



# CITY OF ESPAÑOLA

“The Heart of Northern New Mexico...Where Cultures Unite”

March 2, 2026

Electronically Filed at [crbpost2026@usbr.gov](mailto:crbpost2026@usbr.gov)

Bureau of Reclamation  
Attn: BCOO-1000  
P.O. Box 61470  
Boulder City, NV 89006

Re: City of Española’s Comments on the Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead Draft Environmental Impact Statement

To whom it may concern,

The City of Española is known as the “jewel of New Mexico” and is located in the Espanola Valley along the banks of the Rio Grande in northern New Mexico. The City provides drinking water from groundwater wells to about 11,000 residents located in Rio Arriba County. The City has various native Rio Grande water rights and permits and has a contract with the U.S. Bureau of Reclamation for 1,000 acre-feet per year (AFY) of water from the San Juan-Chama Project (SJCP).

The SJCP project was authorized under the Colorado River Storage Project (CRSP) Act in 1956 to provide imported Colorado River water into the Rio Grande Basin. The SJCP was authorized to divert up to 135,000 AFY on average into the Rio Grande. As with other federally authorized projects in the Upper Basin, however, the SJCP has suffered shortages due to reduced snowpack and runoff along with increasing temperatures over the last twenty-years. Even with the project shortages, the SJCP is vitally important to the City, the region and the State of New Mexico.

Española’s corporate boundaries include portions of two sovereign Pueblos and multiple acequias (traditional community irrigation systems). The City, two Pueblos, and the acequia associations have been involved in long-running litigation and, more recently, settlement negotiations seeking to adjudicate water rights on the Rio Chama (NM v. Aragon) and the Rio Santa Cruz (NM v. Abbott). The Rio Chama settlement was signed by all parties in 2023 and is awaiting congressional approval. In order to reach settlement in the Aragon proceeding, the City of Española agreed to make a portion of its SJCP rights available to the Rio Chama Acequia Association (RCAA), subject to approval by the BOR, on an annual basis. This agreement allows the RCAA to extend their irrigation season in poor water years without causing harm to downstream entities in the Middle Rio Grande, allows Ohkay Owingeh Pueblo to receive more reliable delivery of its senior rights, and preserves the City’s right to divert its recognized water rights.

**Mayor**

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**Mayor Pro Tem**

Justin J. Salazar-Torrez

**Councillors**

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**District 2**

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**District 3**

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In a similar way, it may be possible for the City to creatively utilize a portion of its SJCP water to reach settlement with Santa Clara Pueblo, Santa Cruz Irrigation District, and Santa Cruz acequias in the Abbott settlement.

The City of Española's SJCP contract water is a critical component of a water rights portfolio which allows the City to provide a safe, sustainable water supply to its residents, including members of Ohkay Owingeh Pueblo, Santa Clara Pueblo, and various acequia parciantes and Land Grant heirs.

Española actively pursues water conservation in our day-to-day operations that align with our New Mexico Office of the State Engineer approved Water Conservation Plan. Since 2020 the City has replaced almost all residential meters in the City, replaced meters on production wells, and replaced sections of water mains throughout the City. Recently awarded Water Trust Board funding will allow replacement of a large water main in the center of town that will further reduce water losses. The updated water rate structure that went into effect in 2024 provides an economic incentive for residents and commercial users to conserve water, and ongoing outreach and education efforts further encourage conservation. These efforts have resulted in the City having a water use rate of 121 gallons per capita day, which is among the lowest rates for similar sized cities in the state.

The City of Española provides the following comments to support protection of New Mexico's apportionment of the Colorado River as provided in the 1948 Upper Colorado River Basin Compact. In addition, the City incorporates the comments from the State of New Mexico and the Upper Colorado River Commission.

#### General Comments

1. To date, the Upper and Lower Basin states have not developed or agreed upon a consensus alternative for the Post-2026 Operational Guidelines. The City supports the need for Reclamation to continue to work with the Seven Basin States during the ongoing negotiations and allow sufficient time for analyzing and implementing a consensus alternative in the Final EIS.
2. The City supports the continued operation of the SJCP, the Navajo Indian Irrigation Project, the Navajo-Gallup Water Supply Project, and other federal projects in New Mexico in accordance with existing federal authorizations and approved Records of Decision regarding operations.
3. Most of the action alternatives in the Draft EIS include conserved water by the Upper Basin to be stored in Lake Powell for delivery to the Lower Basin. The Draft EIS should specifically state that no additional authority is granted to the Secretary to modify the operations of any federally authorized projects in the Upper Basin, including the SJCP, to provide conserved water.

#### Specific Comments

4. Purpose and Need

The proposed federal action to meet the purpose and need states that "more robust and adaptive guidelines are needed for the efficient and sustainable management of the major mainstream Colorado River reservoirs and system resources." See Section 1.3, page 1-6.

The City believes that sustainable management of the system reservoirs shall include preventing reservoir levels from dropping below the minimum power pool elevation of 3,490 in Lake Powell. Protecting critical infrastructure to allow for continued hydropower production should be a major factor in evaluating the performance of the action alternatives.

