tohono O'odham Nation (Ned Norris Jr.)	AZ	Lower Basin
	1	Yavapai-Apache Nation (Tanya Lewis)	AZ	Lower Basin
	1	Ute Indian Tribe	UT	Upper Basin
	1	Water and Tribes Initiative (Daryl Vigil and Matthew McKinney)	Basinwide Focus	Basinwide
	1	Ak-Chin Indian Community (Robert Miguel)	AZ	Lower Basin
	1	Hopi Tribe (Amy Mignella)	AZ	Lower Basin
	1	Gila River Indian Community (Jason Hauter)	AZ	Lower Basin
	1	Navajo Nation (Erik Stanfield)	AZ, NM & UT	Basinwide
	1	CRIT (Rebecca Loudbear)	AZ	Lower Basin
	1	<i>Jicarilla Apache Nation (Jenny Dumas)</i>	NM	Upper Basin

Type of Entity	Number of Signatory Stakeholders	Stakeholder	State	Basin Focus
Tribes & NGOs 1 Letter 14 Stakeholders (4 tribes and 10 NGOs); 8 of which have signed two letters and 3 of which have signed 3 letters	14	Jicarilla Apache Nation (Edward Velarde)	Upper Basin Focus	Upper Basin
		Paiute Indian Tribe of Utah (Corina Bow)		
		Southern Ute Indian Tribe (Melvin Baker)		
		Ute Mountain Ute Tribe (Manuel Heart)		
		American Rivers (Matt Rice)		
		Environmental Defense Fund (Kevin Moran)		
		Living Rivers (John Weisheit)		
		National Audubon Society (Jennifer Pitt)		
		National Wildlife Federation (Garrit Voggesser)		
		The Nature Conservancy (Taylor Hawes)		
		The Sonora Institute (John Shepard)		
		Theodore Roosevelt Conservation Partnership (Alex Funk)		
		Trout Unlimited (Sara Porterfield)		
		Western Resource Advocates (Bart Miller)		
XXX denotes individual stakeholder who signed two submitted letters XXX denotes individual stakeholder who signed three submitted letters				

*Table C-2. Citizen Submitted Comment Letters Alphabetized by First Name.*

<b>Name of Citizen (A through D)</b>	<b>Name of Citizen (D Cont'd through K)</b>	<b>Name of Citizen (L through R)</b>	<b>Name of Citizen (S through Z)</b>
Alec Cracchiolo	Dennis Huber	Mac Marmon	Scott Goetz
Alex Nofzinger	Don Hamrick	Madeline Kiser & Oscar Beita	SD Warnick
Amethyst O'connell	E.	Marc Silverman	Seth Arens
Amy Johnson	Ed Laake	Mark	Shanin Balfour
Andy Pontious	Elaine SimplyEL	Mark Day	Steve Hunsader
Angela Hill	Emily Vance	Mark Perantie	T Bennow
Angelo Mastrio II	Eugene Ostrowski	Mark Ruben	Ted Spencer
Austin Loyd	Gary Gustafson	Mark Zack	Teresa Edmunds
Bob Rothrock	George Rhee	Mark Zander	Theo D.
Brian McNeece	Gerry Litz	Martina Dobesh	Thomas Mcguire
Brian Morris	Glenn Talan	Maxwell Hanson	Tiffany Mapel
Brienne Poole	Harley Davidson	Michael Dean	Timothy Tursick
Brittany Wilding	Herb Carpenter	Michael Wilson	Tink Edmunds
Bryan Smith	Jack Grant	Mike Anas	Tom Suess
Carl Parmley	Jade Robinson	Mike Moore	Tom Tanksley
Carolyn McBride	Jaim Bojanski	Mike Pennoyer	Trevor Hattabaugh
Casey Warner	Jesse Wentker	Muriah Covey	Tricia Jauregui
Cecile Leblanc	Jim Smith	Nathan Sharp	Troy Johnson
Chris Fazendin	John & Patricia Lee	Nick Hansen	
Christina Karlhoff	John Beesley	Nick Swenson	
Christopher Wade	John Dwyer	Nicolas Urias	
CJ Heringer	John Guzik	Nicole Jack	
Colton Robinson	John Korkosz	Oren Applequist	
Cortland Brown	Jon Stones	Pat E Penn	
Craig Gaitan	Jonathan Zellner	Patrick Anderson	
Curtis Mccoy	Jorene Downs	Paul Ostapuk	
Dan Griffiths	Josiah Cassetti	Paul W Harms	
Dan Walthall	Karl Flessa	Perry Foster	
Daniel Cirignani Wood	Kasey Van Lant	Randy Park	
David Abbott	Kent Pull	Reese Romine	
David Anderson	Kevin Boese	Regina Raymond	
David Campbell	Kiana Reza	Richard Resnick	
David Johnston	Kip Loretta	Rick	
David McDaniel	Kylee Simmons	Robert Kumza	
David Wellen		Rolf Schultz	
Deb Reed		Ruben Sanchez	
Debbie Deloach		Ryan Bender	

*Note, prior to publishing the citizen comment letters and commenters, as a courtesy, Reclamation reached out to the concerned citizens who submitted input seeking confirmation to publicly post each letter. As a result, some letters and names are publicly withheld due to individual privacy preferences.*