



December 16, 2022

Genevieve Johnson
Reclamation 2007 Interim Guidelines SEIS Project Manager
Upper Colorado Basin Region,
125 South State Street, Suite 8100
Salt Lake City, Utah 84138

VIA EMAIL - CRinterimops@usbr.gov.

Dear Ms. Johnson,

With this letter, the National Audubon Society (Audubon) is providing comments for the Bureau of Reclamation's (Reclamation) "Notice of Intent to Prepare a Supplemental Environmental Impact Statement for the December 2007 Record of Decision Entitled Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead" (SEIS Notice) as published in Federal Register Notice – 87 FR 69042 on November 17, 2022.

Audubon protects birds and the places they need, today and tomorrow, throughout the Americas using science, advocacy, education, and on-the-ground conservation. Audubon has 1.8 million members who care deeply about birds, and these comments are submitted on their behalf. Audubon has joined with conservation partners on an additional comment letter, and this letter is meant to be complementary.

Audubon is concerned that historically, Reclamation, Colorado River Basin States, and Colorado River water users have collectively prioritized water deliveries over system reliability, failing to respond proactively to a water supply impacted by extended drought and climate change. As a result, the Colorado River Basin is inching ever closer to "Day Zero," a term first used in Cape Town, South Africa when they anticipated the day in 2018 that taps would run dry. Lakes Powell and Mead, the Colorado River's two enormous reservoirs, were full in 2000, storing more than four years of the river's average annual flow. For more than two decades water users have been sipping at that supply, watching them decline. Today the entire Colorado River reservoir storage system is 2/3 empty, and Reclamation has identified risk of infrastructure failure at both Glen Canyon Dam and Hoover Dam within the agency's near-term planning horizons. It is imperative that Reclamation manage Colorado River reservoirs in a manner that ensures the Colorado River continues to flow perennially, even if those flows are low.

The stakes are enormous for people, for birds, and for all life that depends on the Colorado River. Many, many millions of people depend on the Colorado River for drinking water supply. There are thirty Native American Tribes in the Colorado River Basin who have sovereign status and whose perspectives have for too long been

ignored. The river's water irrigates millions of acres of farms and ranches, providing food and fiber as well as the foundation of rural economic activity across the region. Freshwater-dependent habitats in the Colorado River Basin support more than 70% of all wildlife during some phase of their life cycle. The riparian forest that lines the waterways of the Colorado River Basin provides crucially important habitat for wildlife, especially birds, including 400 species along the Lower Colorado River alone.

As Reclamation prepares for management of the Colorado River in the next two years, we urge the following considerations:

Prioritize improving system stability over maximizing water deliveries and hydropower generation.

Reservoirs today are so low that the system faces untenable risk of dead pool at both Lake Powell and Lake Mead. To ensure that the Colorado River can continue to flow perennially, Reclamation's management must ensure these reservoirs do not continue to drain. The current guidelines determine reservoir releases based on reservoir elevations, a management framework predicated on predictable reservoir inflows, at least in a probabilistic sense. Because reservoir inflows have been unpredictably and improbably low, the current guidelines – even as adjusted in 2019 with Drought Contingency Plans and in 2021 with the 500+ plan – have not been able to stem the decline of the reservoirs. Reclamation should consider greater coordination in reservoir operations for low reservoir conditions (perhaps when system storage is below 50%), and determine reservoir releases based on previous-year and recent-year hydrology, possibly an average of the two or three most recent years of reservoir inflow. Moreover, because maintaining Lake Powell and Lake Mead at their current low elevations perpetuates untenable risk, Reclamation should consider reducing the volume of reservoir releases to account for evaporation as well as for a modest degree of re-filling.

Human health and safety, which Reclamation points to as the basis for initiating the SEIS, includes environmental conditions. The Colorado River water supply cannot be managed as something separate and apart from the Colorado River itself. The safety and functionality of Colorado River infrastructure cannot be ensured without continued viability of critical natural systems and environments that serve as the very building blocks upon which Colorado River communities, economies and ecosystems survive.

