



QUECHAN INDIAN TRIBE
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December 19, 2022

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 Notice of Intent to prepare Supplemental EIS Regarding Implementation of the 2007 Interim Guidelines

By e-mail

Dear Commissioner Touton:

The Quechan Indian Tribe (Tribe) submits these comments in response to the Notice of Intent (NOI) to Prepare a Supplemental Environmental Impact Statement (SEIS) that the U.S. Bureau of Reclamation (Reclamation) published in the Federal Register on November 17, 2022.

As we noted in the comments the Tribe submitted in response to Reclamation's Pre-Scoping Federal Register Notice of June 24, 2022, the Colorado River has been the lifeblood of the Quechan people since time immemorial, 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. And we reiterate the paramount importance keeping the Colorado River flowing as a living river.


With that in mind, the Tribe appreciates the effort Reclamation is making to address the inordinately challenging hydrologic conditions facing the Colorado River Basin. Reclamation's desire for additional management flexibility under the 2007 Interim Guidelines, as indicated in the NOI seems to us to be a generally appropriate additional step. We certainly understand the importance of protecting power generation at Glen Canyon Dam and recognize that greater flexibility in the allocation of water as between Lake Powell and Lake Mead is a necessary part of that effort. But we would like to better understand how Reclamation intends also to protect power generation at Hoover Dam and wet water deliveries to Lower Basin water users, which are

both also threatened by current hydrologic conditions and which will be put at even greater risk if Reclamation significantly decreases water released from Lake Powell to Lake Mead in 2023. This is particularly so in light of Reclamation's decision in 2022 to withhold in Lake Powell 480,000 acre-feet of water that had been scheduled for delivery to Lake Mead. The relationship between the two reservoirs and the impacts of Reclamation's management decisions in favor of one over the other deserve careful scrutiny and expansive analysis in any draft SEIS so that the Tribe, along with other Basin stakeholders, can be in position to submit fully informed comments prior to Reclamation's finalization of the SEIS.

We also reiterate the caution we included in our letter to Assistant Secretary Tanya Trujillo of July 14, 2022. That is, we believe that any specific water management decisions Reclamation makes, with this new authority or otherwise, must be developed and undertaken with full awareness of the United States' trust responsibility to Indian tribes and the extent to which Colorado River water users have benefitted from and relied on historically un- or under-developed tribal water rights. Such actions must be crafted in a way that protects Basin tribes from further depredation. This is of particularly acute concern to us in light of the Notice's identification of Reclamation's intent to expand its toolkit "to decrease the quantity of water that shall be apportioned for consumptive use in the Lower Division States (Arizona, California, and Nevada)."

Thank you for your consideration of these comments.

Sincerely,



Jordan D. Joaquin
President, Quechan Indian Tribe

Cc: Tanya Trujillo, Assistant Secretary for Water and Science
David Palumbo, Deputy Commission, Bureau of Reclamation
Carly Jerla, Senior Water Resources Program Manager