



CREDA

Colorado River Energy Distributors Association

ARIZONA

Arizona Municipal Power Users Association

Arizona Power Authority

Arizona Power Pooling Association

Irrigation and Electrical Districts Association

Navajo Tribal Utility Authority
(also New Mexico, Utah)

Salt River Project

COLORADO

Colorado Springs Utilities

CORE Electric Cooperative

Holy Cross Energy

Platte River Power Authority

Tri-State Generation & Transmission Association, Inc.
(also Nebraska, Wyoming, New Mexico)

Yampa Valley Electric Association, Inc.

NEBRASKA

Municipal Energy Agency of Nebraska
(also Colorado)

NEVADA

Colorado River Commission of Nevada

Silver State Energy Association

NEW MEXICO

Farmington Electric Utility System

Los Alamos County

UTAH

City of Provo

City of St. George

Heber Light & Power

South Utah Valley Electric Service District

Utah Associated Municipal Power Systems

Utah Municipal Power Agency

WYOMING

Wyoming Municipal Power Agency

Leslie James

Executive Director

CREDA

10429 S. 51st St., Suite 230
Phoenix, Arizona 85044

Phone: 480-477-8646

Fax: 480-477-8647

Cellular: 602-469-4046

Email: creda@creda.cc

Website: www.credanet.org

December 7, 2023

Reclamation 2007 Interim Guidelines

SEIS Project Manager

Upper Colorado Basin Region

125 South State Street, Suite 8100

Salt Lake City, UT 84138

Attn: Genevieve Johnson

CRinterimops@usbr.gov

Re: Near-Term Colorado River Operations Revised Draft Supplemental Environmental Impact Statement (DSEIS) October 2023

The Colorado River Energy Distributors Association (CREDA) appreciates the opportunity to provide comments on Reclamation's DEIS, as noticed by EPA in Fed. Reg. Vol. 88, No. 207 (October 27, 2023). CREDA members serve over 4.1 million consumers in the Colorado River basin states of Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming, and represent the majority of the firm electric service customers of the Colorado River Storage Project (CRSP). As such, CREDA and its members have a unique interest and role in issues associated with Colorado River operations, specifically Near-Term and Post-2026 Colorado River Operations and associated processes.

By way of background, CREDA has provided comment on associated documents and processes as follows: April 20, 2020 Interim Guidelines scoping; August 31, 2022 Post-2026 Operational Strategies; September 29, 2022 Notice of Intent; December 20, 2022 Notice of Intent; May 21, 2023 DSEIS; August 11, 2023 Notice of Intent/Post-2026 Scoping; November 11, 2023 LTEMP SEIS Notice of Intent/Scoping. CREDA incorporates these letters by reference.

CREDA offers the following comments on selected provisions of the DSEIS, by page reference as appropriate.

GENERAL COMMENT: As described, the No Action and Proposed Action alternatives do not meet Reclamation's statutory mandate in Section 7 of the CRSP Act of 1956 that the Glen Canyon Dam hydropower plant "be operated in conjunction with other federal powerplants, present and potential, **so as to produce the greatest practicable amount of power and energy** that can be sold at firm power and energy rates". (emphasis added). As Commissioner Touton testified before Congress on April 26, 2023 "Reclamation's projects and programs serve the water and power infrastructure backbone of the American West...".

1.2 PROPOSED FEDERAL ACTION (1-9): The information contained in footnote 9 should be brought into the body of this section, and not relegated to a footnote. This text is one of the first references to the hydropower purpose (in reference to "infrastructure") and underscores an important fact: the hydropower purpose of the Colorado River Storage Project (CRSP), and specifically Glen Canyon Dam in this DSEIS, is inseparable from water delivery changes and conditions. It is incorrect that only "in recent months" has Reclamation become concerned about protecting reservoir elevations for authorized purposes. Reclamation is the second largest producer of hydropower in the United States, and direct and indirect impacts to all aspects of this carbon-free life-essential resource must be identified, analyzed and mitigated. The Proposed Action should clearly state that reference to "infrastructure" relates to the water AND POWER purposes of Reclamation's statutory

obligations and mission.

1.3 PURPOSE OF AND NEED FOR ACTION (1-10): Reiterating the comment above, “protecting infrastructure” should be clear that this objective/need refers to the hydropower purpose.

2.5 COMMON TO ALL ALTERNATIVES (2-3): Reference is made to PL 117-169 Section 50233, part of the “4 billion dollars for drought mitigation”. These funds should be considered for use in mitigating impacts to the hydropower purpose which are a direct or indirect result of this DSEIS or the concurrently proceeding LTEMP SEIS, as these are connected activities. It is CREDA’s understanding that to date, none of the \$4 billion has been allocated or used for hydropower purposes. CREDA recognizes that implementation of these efforts is ongoing and urges Reclamation to consider this funding for broader mitigation of direct and indirect impacts of this DSEIS and the LTEMP SEIS.

