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Post-2026 Colorado River Operations Pre-Scoping Comment Summary Report

Public Informational Webinar
January 30, 2023

Presentation Overview

- **Background**
 - Post-2026 Process
 - “Pre-Scoping” Federal Register Notice
- **Pre-Scoping Summary Report**
 - Overview of Input Received
 - Report Organization
 - Summary of Common Themes by Basin Partners, Stakeholders and Citizens
 - Summary and Closing



Post-2026 Process

- Several reservoir and water management decisional documents and agreements that govern the operation of Lake Powell and Lake Mead expire at the end of 2026
 - 2007 Interim Guidelines (adopted in 2007)
 - Minute 323 to the 1944 Water Treaty with Mexico (adopted in 2017)
 - 2019 Colorado River Basin Drought Contingency Plans (adopted in 2019)
- The “**Post-2026 Process**” is intended to develop successor domestic agreements for implementation in 2027
- On November 17, 2022 the Department published a Notice of Intent to Prepare a Supplemental Environmental Impact Statement (87 FR 69042) for the 2007 Interim Guidelines
 - Initiated due to critically-low reservoir conditions and the potential for worsening drought, posing unacceptable risks to operations of Lake Powell and Lake Mead
 - Modified operations will inform 2023-2024; and may also inform potential operations in 2025-2026
 - Does not interfere with, supplant, or supersede the Post-2026 Process



“Pre-Scoping” Federal Register Notice

- Federal Register Notice (87 FR 37884) published on June 24, 2022 - input period closed September 1, 2022
- Purpose was to receive input on the process and substantive elements for post-2026 operations prior to initiation of a formal process pursuant to the National Environmental Policy Act (NEPA)
- Reclamation intends to formally initiate the NEPA process through a Notice of Intent to Prepare an Environmental Impact Statement in early 2023 to determine post-2026 operations



Request for Input on Development of Post-2026 Colorado River Reservoir Operational Strategies for Lake Powell and Lake Mead Under Historically Low Reservoir Conditions

A Notice by the Reclamation Bureau on 06/24/2022

PUBLISHED DOCUMENT

AGENCY:
Bureau of Reclamation, Interior.

ACTION:
Notice and request for input.

SUMMARY:
The Secretary of the Interior has directed the Bureau of Reclamation (Reclamation) to begin work to develop operating strategies for the continued coordinated operation of Lake Powell and Lake Mead. A number of reservoir and water management decisional documents and agreements that govern operation of Colorado River facilities and management of Colorado River water are currently scheduled to expire at the end of 2026. These include the December 2007 Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead (2007 Interim Guidelines), among other important management documents, both within the United States, as well as international agreements between the United States and Mexico pursuant to the United States-Mexico Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande (1944 Water Treaty).

DATES:
Submit written comments on the proposed development of Post-2026 Colorado River Operational Strategies pursuant to this notice on or before September 1, 2022.

DOCUMENT DETAILS

Printed version:
[PDF](#)

Publication Date:
06/24/2022

Agencies:
[Bureau of Reclamation](#)

Dates:
Submit written comments on the proposed development of Post-2026 Colorado River Operational Strategies pursuant to this notice on or before September 1, 2022.

Comments Close:
09/01/2022

Document Type:
Notice

Document Citation:
87 FR 37884

Page:
37884-37888 (5 pages)

Agency/Docket Number:
RR03040000.22XR068080.RX.1
8786000.5004001

Document Number:
2022-13502

DOCUMENT DETAILS

Pre-Scoping Comment Summary Report

- Report summarizes **input** responding to the FR Notice – does **not** represent Department decisions regarding the Post-2026 process
- 56 in-depth stakeholder letters signed by 82 unique stakeholders, including 11 Tribes
- 141 unique comment letters from concerned citizens
 - 33% of the letters came from citizens in the Lower Basin, followed by 15% in the Upper Basin, and 7% outside the Basin



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Summary of Pre-Scoping Comments for Development of Post-2026 Colorado River Reservoir Operations

