



Christopher Avery
Principal Assistant City Attorney
(520) 791-4221
christopher.avery@tucsonaz.gov

March 2, 2026

Bureau of Reclamation

Attn: BCOO-1000

P.O. Box 61470

Boulder City, NV 89006

VIA Electronic Mail: crbpost2026@usbr.gov

Subject: City of Tucson's Joinder of the City of Phoenix's Comments regarding the Draft Environmental Impact Statement (DEIS) re: Post-2026 Guidelines and Strategies for Lake Powell and Mead.

Dear DEIS Team,

The City of Tucson (Tucson) hereby formally joins the comments submitted by the City of Phoenix on March 1, 2026, attached as Exhibit A. While there are some differences between Tucson and Phoenix economically, and from a water supply standpoint (all of Tucson's potable water use last year was Central Arizona Project water), our two desert communities share roughly equal Central Arizona Project allocations, a host of strong economic ties, and almost exactly similar concerns with fatal errors in the DEIS. We join with the City of Phoenix its three primary requests: (1) We ask Reclamation and Interior to advance a Compact-compliant water management strategy that relies on actions in both the Upper and Lower basin; (2) Reclamation and Interior need to support a wide variety of mitigation strategies and storage agreements to forestall the "run on the river" by temporarily-privileged water users that is so clearly demonstrated by all of the alternatives advanced in the DEIS, and, (3) Reclamation and Interior need to get input from a wide sector of the federal government in reviewing the consequences of its proposed Colorado River operations, particularly with regard to the national and international impacts of the DEIS's cuts to Colorado River municipal supplies from all areas of the Basin.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Avery".

Christopher Avery

Principal Assistant City Attorney
CA/dg

Bureau of Reclamation

Attn: BCOO-1000

March 1, 2026

Page 2

Attachment: Correspondence from City of Tucson to the Honorable Doug Burgum, Secretary of Interior

cc: John Kmiec, Director, Tucson Water

Brandi Kelso, P.E., Director, Water Services Department, City of Phoenix

Maxwell Wilson, Ph.D, Water Resources Management Advisor, City of Phoenix



City of Phoenix

March 1, 2026

VIA ELECTRONIC DELIVERY

The Honorable Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
Washington, D.C. 20240

Via:

Bureau of Reclamation
Attn: BCOO-1000
P.O. Box 61470
Boulder City, NV 89006
crbpost2026@usbr.gov

Re: Comments of the City of Phoenix on the Bureau of Reclamation's Draft Environmental Impact Statement "Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead"

Secretary Burgum:

The City of Phoenix ("City" or "Phoenix") appreciates the opportunity to comment on the Bureau of Reclamation's ("Reclamation") January 2026 Draft Environmental Impact Statement for Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead (the "DEIS").¹

Phoenix is the fifth largest city in the United States and one of the Colorado River Basin's ("Basin") largest municipal water providers. It is also the hub of the Sun Corridor metropolitan region, which supports nationally-critical industries, including semiconductor manufacturing, aerospace, pharmaceuticals, mineral processing, and health care, among others—all sectors essential to the nation's economic stability and security. Colorado River water accounts for 40 percent of the water Phoenix delivers to customers annually and serves as the primary source of supply for major portions of the City's service area. As shown in the map attached as **Attachment D**, essentially

¹ Weekly Receipt of Environmental Impact Statements, 91 Fed. Reg. 2131 (Jan. 16, 2026) (*EIS No. 20250184, Draft, BR, CO, Post-2026 Colorado River Reservoir Operations*); U.S. Bureau of Reclamation, Draft Environmental Impact Statement, Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead (Jan. 2026), <https://www.usbr.gov/ColoradoRiverBasin/post2026/draft-eis/index.html> [hereinafter DEIS].

every major development occurring in the City today is located on lands served by the Colorado River.