Resource impact assessments should include connected resources managed under parallel processes.

- Grand Canyon - Once the annual release is set from Lake Powell, the within-year hydrograph for Glen Canyon Dam releases is determined by the adaptive management process for the Grand Canyon, specifically the Long-Term Experimental Management Plan (LTEMP). Two points are important here: first, Reclamation should immediately ask the Grand Canyon Research and Monitoring Center to begin analyzing how to optimize the hydrograph for annual flows at volumes lower than authorized in the 2007 guidelines; second, the SEIS should assess the range of impacts possible to the full suite of resources in the Grand Canyon based on all possible Glen Canyon Dam releases possible under any alternatives analyzed.
- Lower Colorado River – For nearly two decades, Reclamation has partnered with states and water users to mitigate operational impacts on the Lower Colorado River through a Multi-Species Conservation Program. Today's program is designed to mitigate for impacts anticipated more than 20 years ago. Reclamation's analyses must assess the impact of decreased flows in the Lower Colorado River, and should clearly indicate when, where, and the degree to which impacts exceed those anticipated and mitigated in the existing program.

- Salton Sea – Audubon appreciates Reclamation’s recent commitments to Salton Sea mitigation in partnership with the State of California and the Imperial Irrigation District. Recognizing these and other existing habitat mitigation commitments, Reclamation’s resource impact analyses should include Salton Sea habitats and environmental justice concerns, including inflows, water quality, lake levels, areas of exposed playa and dust emissions.

Colorado River Tribes are sovereigns who cannot be excluded from decision-making. That exclusion should not be tolerated, and the Tribes should be included along with States as Reclamation works through its decision-making process.

Colorado River management may have extraordinary impacts on resources beyond the reach of Reclamation’s scope for this SEIS. The more Reclamation can be transparent about these related impacts, the better stakeholders will be able to provide input on preferred management. Also, Reclamation and other federal agencies have resources via the Inflation Reduction Act, the Bipartisan Infrastructure Law, and other appropriations to address drought and climate change impacts on arid land, freshwater-dependent resources. Understanding where impacts are expected will help guide these investments.

- Colorado River Delta – The SEIS is necessarily limited to domestic actions, but precedent suggests Mexico may share proportionately in Lower Basin shortages. As Mexico’s access to Colorado River water supply declines, there may be less water available for important native habitat resources in the Colorado River Delta, including habitat areas recently developed under the binational, collaborative framework established in Minutes 319 and 323. The earlier Reclamation can, in partnership with the International Boundary and Water Commission, address possible modifications to Mexico’s Colorado River deliveries, the more time the Republic of Mexico, its water users and stakeholder will have to prepare for changes and mitigate impacts.
- Arizona Groundwater – While groundwater resources in rural Arizona remain unregulated, reductions to Arizona’s Colorado River water deliveries may prompt unprecedented mining of fossil groundwater, with harm resulting to existing well users as well as groundwater-dependent habitats including rivers, springs, and wetlands.
- Rio Grande – Any management decisions that impact storage in the Navajo reservoir and/or New Mexico’s access to Colorado River water supply may result in decreased flows through the San Juan – Chama project, resulting in decreased flows in the Rio Grande.
- South Platte - Any management decisions that impact Colorado’s access to Colorado River water supply may result in decreased exports of water to the South Platte Basin, resulting in decreased flows in the South Platte River.
- Great Salt Lake - Any management decisions that impact Utah’s access to Colorado River water supply may result in decreased exports of water to the Wasatch Front, resulting in decreased flows into the Great Salt Lake.