2.7.2 COORDINATED RESERVOIR OPERATIONS (2-12, 2-13): DSEIS text referring to LTEMP operational goals for hourly, daily and monthly releases should include specific reference to section B.1.2 of the LTEMP ROD by inclusion of language describing operational flexibility permitted under specific conditions. 1/ This specificity is necessary to ensure that coordinated operations under LTEMP REQUIRE flexibility under certain conditions and should not be interpreted as merely “consistent with” the ROD.

2.8.2 HYDROPOWER PRIORITIZATION ALTERNATIVE (2-16, 2-17): As CREDA represents the majority of hydropower customers of the CRSP, we have endeavored to understand the specific description of this described alternative that was “considered but eliminated from further consideration”. We have been unable to locate the description of a specific proposed alternative that prioritizes “hydropower over all other purposes”. On the November 17 webinar re the DSEIS, we asked for specific reference to this alternative, but the response was “to review Chapter 2”, which we did before we asked for additional detail. We appreciate the challenge the DSEIS drafters have in reviewing thousands of comments, but in this case, we believe it is important to clarify whether a) a specific “hydropower only” alternative was submitted for consideration and b) if so, how “prioritization” was described as meaning “to the exclusion of all other purposes”.

3.5 CUMULATIVE IMPACTS (3-11): Section 3.5.1 refers to the LTEMP SEIS that is currently in the scoping/drafting phase. Having seen multiple comment letters submitted in that process, CREDA questions how the results of an as yet to be completed SEIS can be incorporated into THIS DSEIS as a cumulative impact. Further, as “critical reservoir elevations” are necessary elements in both this DSEIS and any operations associated with the prevention and management of warm-water invasive species such as the smallmouth bass, the effects analysis for both NEPA processes are interrelated and must be identified and disclosed in both processes.

3.9 AIR QUALITY/3.9.2 ENVIRONMENTAL CONSEQUENCES (3-128): Please consider revising reference to the “Upper Colorado River Basin” to the “Colorado River Storage Project”. Reference to the Upper Basin only does not accurately capture the fact that CRSP generation (with Glen Canyon Dam as the largest generation resource) is marketed and distributed through both Upper and Lower Colorado River Basins, and replacement power resources are not just limited to the Upper Basin.

(3-134): CREDA recommends the sentence subjectively describing the quantity of GHG emissions be revised to state clearly that there would be an increase in GHG emissions, which exacerbate climate-related impacts. It is unnecessary to subjectively describe the contribution in narrative terms, or to refer to GHG emission sources “around the world”. The data in Table 3-23 is sufficient. The stand-alone paragraph referencing Lake Powell potential reservoir surfaces and GHG should be deleted as it is “uncertain” and “unquantified”.

(3-136): The paragraph describing HFE impacts to air quality is incorrect in that it states, “no additional impacts would occur at any downstream powerplants”; and that “These impacts would not be outside the range analyzed in LTEMP”. Given that the LTEMP SEIS is currently in scoping, these statements should be deleted. In addition, “Any reduction would be offset by the purchase of replacement power” does not appear to relate to air quality analysis and should be clarified or removed.

3.13 BIOLOGICAL RESOURCES/3.13.2 VEGETATION (3-194): As noted above, given the current status of the LTEMP SEIS, the cumulative impact statement that “If one of the LTEMP SEIS flow options were implemented, it would not have a measurable effect on vegetation” is premature at best. The LTEMP SEIS alternatives have not yet been described or provided to the cooperating agencies or public for comment or analysis.

3.15 ELECTRICAL POWER RESOURCES/3.15.1 AFFECTED ENVIRONMENT (3-242):

Recommend referring to the funds derived from the sales of federal power and transmission as “federal accounts” or specifically cite their statutory titles. Technical they are not “power funds”. Also, along with the bulletized list of resources analyzed, the “electrical grid” should be added to the listing. Throughout the DSEIS there is mention that the “nature” of hydropower generation “hasn’t changed since 2007”. In referring to the method of generation since the 2007 Guidelines, that is a correct statement. However, since the 2007 Guidelines, the western grid has seen significant changes and challenges as utilities are transitioning to a more carbon-free future. In that endeavor, the total regional generation resources necessary to serve the needs of the Western Interconnection *have* significantly changed, often resulting in a near shortage of resources available to provide replacement power due to changed operations or experiments. Further, the *nature* of the resources has changed, with significantly more non-dispatchable resources entering the grid. The Western Interconnection provides reliable, essential electrical service to millions of people in the West. As changes are proposed for Glen Canyon Dam and Hoover Dam, two of the largest dispatchable hydropower resources in the West, impacts to the grid must be analyzed and mitigated. These conditions and concerns were not as prevalent during preparation of the 2007 Guidelines and must be addressed in any current NEPA process involving federal Colorado River generation and transmission resources.

(3-243): This paragraph again refers to the “no changes since 2007” and refers to the LTEMP ROD as “regulations”. CREDA recommends that the LTEMP be described as a ROD, and that reference also be made to the Flaming Gorge and Aspinall Unit RODs (both in place post-2007). As the CRSP resources are marketed under long term contract as an integrated project, changes at Glen Canyon Dam can also impact changes at Aspinall/Flaming Gorge, and vice versa. Finally, in regard to the “no changes” comment, the CRSP rate design has changed significantly since 2007, due in large part to drought conditions and the need to maintain a stable Upper Colorado River Basin Fund. In essence, the CRSP firm electric service customers have taken on additional responsibility regarding replacement power, which clearly IS impacted by changed operations of the CRSP generation resources. In the Power Marketing text, CREDA recommends revising “facilities” to “projects”. WAPA’s contracts with its customers are for project (statutorily authorized) resources, not individual hydropower facilities.