Upper and Lower Colorado Basin Regions



U.S. Department of the Interior

January 2023

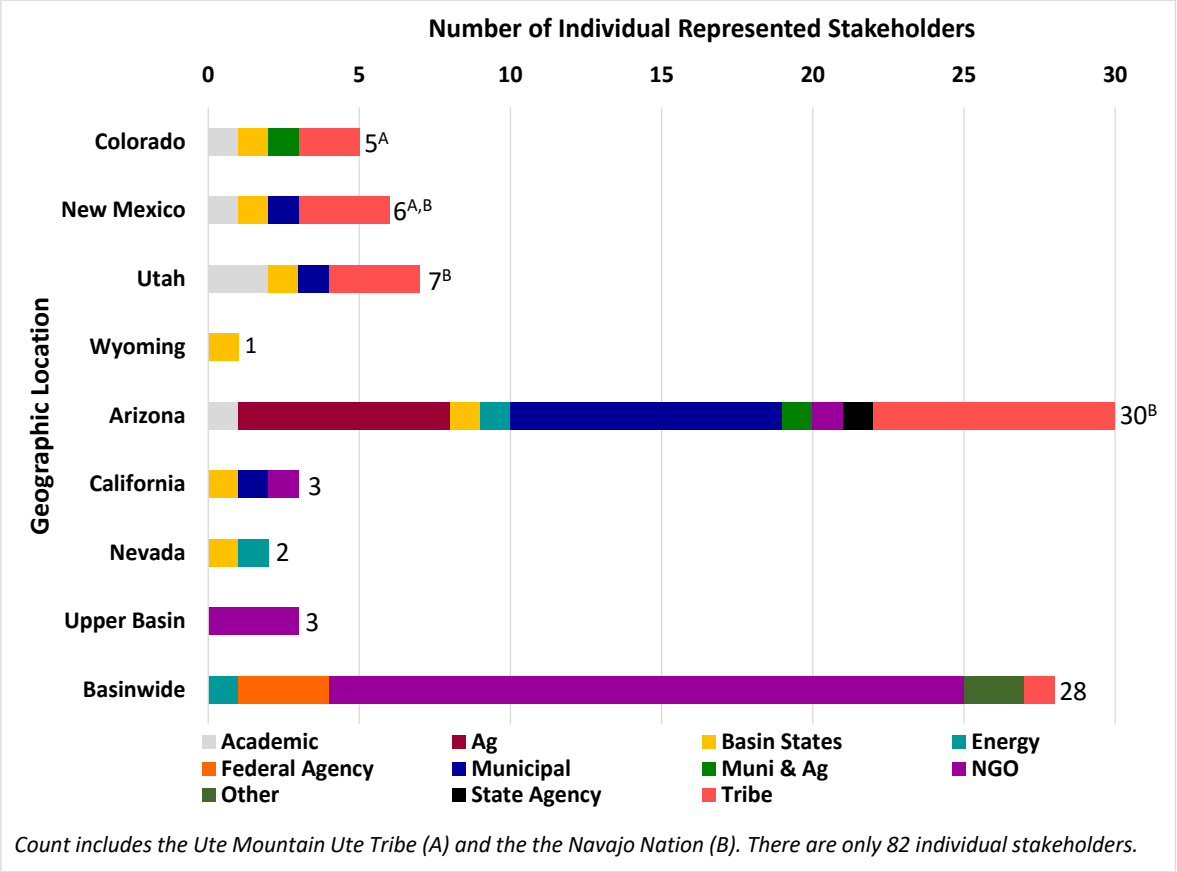
Input Received from Basin Partners & Stakeholders