As a result, the City has a unique and profound interest in the near- and long-term management of the Colorado River, and Phoenix has engaged with and followed Reclamation's Post-2026 process closely. The City is investing billions of dollars in infrastructure and strategic reserves, including substantial new investments in advanced water purification and alternative water supplies occasioned by the declining condition of the Colorado River. In doing so, Phoenix has acted in reliance on past Reclamation actions and decisions. Phoenix has also contributed significantly to efforts to protect Colorado River reservoirs.² All the while, Phoenix has massively increased water use efficiency over the past few decades. The City uses approximately the same amount of water today than it did thirty years ago while its population has grown by more than 45%.

This DEIS arrives at a pivotal moment for the Basin. After more than twenty-five years of declining hydrology driven by rising temperatures and sustained overuse, the system's primary reservoirs—Lake Mead and Lake Powell—stand dangerously close to dead pools amidst one of the warmest and lowest snow winters on record. The conditions that in the past have allowed for more incremental changes in management, such as those which drove the 2007 Interim Guidelines and the Drought Contingency Plans, no longer exist. This DEIS *could* be leveraging the collective experience and expertise developed by water users across the Basin over the past two decades as we seek to respond to these urgent conditions. Reclamation *could* be focusing on building durable, non-incremental strategies to maintain the resilience of water storage and delivery systems amid growing uncertainty. Such an approach could protect the millions of people in the United States and Mexico, nationally and regionally significant industries, and vast agricultural landscapes that depend on the Colorado River.

Respectfully, the DEIS fails to meet this moment.

Phoenix is fully cognizant of the substantial challenges that Reclamation faces in managing the Colorado River. The City also recognizes and appreciates the substantial efforts that have been undertaken by Reclamation's technical staff during the Post-2026 process, particularly their incorporation of decision-making under deep uncertainty (DMDU) principles into the agency's planning and analysis. Reclamation's adoption of a DMDU framework for decision analysis is an important, forward-looking, and fundamental advance in water-resource planning that should continue. For better or worse, however, the use of this decision framework also helps to highlight the multiple fundamental shortcomings in the DEIS's underlying assumptions, the selected alternatives, and its associated impact analysis.

Unfortunately, the most reassuring feature of Reclamation's DEIS is that it still contains the word "draft." In its present form, the proposed federal actions that this DEIS describes look less like a plan to prevent a crisis than a technically sophisticated framework for documenting one. The agency's proposed options for reservoir operating guidelines contravene clear legal requirements

² Among other examples, in connection with the shortage sharing agreements negotiated in the 2007 Shortage Guidelines and the Drought Contingency Plan, Phoenix committed tens of thousands of acre-feet to support agricultural transitions away from CAP supplies in Pinal County, and it has committed even greater amounts in recent years to support Lake Mead—even while accepting and adapting to the loss of more than 37,000 acre-feet of annual water supplies from the CAP NIA Pool.

and agency obligations and broadly ignore the critical, nationally-significant economic consequences that would flow from the agency's proposed decisions. The proposed options also disregard important authorities and tools that Reclamation could and should urgently bring to bear as the Basin's primary Colorado River water administrator.

The City's detailed comments on the major components of the DEIS are provided in the document attached to this letter as Attachment A. For convenience, the City's previous pre-scoping and scoping comments are also attached and incorporated as **Attachments B and C.** A draft storage proposal that was circulated by the City in late 2024 is also provided as **Attachment E.**

As we discuss in Section 3 of the City's detailed comments, the broader arc of the City's concerns starts with the fact that many of the DEIS's decision criteria for evaluating "success" are not rationally connected to Reclamation's stated purpose and need. Among the DEIS's stated purposes and needs are creating "more robust and adaptive guidelines...for the efficient and sustainable management" of the River; providing users with "a greater degree of predictability with respect to annual water availability...under anticipated increasing variability, low runoff, and low-reservoir conditions;" and providing "flexibility to build resilience and accommodate future needs and growth that are supported by Colorado River water supplies."³ Across multiple objectives, the performance thresholds selected by the agency lack a stated analytic basis and fail to measure up to those stated underlying goals. For example, the agency's selected minimum success thresholds for domestic water deliveries and reservoir elevations would in many cases cause dangerous levels of disruption in the municipal and industrial (M&I) sector—creating real-world outcomes that no reasonable person would regard as successful.

