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Sent Via Email

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December 11, 2023

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

Re: Supplemental EIS for near-term Colorado River Operations

Dear Ms. Johnson:

The Front Range Water Council (FRWC) thanks you for the opportunity to provide comments on the revised supplemental environmental impact statement (Revised SEIS) for near-term Colorado River Operations for water year 2024.

The FRWC consists of Colorado River water users located on the Front Range of Colorado that have a vested interest in ensuring the long-term sustainability and reliability of the Colorado River. The FRWC is comprised of Denver Water, Northern Water, Pueblo Water, Aurora Water, Colorado Springs Utilities, the Southeastern Colorado Water Conservancy District, and Twin Lakes Reservoir and Canal Company. The members of the FRWC rely on the continued security of the Colorado River to provide potable drinking water to approximately 80% of the State's population, and supply irrigation water to highly productive farmland in the South Platte and Arkansas river basins. The sustainability of the Colorado River is critical to the health and economic vitality of Colorado's Front Range communities.

The FRWC continues to support the purpose and need for the proposed action and supports the assumption in the hydrology analysis that no potential Drought Response Operations Agreement (DROA) contributions be included in the modeled hydrologies for the no action alternatives, Alternatives 1 and 2, and the proposed action.

The FRWC also continues to have several overarching concerns. Even with the 2019 Drought Contingency Plan (DCP), the 2007 Interim Guidelines have consistently proved inadequate for the operation of Lake Mead and Powell in the face of declining hydrology and Lower Basin overuse. Additionally, without an accurate accounting of system losses, the Lower Colorado River will continue to experience imbalance. Given the low levels in Lake Powell and Lake Mead and the fact that the River remains one bad year away from reaching unprecedented storage elevations, Reclamation should begin to account for system losses within the Lower Basin pursuant to its broad authority to apportion water in the Lower Basin in times of shortage.

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In addition, the FRWC has several concerns and comments regarding the Revised SEIS as outlined below:

1. The proposed action lacks sufficient safeguards to accommodate uncertainty in achieving the Lower Basin's proposed conservation goals and changes in hydrology. The purpose of the Revised SEIS is to supplement the 2007 Interim Guidelines to modify guidelines for operation of the Glen Canyon and Hoover Dams to address historic drought, historically low reservoirs, and low-runoff conditions in the Basin. The need for the modified operating guidelines is based on the potential that continued low-runoff conditions in the Basin could lead Lake Powell and Lake Mead to decline to critically low elevations, impacting operations through the remainder of the interim period (prior to January 1, 2027). The proposed action should incorporate additional safeguards that would be triggered to adequately protect against unacceptable levels in Lake Powell in the event the Lower Basin fails to secure 3.0 million ac-ft in system conservation, cumulative water conservation activities don't adequately protect the system, and/or Colorado River hydrology is worse than currently predicted.

a. The proposed action assumes that it will be possible for the Lower Basin to secure 3.0 million ac-ft in system conservation, creation of ICS, or other water conservation activities that result in system benefits, as outlined in the Lower Basin proposal. However, this action is highly contingent and rests on uncertain outcomes, creating a high degree of risk that the proposed action will fail to meet the purpose and need.

b. Additionally, the hydrology within the Colorado River Basin is highly uncertain. The Colorado River Basin remains one bad year away from a catastrophic failure of water supply that could have unacceptable consequences for the Colorado River, and the millions of people who depend upon the River's supply. The hydrology scenarios used in the Revised SEIS are derived from the June 2023 Ensemble Streamflow Prediction (ESP) Upper Basin forecast. Three sets of the ESP were used that include 100% ESP, 90% ESP and 80% ESP. The hydrology used to evaluate Alternatives 1 and 2 and the proposed action does not adequately consider low flow conditions and as a result the risk of Powell dropping below 3,500 ft is consequently understated. Recent history shows that contents at Powell dropped to a low of 5.375 million ac-ft in March 2023 despite reducing releases in 2022 to 7.0 million ac-ft and releasing close to half a million ac-ft from the Colorado River Storage Project (CRSP) Act reservoirs to bolster contents at Powell. Contents at Powell were 8.8 MAF just two years prior to that in March 2021, which corresponds with near-current contents at Powell at the end of October 2023. While Reclamation's percent of traces reaching critical elevations at Lake Powell for Alternatives 1 and 2 decreased from 9 percent to 0 percent using the updated June 2023 forecast, and from 44 percent to 10 percent for Mead, as of the end of October 2023, both reservoirs remain at such low levels (3,572.71 ft for Powell and 1064.81 ft for Mead) that there is little buffer to sustain a single bad year. This demonstrates that under the 2007 Interim Guidelines, Lake Powell