Most of the action alternatives do not protect against reservoir elevations dropping below the minimum power pool elevation. While the Enhanced Coordination and Maximum Operational flexibility do have a couple of instances under minimum flow conditions where they are below 3,490, these are effectively the only alternatives that meet the stated purpose and need.

The City supports only those alternatives that prevent Lake Powell from going below elevation 3,490 to protect critical infrastructure and allow for continued power protection.

#### 5. Inconsistent Geographic Scope of Draft EIS

Lower Basin areas outside the Colorado River are included in the geographic scope analyzed because the service areas “may be affected due to water delivery reductions.” See Section 3.2.1, page 3-2. These areas include very large municipal and other suppliers including the Central Arizona Project, the Southern Nevada Water Authority, Metropolitan Water District and Imperial Valley and Coachella Valley that are many miles outside of the Colorado River Basin.

The Draft EIS assumes that water conservation in the Upper Basin in certain quantities will be stored for the various alternatives and that the federal action is the storage and delivery of that water in Lake Powell. While the Draft EIS is looking at impacts to geographic areas outside the Colorado River in the Lower Basin, the effects of water conservation on the water users in the Upper Basin are not included in the analysis.

The geographic scope of the Draft EIS is inconsistent in allowing for large municipal and other water providers in the Lower Basin to be included because they “may be affected due to water delivery reductions.” The Upper Basin supports the need for conservation, demand management and other methods to develop a storage pool in Lake Powell. However, any level of conservation or demand management will likely mean less water available to water users in the Upper Basin. That reduction in supply will have effects and those effects should be analyzed in the Draft EIS to be consistent with the analysis of effects of Lower Basin reductions on water users.

#### 6. Drought Contingency Plans

The Draft EIS states that “alternatives that contemplate the potential continued use of the CRSP Upper Initial Units for Lake Powell protection intended in a manner consistent within the scope of those existing ROD’s.” See Section 1.9.4, page 1-30. The City generally supports the continuation of the Drought Contingency Plan (DCP) releases from the Upper Basin units to support operations at Lake Powell. Specifically, the City supports the ability to provide Upper Basin water to bolster reservoir elevations in Lake Powell to protect critical infrastructure and allow for continued power production under certain circumstances. However, the release of stored water from CRSP reservoirs should not be part of a regular strategy in which the release of water from reservoirs in the Upper Basin triggers the potential for

implementation of shortages. In addition, the Draft EIS should include the ability for the Upper Basin to fully recover the released water in the Upper Basin reservoirs when available.

#### 7. Upper Basin Contributions of Conserved Water

The purpose of the proposed federal action considers the storage and delivery of conserved water from the Upper Basin in Lake Powell. See Section 1.3, page 1-7. The City supports the ability for the Upper Basin to voluntarily conserve water that can be stored in Lake Powell for delivery to the Lower Basin.

Conserving water in the Upper Basin should be voluntary meaning that the actions of individual water users to conserve water should be determined by them or working within a framework agreed upon by the Upper Basin states. Voluntary means that water conservation will be done without mandatory interference from the Lower Basin or Reclamation. The City agrees that certain range of conservation amounts for storage in Lake Powell, but that those amounts should be based on a consensus agreement between the Seven Basin States.

Furthermore, the delivery of conserved water stored water in Lake Powell should only be allowed when the Lower Basin exceeds the 1.5 MAF reduction generally referred to as the structural deficit. In other words, the Upper Basin conserved water that is stored should only be released to meet Lower Basin reductions greater than 1.5 MAF and not to provide additional supply to make up for the reduction of 1.5 MAF.

#### 8. No Selection of Preferred Alternative

The City does not support any of the current alternatives as the preferred alternative. As stated above, some of the alternatives do not meet the purpose and need for the federal action because they are not sustainable in protecting reservoir levels and critical infrastructure. The City prefers that the Upper and Lower Basin states negotiate a consensus alternative and that alternative is analyzed in the Final EIS and Record of Decision (ROD).

#### 9. Duration of the New Guidelines

The City supports the need for the twenty-year timeframe for the Post-2026 Guidelines, but consideration should be given to provide a timeline that could include short-term goals over the first five-year startup period that could lead to adaptive measures over the remaining timeframe. During this initial phase, the Upper and Lower Basin States would likely be developing and implementing both individual and collective actions necessary to meet the long-term objectives in stabilizing the Colorado River system.

In the startup phase, the Upper Basin could develop and implement voluntary water conservation projects and programs along with releases from Upper Basin reservoirs to jumpstart the conservation water pool in Lake Powell. The interim period would provide the UCRC and Upper Basin States time needed to evaluate the timing and amounts for various water conservation programs and releases.

During the five-year period, the Lower Basin could implement the accounting and other mechanisms and projects to achieve the 1.5 MAF reduction necessary to begin the process of balancing water supply and demand.

Thank you for the opportunity to provide these comments. The City reserves the right to modify, supplement and provide additional comments regarding the Post-2026 Operational Guidelines.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mizel A. Garcia', written over a light blue horizontal line.

Chief Mizel A. Garcia  
Interim City Manager

cc: Jay Stein, Esq., Stein & Brockmann, P.A.  
Jim Brockmann, Esq., Stein & Brockmann, P.A.  
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