Alarming, however, the decision alternatives presented in the DEIS fail even under these already inadequate measures of success. As discussed in detail in Section 4, across a broad range of metrics—including system reliability, water-user outcomes, and economic, social, and environmental effects—the proposed alternatives fall substantially short of the performance thresholds set by the agency itself.⁴ Among other concerns, should the drier hydrologies that the Basin has experienced over the past two decades continue, all five alternatives are in fact projected to create high risks of fundamental system failures—such as dead pool conditions in Lakes Mead and Powell or zero or near-zero water supplies to the CAP.

NEPA requires the agency to consider the "reasonably foreseeable" impacts that could result from its actions. Yet the DEIS largely avoids evaluating the consequences that would flow from those system failures despite the substantial risk that they will occur in a continued dry sequence. As discussed in Section 5.1, the analysis effectively sets aside meaningful consideration of the consequences of reaching dead pool or near-dead pool conditions in Lake Mead, Lake Powell, or both, citing an inability to predict how the federal government might respond if such conditions were reached. The absence of any articulated plans to respond to a serious emergency that the

³ DEIS, *supra* note 1, at 1-6

⁴ There are also several technical issues that undermine confidence in the modeling results presented in the DEIS. As discussed in Section 8, these issues variously affect the hydrologic inputs, water-demand assumptions, and core structural elements of the models used to predict system responses. As a result, the City is concerned that the modeled numerical outcomes attributed to the proposed alternatives may not provide an accurate assessment of the outcomes that could be expected from the proposed actions.

DEIS predicts is increasingly likely to occur—or consideration of the consequences—is deeply disturbing. By refusing to assess what would happen in those circumstances, the DEIS reads something like a medical study in which the principal investigator concludes that “in the 50 percent of cases where the patient did not die, the treatment outcomes were not particularly satisfactory.”

Most alarmingly of all, the DEIS’s evaluation of the potential economic consequences of its decisions⁵ excludes the very sector where (a) the overwhelming majority of populations and economic activity is concentrated, and (b) the most substantial and potentially disastrous impacts would unquestionably occur: the M&I sector. As discussed in Section 5 of our comments, despite projecting potentially huge water shortages to various M&I users,⁶ M&I economic impacts are omitted completely, without attempting to evaluate or quantify any associated economic costs, system disruptions, or secondary effects. Instead, Reclamation’s analysis focuses almost exclusively on agriculture and a limited subset of impacts to public recreation.

Due to this exclusive focus, the DEIS’s socioeconomic impact analysis addresses less than 1% of Arizona’s annual GDP.⁷ The economic impacts to the remaining 99% of Arizona’s economic activity—concentrated primarily in Phoenix and other Sun Corridor cities—are not evaluated. Familiar terms like “municipal water supply,” “industrial,” “homeowner,” “investment,” or “bonds” do not appear *once* in that analysis. Nor are M&I economic impacts analyzed in any of the other Basin States, thus ignoring more than 95% of the combined economies of the seven Colorado River Basin states.⁸ After projecting huge reductions in water available to municipal users, the DEIS merely acknowledges that there could be “widespread impacts.” Disturbingly, the DEIS cavalierly suggests that municipalities might “pursue alternative water sources or hauled water” to replace these supplies, without analyzing feasibility, timing, cost, operational implications, or ratepayer burdens—particularly at the scale required to replace Colorado River supplies within major metropolitan areas.⁹

Failing to consider those impacts is simply indefensible. Assuming a continuation or worsening of the dry hydrologies that have recently prevailed in the Basin, all five of the alternatives would result in massive reductions to the CAP and other Arizona Priority 4 users either via actively adopted and imposed policy shortages or via the failure of those adopted policies to avoid dead pool conditions. Those reductions, which could be inflicted indefinitely on Arizona water users, would require immediate mobilization of emergency reserves, jeopardize water deliveries to existing populations primarily reliant on CAP water, and would materialize well before major alternative supplies such as advanced water purification could be brought online.

⁵ See DEIS, *supra* note 1, at TA 16.

⁶ See Attachment A, Section 5.