(3-249): CREDA recommends the addition of a revenue table for CRSP, such as included in Tables 3-44 and 3-45.

(3-254 through 3-256): Please include the relevant metric on each of the tables (MWh). The DSEIS should include impacts to the federal electric service rates, including but not limited to the CRSP rate. Some CRSP customers receive a “bill credit” intended to represent the federal resource benefit. When there is a change in the CRSP resource provided, those entities may receive a smaller (or larger) credit, meaning the federal benefit anticipated since 2004 may be different. The bill crediting benefit is one which each tribe can decide how best to use in its community. The rate impact to benefit crediting customers should be included in the Environmental Justice section of the DSEIS.

3.15.2 ENVIRONMENTAL CONSEQUENCES/CUMULATIVE EFFECTS (3-260): Please see previous comments regarding status of the LTEMP SEIS in scoping; it is premature to state whether or not certain operational changes would be within the bounds of the current LTEMP, since this process is supplementing that ROD.

SUMMARY (3-261): Please remove subjective conclusory comments describing impacts to revenues. In fact, an impact of over \$8 Million translates to over a 1 mill impact in the CRSP rate. In addition, revenues are not the only indicator of impacts. That indicator does reflect impacts to the Upper Colorado River Basin Fund and the expenses it is obligated to cover. However, the Summary section should comprehensively cover the impacts analyzed, not just revenues, and should include the referenced rate analysis.

3.17 ENVIRONMENTAL JUSTICE (3-316): Another example of a significantly changed circumstance since the 2007 Guidelines were completed is the allocation of CRSP resources to 52 Tribes. Impacts from the Proposed Action should be assessed to not only the tribes listed in 3.17.1 from a water delivery standpoint, but to all the tribes that are now CRSP firm electric service customers from a hydropower impact standpoint. These tribes all have the potential “to be affected by project management”.

APPENDIX A/A.3.2. HYDROPOWER GENERATION (A-7): This section should be revised to refer specifically to the provisions of the CRSP Act and the Boulder Canyon Project Act citing the hydropower authorized purposes and Reclamation’s statutory obligations regarding hydropower production at Glen Canyon and Hoover Dams, respectively. Specific citation to these statutes would also be consistent with the remainder of section A.3.

Thank you for the opportunity to provide comments. We are available to discuss at your convenience.

Sincerely,

Leslie James

Leslie James
Executive Director

Cc: CREDA Board
Wayne Pullan- Reclamation UC Region
Tracey LeBeau – WAPA Administrator

Footnote 1

Section B.1.2. of the ROD (Operational Flexibility, cited in *italics* below). The ROD’s Table 3 footnote should also be included for clarity: *Within a year, monthly operations may be increased or decreased based on factors referenced in Section 1.2 and 1.3.* This would ensure there is no conflict between the DSEIS and the LTEMP SEIS.

ROD Section 1.2 Reclamation retains the authority to utilize operational flexibility at Glen Canyon Dam because hydrologic conditions of the Colorado River Basin (or the operational conditions of Colorado River reservoirs) cannot be completely known in advance. Consistent with current operations, Reclamation, in consultation with WAPA, will make specific adjustments to daily and monthly release volumes during the water year. Monthly release volumes may be rounded for practical implementation or for maintenance needs. In addition, when releases are actually implemented, minor variations may occur regularly for a number of operational reasons that cannot be projected in advance. Reclamation also will make specific adjustments to daily and monthly release volumes, in consultation with other entities as appropriate, for a number of reasons, including operational, resource-related, and hydropower-related issues. Examples of these adjustments may include, but are not limited to, the following: For water distribution purposes, volumes may be adjusted to allocate water between the Upper and Lower Basins consistent with the Law of the River as a result of changing hydrology; For resource-related issues that may occur uniquely in a given year, release adjustments may be made to accommodate nonnative species removal, to assist with aerial photography, or to accommodate other resource considerations separate from experimental treatments under the LTEMP; For hydropower-related issues, adjustments may occur to address issues such as electrical grid reliability, actual or forecasted prices for purchased power, transmission outages, and experimental releases from other Colorado River Storage Project dams. In addition, Reclamation may make modifications under circumstances that may include operations that are prudent or necessary for the safety of dams, public health and safety, other emergency situations, or other unanticipated or unforeseen activities arising from actual operating experience (including, in coordination with the Basin States, actions to respond to low reservoir conditions as a result of drought in the Colorado River Basin). In addition, the Emergency Exception Criteria established for Glen Canyon Dam will continue under this alternative. (See, e.g., Section 3 of the Glen Canyon Operating Criteria at 62 FR 9448, March 3, 1997.) Section 1.3 addresses adjustments to base operations for adaptive management-based experimental operations with flow components.