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contents could similarly drop to levels close to 3,500 ft in less than two years if the hydrology is similar to the most recent period.

c. Because the proposed action relies on uncertain conservation efforts, and also does not provide adequate measures to protect elevations at Lake Powell if hydrology is similar to 2021 and 2022, the proposed action should include provisions to protect the elevation at Lake Powell if it is in the lowest tier similar to previously proposed Alternatives 1 and 2. Under prior Alternatives 1 and 2, if the elevation at Lake Powell is less than 3,500 ft in any month, the release from Lake Powell can be reduced below 6.0 million ac-ft if necessary to maintain 3,500 ft at the end of the year. In contrast, under the proposed action, if Powell is in the Middle or Lower Tier, a mid-year adjustment could be made to reduce the releases from Lake Powell to no less than 6.0 million ac-ft if the minimum probable scenario in the 24-Month Study results show Lake Powell dropping below 3,500 ft at any point in the following 12 months. The proposed action should be revised to include a provision similar to previously proposed Alternatives 1 and 2 that would allow releases to be reduced below 6.0 million ac-ft to protect elevation 3,500 ft at Lake Powell.

2. In the alternative, the FRWC requests Reclamation to include prior Alternatives 1 and 2 in the final supplemental EIS and reevaluate Alternatives 1 and 2 and the proposed action to consider the benefits of additional shortages in 2023 across the alternatives. It does not appear that the additional shortages proposed for 2024 in Alternatives 1 and 2 was included in the modeling completed for the Revised SEIS. In contrast, the additional conservation of 750,000 ac-ft per year for the proposed action is included starting in 2023 and continuing through 2026. As a result, the comparison of model results for the proposed action with results for Alternatives 1 and 2 is misleading as the proposed action performs better with respect to elevations at Lake Powell and Lake Mead due to the additional shortages included in that alternative in 2023 and 2024. To provide a valid comparison of the alternatives, Reclamation should reevaluate Alternatives 1 and 2 by including additional shortages of up to a maximum of 2,083,000 ac-ft in 2024 and compare with the proposed action. The maximum volume of shortages analyzed in the 2007 FEIS was 2,083,000 ac-ft.

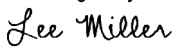
3. The Revised SEIS should be modified to include language at section 2-8, clarifying that the Secretary's reservation of the right to operate Reclamation facilities to address extraordinary circumstances is limited to Glen Canyon and Hoover Dams. The SEIS states "[f]or all operations, the Secretary reserves the right to operate Reclamation facilities to address extraordinary circumstances, as described in Section 7(D) of the 2007 Interim Guidelines, including 'operations that are prudent or necessary for safety of dams, public health and safety, other emergency situations, or other unanticipated or unforeseen activities arising from actual operating experience.'" (EIS p. 2-8). The sentence should be revised to state, "[f]or all operations **at Glen Canyon and Hoover Dams**, the Secretary reserves the right to operate Reclamation facilities **at or downstream of Glen Canyon Dam** to address extraordinary circumstances, as described in Section 7(D) of the 2007 Interim Guidelines, including 'operations that are prudent or necessary for safety of dams, public health and safety, other

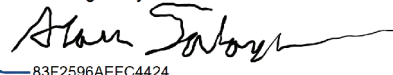
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emergency situations, or other unanticipated or unforeseen activities arising from actual operating experience.”


Thank you for your consideration of these comments. We look forward to working cooperatively within the Colorado River Basin to further achieve the goal of making the Colorado River a more sustainable and reliable river and water supply.

Sincerely,

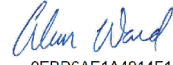
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Executive Director
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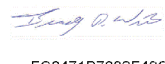
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Board of Water Works of Pueblo, CO

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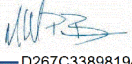
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Alan Ward
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cc: Rebecca Mitchell
Colorado Dept of Natural Resources