⁷ As discussed further in Attachment A, Section 5.3, the DEIS’s socioeconomic analysis for agriculture also misses a substantial part of the larger industry picture by focusing on crop production, while ignoring the fact that most crop processing, packaging, and distribution is associated with M&I uses that would be impacted by the alternatives – harming not just those activities, but also the farms that depend on them to bring agricultural products to market.

⁸ Daniel Crespo, et al., *Assessing the Economic Value of Water in the Colorado River Basin: A Hydroeconomic Analysis*, 52 *Water Resources & Econ.* 100266 (2025).

⁹ DEIS, *supra* note 1, 3-193; see also discussion in Attachment A, Section 5.2.1.

As discussed in Section 1, rapid and uncontrolled reductions to the CAP would damage not only Phoenix and other Sun Corridor cities, but also metropolitan centers across the Basin and its periphery—including Denver, Salt Lake City, Las Vegas, Los Angeles, and San Diego—and reverberate across the United States. Phoenix is home to and directly responsible for supporting some of the nation’s most strategically important sectors. Big tech. Pharmaceuticals and genetics. Medical device manufacturing and health care. Data and AI. Food and beverage processing and manufacturing. Most of these same industries are also housed in Tucson at the opposite end of the Sun Corridor, and many of our other sister cities. Sun Corridor water supplies also sustain a mining industry that produces and refines more than 70 percent of the nation’s copper as well as other critical minerals. And critically, Phoenix now occupies a central position in the United States’ semiconductor manufacturing capacity.

The semiconductor sector is critical to the operations of essentially every other U.S. industry, from high technology, data, and AI, to automobile manufacturing, to producing tractors, medical devices, and microwaves. The facilities under construction in north Phoenix by the Taiwan Semiconductor Manufacturing Company (TSMC), which are located in an area that is principally dependent on the CAP for water supplies, are the centerpiece of a core national security strategy to onshore critical advanced semiconductor technology.¹⁰ The scale of that investment is difficult to fathom: the initial 6 fabrication plants being constructed as part of this project involve a capital investment of \$165 billion by the company, which is the largest foreign direct investment in U.S. history.¹¹ To put this in perspective, just those 6 fabrication plants will involve an investment (adjusted for inflation) in excess of the entire Marshall Plan to rebuild Europe after WWII;¹² greater than five Manhattan Projects;¹³ and larger than the entire cost of the International Space Station.¹⁴

The federal government has been closely involved in the TSMC facility planning efforts and is providing up to \$6.6 billion in direct funding and \$5 billion in loans.¹⁵ The Executive Branch has made quite clear via multiple executive orders that this project is critical to the Nation,¹⁶ including

¹⁰ National Institute of Standards & Technology (NIST), *TSMC Arizona*, <https://www.nist.gov/chips/tsmc-arizona-phoenix> (last visited Feb. 26, 2026).

¹¹ TSMC Arizona, <https://www.tsmc.com/static/abouttsmcaz/index.htm> (last visited Feb. 24, 2026).

¹² The National Museum of American Diplomacy, *The Marshall Plan*, U.S. Dep’t of State Museum, <https://diplomacy.state.gov/online-exhibits/diplomacy-is-our-mission/development/the-marshall-plan/#:~:text=Under%20the%20Marshall%20Plan%2C%20the,stable%20partners%20to%20the%20United> (last visited Feb. 25, 2026).

¹³ National Park Service, *Frequently Asked Questions*, Manhattan Project National Historical Park, <https://www.nps.gov/mapr/faqs.htm> (last visited Feb. 26, 2026).

¹⁴ Michael Sheetz, *NASA Wants Companies to Develop and Build New Space Stations, with Up to \$400 Million Up for Grabs*, CNBC (Mar. 27, 2021), <https://www.cnbc.com/2021/03/27/nasa-commercial-leo-destinations-project-for-private-space-stations.html>.

¹⁵ Biden-Harris Administration Announces CHIPS Incentives Award with TSMC Arizona to Secure U.S. Leadership in Advanced Semiconductor Technology, U.S. Dep’t of Commerce (Nov. 15, 2024); Dylan Butts, *TSMC Is Set to Expand its \$165 Billion U.S. Investment—Here’s What We Know*, CNBC (Jan. 15, 2026), <https://www.cnbc.com/2026/01/16/tsmcs-arizona-chip-expansion-isnt-done-after-us-investment-cfo.html>.