In defining the Reclamation management alternative, the agency must be clear about its use of existing authorities to reduce deliveries to water users and must ensure proper process to develop any determinations under those authorities. The unprecedented nature of today’s conditions will require unprecedented management to avoid a catastrophe on the Colorado River and among its users. While a

collaborative agreement between water users, tribes, and state and federal governments is likely to provide the most desirable path forward, such a collaborative agreement may not be achieved in the short timeframe required by the extraordinary risks developing on the Colorado River. In this SEIS Reclamation should articulate how it will use existing authorities to prevent catastrophic outcomes. The more Reclamation can do to be transparent and share information at every step of its decision process, the more the basin community will be able to understand and prepare for these actions. Robust preparation should help avoid interruptions to management based on legal and other challenges to Reclamation's decisions.

While the framework for the Upper Basin Drought Operations Agreement (DROA) was recently adopted, Reclamation should consider revising the timing of decisions made under that framework. Reclamation recently announced it would shift the annual release pattern from the Glen Canyon Dam to protect against a “spring dip” at Lake Powell that could threaten infrastructure. The new pattern increases releases in winter and spring and decreases releases in summer and fall. Another way to protect against this “spring dip” is earlier releases from Upper Basin reservoirs under DROA provisions. Reclamation should assess the trade-offs of shifting the timing of releases on the various river reaches implicated, including the Grand Canyon and the Green River from Flaming Gorge downstream to Lake Powell.

Consider modifying provisions for mid-year review in the 2007 guidelines. This past year Reclamation made an emergency decision to reduce Glen Canyon Dam releases. At present, the 2007 guidelines define circumstances when Reclamation can use a mid-year review to modify the Glen Canyon Dam release, but only to increase them. It may be prudent to define a pathway for a mid-year decision to reduce them as well.

Evaluate the difference between water shortages and voluntary, compensated reductions in water use – Reclamation and the Colorado River Basin states have gained experience from system conservation pilots that date back at least 15 years. When water users engage in voluntary, compensated reductions in water use, the economic impacts are significantly different than when involuntary, uncompensated shortages are implemented, in terms of both the sectors and geographies that engage. A management framework based in voluntary and compensated reductions in water use can avoid shortages to water users least able to adapt to reduced water supplies, such as endangered species and critical urban water uses. Reclamation's analyses of management options should clearly distinguish these different approaches to reducing water uses in the Colorado River Basin, and evaluate a full range of impacts for both, including how the distribution of reduced water use would differ.

Invest in monitoring the impacts of Colorado River operations as modified by the Record of Decision resulting from this SEIS. With the expectation that river flows will be low beyond precedent, impacts to Colorado River ecosystems are also expected to be unprecedented. In addition to forecasting these impacts as described above, it will be imperative for Reclamation to actually measure ongoing impacts as they develop. Reclamation should invest in a robust monitoring program to collect data needed to fully understand the impact of low flows. This will be particularly important and useful as the agency pivots to its longer-term process to determine Colorado River operating guidelines post-2026.

Implement robust stakeholder and public engagement. There are many stakeholders, including economically vulnerable communities and people who do not presently consider themselves stakeholders, who will be impacted by Reclamation's decision. Colorado River management is extraordinarily complicated, and it is often not easy to understand how management changes hit the ground. In the past, giant system reservoirs have shielded many Colorado River water users and stakeholders from variability in Colorado River flows, but the vast majority of this stored water supply is gone. Reclamation's public engagement process should extend into

the communities that will be most impacted, and should include communications in Spanish language when appropriate.

Thank you for considering these comments. Audubon appreciates Reclamation's leadership at this critical time.

Sincerely

A handwritten signature in black ink that reads "Jennifer Pitt". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Jennifer Pitt
Colorado River Program Director
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cc: Camille Calimlim Touton, Commissioner, US Bureau of Reclamation
David Palumbo, Deputy Commissioner, US Bureau of Reclamation
Wayne Pullan, Regional Director, Upper Colorado River, US Bureau of Reclamation
Jaci Gould, Regional Director, Lower Colorado River, US Bureau of Reclamation
Tanya Trujillo, Assistant Secretary for Water and Science, US Dept. of the Interior