Summary of Stakeholder Letters by Sector

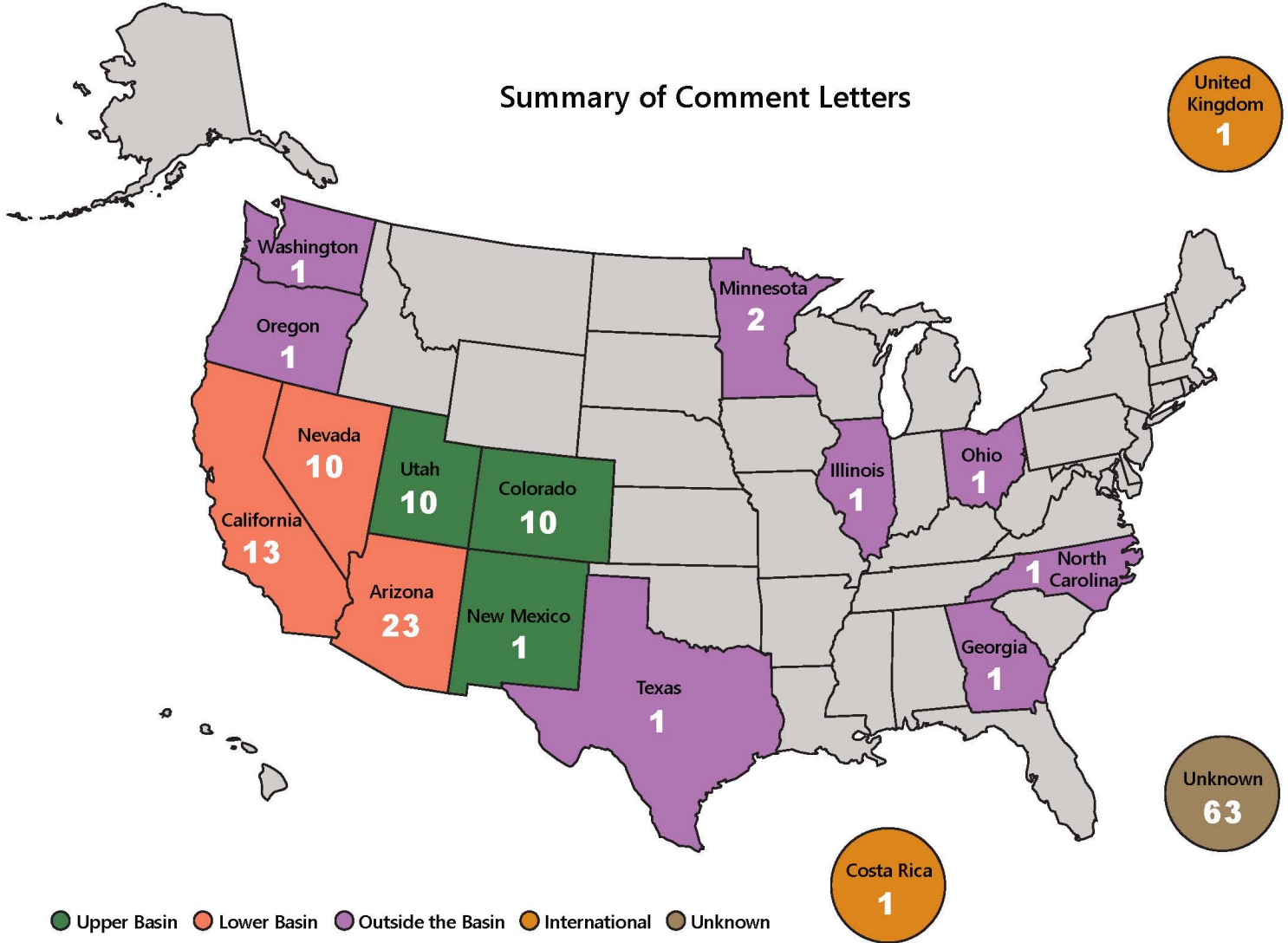
Sector	Number of Letters Received by Sector	Number of Individual Stakeholders Represented by Sector
Academic	3	5
Ag	3	7
Basin States	1	7
Energy	3	3
Federal Agency	3	3
Municipal	12	12
Muni & Ag	2	2
NGO	14 ^A	26
Other	2	2
State Agency	1	1
Tribal	13 ^A	14
Total	56	82

A) Count includes a joint tribal and NGO letter, which is only counted once in the total number of letters received.

Stakeholders by Geographic Location and Sector



Input Received from Citizens by Geographic Location



Organization of the Report

- Separate sections for stakeholder, tribal, and citizen comments
- Each section is organized based on prevalent themes in the comments
- Summary of common themes and comparison of types of comments received from different groups
- Next steps section identifies the next steps in the Post-2026 process



Prevalent Themes in Input Received

Stakeholder and Tribal Themes:

- Stakeholder engagement and public outreach
- NEPA process
- Purpose and need
- Sustainable, reliable, & adaptive management
- Technical framework
- Operational strategies
- Resource analysis
- Environmental concerns
- Scope
- Policy and governance
- Equity

Citizen Themes:

- Water efficiency
- Infrastructure
- Demand management
- Legal and policy considerations
- Operational strategies
- Education and information sharing
- Energy production



Basin Partner, Stakeholder, and Tribal Input

Themes Related to Process

- Stakeholder engagement and public outreach

- Process should be accessible, inclusive, transparent, timely, and collaborative
- Consider and incorporate the values and ideas of a diverse range of partners, stakeholders, and the public
- Encourage collaboration among subsets of interconnected parties
- Foster improved two-way communication
- Build basin-wide relationships and trust
- Increase tribal participation by:
 - inviting tribes to participate directly in federal-state negotiations;
 - integrating and responding to tribal input; and
 - initiate government-to-government consultation with tribes early in the process.