¹⁶ See, e.g., Executive Order No. 14365, *Ensuring a National Policy Framework for Artificial Intelligence*, 90 Fed. Reg. 58499 (Dec. 16, 2025); Executive Order No. 14355, *Unlocking Cures for Pediatric Cancer With Artificial Intelligence*, 90 Fed. Reg. 48153 (Oct. 7, 2025); Executive Order No. 14277, *Advancing Artificial Intelligence Education for American Youth*, 90 Fed. Reg. 17519 (Apr. 28, 2025). Executive Order No. 14179, *Removing Barriers to American Leadership in Artificial Intelligence*, 90 Fed. Reg. 8741 (Jan. 31, 2025).

to national welfare and security. This position was reiterated through executive order as recently as January 2 of this year,¹⁷ just a week before the DEIS was posted. And reiterated again when the Department of Commerce announced a historic trade agreement with Taiwan to reshore America's semiconductor sector¹⁸ the day before Reclamation issued its Federal Register Notice for the DEIS.

It is unclear why the Department of Interior would propose actions that so clearly contradict Executive Branch priorities and national interests by threatening the City's ability to deliver water to this facility, let alone to the multiple other Phoenix-based industries that intersect with national defense, health, and national economic welfare, as well as the millions of residents that live and work here. As we discuss in Section 4, all five of Reclamation's alternatives propose federal actions that directly contravene the Colorado River Compact, federal statutes and regulations, and Reclamation's long-acknowledged responsibilities as the primary Colorado River system operator. Even where Reclamation's alternatives reduce releases from Lake Powell such that they cause almost immediate 1922 Colorado River Compact violations, the DEIS makes no effort in the alternatives to evaluate, let alone require, equivalent Upper Basin reductions or conservation that would maintain compliance with Compact minimums.¹⁹

As discussed in detail in Section 6, in justifying this disproportionate treatment of water users between the Upper and Lower Basins, the DEIS consistently downplays—and in some cases affirmatively disclaims—Reclamation's and the Secretary of the Interior's clear powers and legal obligations to manage federal projects. Reclamation and the Secretary have clear legal authority to operate storage and hydropower facilities, to regulate the Colorado River system as necessary to protect a range of national interests, and to meet their non-discretionary legal obligations under the Law of the River, including the delivery of water to the Lower Basin in accordance with the Long Range Operating Criteria, Colorado River Storage Project Act, and Colorado River Compact. Despite this clear legal authority, even the most aggressive of the action alternatives in the DEIS considers only limited, temporary rebalancing among the Colorado River Storage Project Initial Units and small, entirely voluntary Upper Basin conservation efforts—even where Lower Basin shortages and similar conservation programs would reduce as much as half of total Lower Basin consumptive use.

Section 2 of our comments describe the specific NEPA requirements applicable to Reclamation. Those requirements are not met. The adopted decision criteria that do not succeed in avoiding impacts, the proposed alternatives fail to develop a reasonable range of alternatives capable of meeting even those criteria, and the DEIS omits analysis of impacts affecting the vast majority of the Basin's economic activity—impacts that are not only "reasonably foreseeable" but that the DEIS analysis almost guarantees to occur. Thus, the DEIS fails to conduct the review required by NEPA. The alternatives presented universally violate Reclamation's legal obligations and responsibilities. The DEIS does not offer a credible path toward a seven-state consensus or describe viable federal actions that could be taken in the absence of such consensus to manage the resulting emergencies. Nor does the DEIS adequately grapple with or propose the tools and

¹⁷ Executive Order of Jan. 2, 2026, *Regarding the Acquisition of Certain Assets of EMCORE Corporation by HieFo Corporation*, 91 Fed. Reg. 895 (Jan. 8, 2026).

