



QUECHAN INDIAN TRIBE
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Office of Tribal Administration

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December 11, 2023

Ms. Camille Calimlim Touton
Commissioner of Reclamation
U.S. Bureau of Reclamation
1849 C Street NW # 7654
Washington, DC 20240
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Re.: Quechan Indian Tribe Comments to Reclamation's Revised Draft Supplemental EIS
Regarding Implementation of the 2007 Interim Guidelines

By e-mail

Dear Commissioner Touton:

The Fort Yuma Quechan Indian Tribe submits these comments regarding the revised draft supplemental environmental impact statement (SEIS) published by the Bureau of Reclamation (Reclamation) in the Federal Register on October 27, 2023. As we have previously explained to you, including in our comments of December 19, 2022, submitted in response to Reclamation's original Notice of Intent to prepare an SEIS, the Colorado River is the lifeblood of the Quechan people and we have a deep and abiding responsibility to be good stewards of the River – for the Tribe and its members, for the species and ecosystems that it sustains, and for the benefit of our fellow tribes and non-Indian neighbors throughout the Basin. It is therefore vital to us that the Colorado remains a *living* river throughout its entire course.

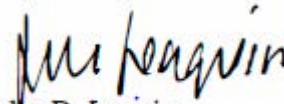
It is because of this deep connection we feel to the River that we are so committed to engaging with the United States, our sister Tribes, the Basin States, and other stakeholders to find durable, sustainable solutions to the long-term hydrologic challenges facing the Basin. It is in this spirit that we were pleased to be able to work with contractors in the State of California on the development of the Lower Basin Plan that underpins the alternative identified as the proposed action described in Section 2.7 of the revised draft SEIS. We are proud to be able to dedicate over 20% of our total water rights in California to system conservation over the next three years in support of that Plan and we appreciate the leadership your agency has shown in

entering into the System Conservation Implementation Agreement with the Tribe and the Metropolitan Water District of Southern California to facilitate our ability to make that contribution to protecting elevations at Lake Mead. We strongly support the adoption of the revised draft SEIS' proposed action alternative as the preferred alternative in your final SEIS. Adoption of that alternative will provide Reclamation with the tools it needs to manage the river system over the next three years while we collectively focus on the vital task of developing a longer-term Basin-wide management framework for the post-2026 period.

As to the remaining substance of the revised draft SEIS, we note that the caliber of the environmental analysis is improved from that of the original draft SEIS, a representative sample of whose shortcomings we noted in our letter to you of June 9, 2023. That is a good development. We are also pleased to see that Reclamation has abandoned in the revised draft SEIS further consideration of what had been denominated as alternative two in the original draft SEIS. We are disappointed, however, that Reclamation has purported to do so only because both the proposed action and the no-action alternative now outperform that alternative. While we are glad this is true, it nonetheless continues to ignore the fact that Reclamation lacks the legal authority to impose out-of-priority cuts – such as those contemplated in former alternative two – on our Tribe or the other tribes whose water rights were decreed in *Arizona v. California*. We addressed this issue in detail in our letter to you of June 9, 2023, and reiterate the request we made to you then that you acknowledge the accuracy of our analysis. Certainly nothing in the materials you subsequently shared with us provides any justification for a contrary conclusion.

Thank you for your consideration of these comments. We continue to value our partnership with Reclamation, which we view as vital for protecting and preserving the Colorado River upon which the Quechan people have relied since time immemorial.

Sincerely,



Jordan D. Joaquin

President, Quechan Indian Tribe

Cc: David Palumbo, Deputy Commissioner, Bureau of Reclamation
Jaci Gould, Regional Director, Lower Colorado River Region