- NEPA Process

- Explicitly define and limit the scope of the NEPA process
 - Some stakeholders would like to include upstream storage, while others prefer a narrower scope
- Extend the time for public participation
- Establish an expiration date for the new guidelines
- Explore a broad, creative range of alternatives and develop a Preferred Alternative that incorporates multiple viewpoints



Basin Partner, Stakeholder, and Tribal Input

Themes Related to Substantive Elements

- **Purpose and need**
 - Define the purpose and need for the formal NEPA process in a more holistic way
- **Sustainable, reliable, and adaptive management**
 - Stabilize the system; utilize and establish long-term federal funding sources; create an adaptive, flexible, proactive framework; integrate developed, undeveloped, and unsettled tribal water rights; and increase system reliability
- **Technical framework**
 - Include realistic, transparent, and agreed upon data in modeling and analyses, with a focus on consumptive uses and losses data, demand estimates, as well as hydrology
- **Operational strategies**
 - Integrate concepts into future operations such as alternative triggers and operational release strategies, modifications to infrastructure, reservoir recovery, reduced use, water banking and market-related strategies, and augmentation and exchanges



Basin Partner, Stakeholder, and Tribal Input

Themes Related to Substantive Elements

- **Resource analysis**
 - Analyze the impacts to social, cultural, and environmental resources and tribal trust assets
- **Environmental concerns**
 - Address water quality and temperature concerns, as well as issues regarding high-risk non-native species, provide greater environmental flow buffers, and integrate resilience strategies for nature, fish and wildlife, and the broader environment
- **Scope**
 - Include analysis of other federal water projects beyond Hoover and Glen Canyon dams
- **Policy and governance**
 - Build upon and modify the current legal framework, develop equitable policies and governance that provide for water allocations based on water availability and full utilization of tribal water rights, and align federal support and operations with state and local policies/initiatives
- **Equity**
 - Equitably distribute the impacts of reduced use and shortages among all users, accounting for commitments to tribes, economic sectors, and geographic locations



Letters Received from Basin Tribes

- Received letters from 11 Basin Tribes
 - Ak-Chin Indian Community
 - Colorado River Indian Tribes
 - Gila River Indian Community
 - Hopi Tribe
 - Jicarilla Apache Nation
 - Navajo Nation
 - Quechan Indian Tribe
 - Southern Ute Indian Tribe
 - Tohono O'odham Nation
 - Ute Indian Tribe
 - Yavapai-Apache Nation



Summary of Tribal Comments

- Federal trust responsibility to fully protect current and future tribal water rights
- Active inclusion of tribes in the decision-making process
- Leverage existing tribal forums
- Provide technical assistance
- Integrate and protect:
 - Cultural resources
 - Health and safety of tribal communities
 - Indigenous knowledge
 - Inherent value of the River





Citizen Input - Comment Themes

- **Water efficiency**
 - Reduce use of potable water for municipal irrigation
 - Increased agricultural efficiency
 - Reducing or eliminating non-essential water uses
- **Infrastructure**
 - Importing water from other basins
 - Desalination
 - New dams and reservoirs
 - Removal of dams
- **Demand management**
 - Growth guidelines
 - Pricing structures
 - Restrictions on inefficient water use
 - Restricting or prohibiting agricultural uses



Citizen Input - Comment Themes

- **Operational strategies**
 - Manage the basin as a single system
 - Address seepage losses
 - Match releases to inflow
- **Energy production**
 - Take all necessary actions to protect hydropower production
 - Replace or supplement hydropower with other power sources
- **Legal and policy considerations**
 - Potential changes to western water law and/or the Colorado River Compact
 - Full adjudication of tribal water rights
 - New water use regulations
 - Remove or expedite environmental restrictions
 - Increase groundwater regulation
- **Education and information sharing**
 - Increase public awareness regarding critical water issues through public presentations
 - Publish a regular report outlining current state of the Basin



Summary of Input and Comments Received

- Some overlap among all groups
- More process-oriented comments from stakeholders and tribes
- Citizen comments were more focused on specific solutions and strategies
 - Water conservation and efficiency
 - Trans-basin importation
 - Water use regulations
- Stakeholder strategy comments provided big-picture recommendations relating to operations of existing infrastructure
 - Alternative triggers
 - Continuous release rule curves
- Tribal strategy comments focused more on cultural impacts, tribal water rights, and the inherent value of the River



Thank You

www.usbr.gov/ColoradoRiverBasin/Post2026Ops



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