¹⁸ Fact Sheet: *Restoring American Semiconductor Manufacturing Leadership Through an Agreement on Trade & Investment with Taiwan*, U.S. Dep't of Commerce (Jan. 15, 2026), <https://www.commerce.gov/news/fact-sheets/2026/01/fact-sheet-restoring-american-semiconductor-manufacturing-leadership>.

¹⁹ See detailed discussions in Attachment A, Sections 4.4, 4.5, 4.6, and 6.2.8.

flexibility that water providers will need immediately to implement alternative solutions. The result is a document that essentially proposes multiple, alternate pathways for Reclamation to inflict a serious wound to the agency, the Basin's water users, and the nation as a whole.

Since the DEIS does not provide a reasoned basis for agency decision-making, it cannot support a final Reclamation decision and action. The agency must correct these deficiencies and must consider more complete, reasonable alternatives in the Final Environmental Impact Statement (FEIS). The City has attempted to provide detailed suggestions in each section of its comments as to how legal, analytical, and technical deficiencies in the DEIS could be remedied. We also address the requirements that must be met in a final preferred alternative that enables a different range of potential actions, even in the absence of an emergent seven-state consensus agreement or a Lower Basin-only agreement.

Regardless, as part of any FEIS and Record of Decision, the City also urges Reclamation to do as much as possible to specifically prioritize and broaden its support for transactional and transitional behaviors among water users that will be necessary to mitigate the impacts predicted by the DEIS. Reclamation's FEIS cannot simply focus on the rules for reservoir operations alone. It must bring together system-level, risk-reducing elements, such as (1) broadly available flexible storage in Lake Mead to incentivize water user conservation and intrastate partnerships, (2) federally-operated water conservation and storage pools, (3) mobilization of Upper Basin Initial Units and curtailment mechanisms to meet Compact obligations, (4) use of Lower Basin storage to backstop supplies, and (5) defined emergency responses and thresholds to protect critical infrastructure, industries, and minimum deliveries to the CAP. Those system-level elements must be combined with active Reclamation facilitation and support, including up-front analysis and more flexible accounting, to enable ground-level, user-to-user voluntary conservation activities and programs that can be supported by federal, state, and local funding, enabling a wide range of transactions and partnerships.

In this regard, Phoenix appreciates Reclamation's efforts to model the operation of a storage mechanism within multiple DEIS alternatives, since creative and flexible use of voluntary storage and recovery programs which allow broad participation will be a key strategy for managing water risk going forward. As detailed in Section 7.1, this storage mechanism needs to be better analyzed and broadened to ensure that it can provide badly needed mitigation. Reclamation should consider alternative means to ensure the availability of this mechanism in the absence of a seven-state agreement. As discussed in Section 7.2, it will also be critical for Reclamation to use the final stages of this NEPA process to facilitate the transactional behaviors and user-to-user agreements, programs, and projects that will need to be undertaken by individual water providers and water users to mitigate future risks, with Reclamation providing essential support as both a partner and regulator.

As the Colorado River system experiences greater and greater stress, it is those relationships that will be key to preventing and managing conflict and to maintaining the resilience of the system without the need for heavy-handed federal interventions. Such interventions—while clearly necessary in some circumstances to prevent catastrophic outcomes—are not desirable for or desired by the water user community. To that end, Phoenix and Tucson are actively working with other Arizona water users to develop and promote a framework of mutual support and water sharing arrangements, particularly during critical conditions. We need Reclamation to make the tools and flexible mechanisms available to support those agreements. We also need Reclamation

to clearly identify the actions that Reclamation is prepared to take when and if particular emergency thresholds are reached. As discussed in Section 7.3, this guidance must be provided in a FEIS and Record of Decision, since it is essential for planning the scope of a federal response—and to shaping the state and local responses that we will need to construct to ensure that we avoid ever reaching those conditions.

The City is committed to ensuring continued, reliable water deliveries in its service area and helping to ensure that same reliability throughout the Sun Corridor. We have been preparing for the kind of conditions we now face on the Colorado River for decades. There is no reason we cannot maintain the vibrant economies and nationally-significant industries that call the Sun Corridor home if we have a reasonable level of federal support and an agency that enforces the long-standing rules that govern this system. With appropriate flexibility and cooperation, there is also no reason for the Colorado River system to be pushed into such an extreme state that Reclamation will be forced to use its emergency authorities to protect critical infrastructure, human populations, the national and regional economy, or nationally-important industries. But maintaining a sustainable system will require the active cooperation of the Basin's water users, and we cannot navigate the challenges this region faces if Reclamation stays on the sidelines and does not provide a clearly articulated, workable plan that will avoid system failures. It is critical that Reclamation use the remaining portion of this decision process towards that end.

The City respectfully suggests that only a limited set of viable paths forward remain and that these paths can and should be implemented together:

1. Advance a Legally-Compliant and Authority-Grounded Preferred Alternative

The agency must advance a final preferred alternative that complies with Reclamation's fundamental legal obligations under the Law of the River, invokes additional available federal authorities to manage Upper Basin water use and undertake broader voluntary programs, and better protects Reclamation's own infrastructure, including the Central Arizona Project. That preferred alternative must also specifically identify any further agreements that will be necessary or desirable to manage system risks of water shortages and to protect critical economic values and populations in the Lower Basin and the M&I sector.

To aid water user planning and the development of responses to more extreme conditions, Reclamation must also specifically define emergency actions that could be taken to protect critical interests and the thresholds at which those interventions would occur.

2. Provide Mitigation Tools and Resources for Water Users

Regardless and at a minimum, Reclamation must equip water users with the financial resources, fundamental tools, and transactional flexibility they will need to cooperatively rebalance water resources. Reclamation must create the space within which the ground-level impacts caused by a new Colorado River management regime can be mitigated. This mitigation should include the adoption of a broadly accessible, properly-sized storage system in Lake Mead. In the absence of a seven-State agreement, this storage system could instead be implemented through a Lower Basin-only interstate agreement and/or the exercise of Secretarial authorities.

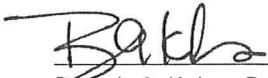
This mitigation effort should also include analysis of impacts associated with the movements of water from one point on the river to another to provide replacement supplies. It must specifically consider mechanisms by which Reclamation would expeditiously measure and account for reductions in consumptive water use from various transactions. These transactions will inevitably be required to manage large-scale shortages by sharing water among and between various agricultural, municipal, and industrial users. Reclamation's mitigation proposal should also include specific examples of agreements that could or should be undertaken among water users, and opportunities for the federal government to support those arrangements and potentially fund important projects.

3. Engage Other Federal Agencies and Mobilize National Resources

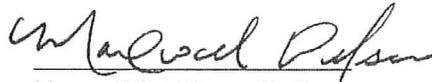
Finally, Reclamation and Interior should promptly engage with other departments of the Executive Branch, including the Departments of Commerce, Defense, State, Energy, Agriculture, and Homeland Security, to evaluate appropriate actions in light of their national and international consequences. These nationally-important issues also clearly warrant the rapid deployment of significant new federal resources through Executive and Congressional action to support the Basin as it transitions to a new Colorado River operating regime.

Phoenix appreciates your consideration of these comments as Reclamation works to develop and implement its Final Environmental Impact Statement and Record of Decision. We urge the agency to reconsider its approach and alternatives and to help chart a clear path to user-to-user and state-to-state cooperation that will protect the cities, industries, farms, cultures, and ecosystem that depend upon the Colorado River. Phoenix would welcome any discussion or collaboration with Reclamation to achieve that as this process proceeds.

Sincerely,



Brandy A. Kelso, P.E.
Director
Water Services Department
City of Phoenix



Maxwell C. Wilson, Ph.D.
Water Resources Management Advisor
City Manager's Office
City of Phoenix

Attachments:

Attachment A: Detailed Comments of City of Phoenix on Post-2026 DEIS, March 1, 2026
Attachment B: City of Phoenix Comments on Reclamation Request for Input, Sept 1, 2022
Attachment C: City of Phoenix Comments on Reclamation Notice of Intent, Aug. 15, 2023
Attachment D: Map of City Service Area Served by Colorado River
Attachment E: Proposed Top Storage Concept