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March 2, 2026

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

Re: Comments on U.S. Department of the Interior, Bureau of Reclamation, Upper and Lower Colorado River Basins, Interior Regions 7 and 8, *Draft Environmental Impact Statement, Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead*, January 2026

The Palo Verde Irrigation District (PVID) appreciates this opportunity to comment on Reclamation's Draft EIS[i] and acknowledges the importance of the "Law of the River" (LOR) to guide a renewed and updated framework for operational guidelines and strategies to address the prolonged and severe drought conditions now being experienced in the Colorado River basin and affecting all basin water users.

Introduction

PVID was established in 1923 with passage of the Palo Verde Irrigation District Act by the State legislature. The Colorado River is the sole source of water for irrigation and for potable water in the district, which occupies about 189 square miles of territory in Riverside and Imperial counties, California. The Colorado River, which is the boundary between California and Arizona, forms the eastern and southern boundaries of PVID.

Colorado River water is federally controlled and apportioned by Reclamation to California water agencies under the 1931 "Seven Party Agreement"[ii], a federal law developed as a part of the 1928 Boulder Canyon Project Act. PVID is the Priority 1 water rights holder for water use within 104,500 acres in the Palo Verde Valley. The district also shares Priority 3b rights for water use on approximately 16,000 acres and a Priority 6b right for another 16,000 acres on the Palo Verde Mesa west of the valley. Water uses are not specified in the law or in the 1933 contract between Reclamation and PVID, except that they must be "for beneficial consumptive use".

PVID owns and maintains 250 miles of canals of which 56 miles are concrete lined. Water is diverted at the Palo Verde Diversion Dam at the north end of the district and, after irrigation in the valley, the surface runoff and shallow seepage water is returned to the Colorado River at the south end of the valley. There are approximately 325 miles of privately owned farm ditches within the district. The district owns and maintains 142 miles of open drainage channels. All the main canals and many of the small laterals are controlled by dispatchers in the main District office through a series of 155 radio-controlled telemetry stations.

A variety of crops are grown in the valley, including alfalfa, Bermuda and other grass, cotton, wheat, watermelons, cantaloupes, honeydews, specialty melons, lettuce, onions and garlic. Predominant crops on the Mesa are citrus and dates. In recent years, the annual value of crops produced within the district has ranged from $60 million to $158 million, excluding livestock. During recent years, 25 to 35 thousand sheep have been winter-fed annually in the valley. PVID is also a participating agency in the *Lower Colorado River Multi-Species Conservation Program* (LCR MSCP) adopted in September 2005 and managed by the U.S. Fish and Wildlife Service. PVID contributes more than 2,200 acre-feet of water annually to support MSCP habitat.[iii]

On average, PVID returns more than half of its diversion back to the Colorado River. Approximately 94,500 acres within the district's service area have been in regular use for irrigated farming, but not all acres are farmed within a given year. Based on Reclamation Data for PVID's recorded Colorado River diversions and returns since 2015, the district has an average consumptive use of 4.9 acre-feet per acre.

The current severity of drought conditions imposes a need for a wide range of conservation and management strategies, many of which PVID has been a major contributor for more than 20 years. With a goal to reduce California's use of Colorado River water PVID is currently participating in a 35-year fallowing program with Metropolitan Water District of Southern California (MWD). This program pays farmers to annually set aside a portion of their land, rotate their crops, and transfer saved water to urban Southern California. On average, about 20% of the total irrigated acreage participates in the program each year.[iv]

In addition, PVID has recently initiated development of an extended conservation plan with a goal to make water available to other water users in the lower Colorado River basin. In response to potentially chronic Colorado River water supply shortages in current and future years, PVID proposes to develop and implement a *Conserved Water Supply Program* including a range of infrastructure improvements, voluntary fallowing, and farm management measures to conserve water for potential water transfers to assist other Lower Colorado River water users. The district's primary goals for the Program include:

- Farm management and infrastructure improvements to create conserved water for compensated and voluntary interstate transfer to other Lower Colorado River Basin users.

- Contribute to improved water supply and shortage management in the Lower Colorado River Basin.

Land management and infrastructure improvements to be considered as elements of the Program will be determined in the initial stage of plan development and may include:

- On-farm Conservation (seasonal fallowing, deficit irrigation, early crop termination, crop rotation and crop switching)
- Canal Lining to Reduce Evaporation Losses
- Regulating Reservoir Storage
- Drain Maintenance / Evapotranspiration (ET) Salvage
- Fallowing Lands Not Requested by MWD in any given Year
- Fallowing above and beyond the MWD Fallowing Program

Related features of the Program include a Tracking and Verification Reporting Plan specific to each water conservation element, and an extension of the district's existing Community Benefits Plan, as applicable.

Comments on the Draft EIS

As Reclamation completes its environmental review process, PVID requests that two topics be specifically covered such that NEPA coverage is satisfied or at least substantially simplified for implementation of enhanced water conservation measures as a part of the new operational guidelines and strategies.

1) Interstate water transfers: Allowance for potential voluntary and compensated transfers of conserved water is a feature of multiple alternatives in the Draft EIS and should be explicitly covered in the Final EIS in sufficient detail to allow implementation of such transfers with no additional NEPA review. We believe these types of transfers should be readily determined to have no significant detrimental effects. Water transfers among LCR users are benign with no new points of diversion or places of delivery and use, no expanded water use, and cooperative transfers are necessary as a benefit to all LCR basin parties.

2) Potential infrastructure improvements and additions: Water system improvements can provide important water savings and contribute significantly to maintaining greater volumes of water in Lake Mead. These types of infrastructure projects should also be covered in sufficient detail so that subsequent implementation is covered by this NEPA review in the Final EIS. For example, PVID is considering conservation measures such as concrete lining of existing earthen canals to reduce evaporative losses. PVID's extensive drain system capturing seepage losses for return flow to the river preclude lining to minimize seepage losses, but in many other LCR users geographic settings canal lining has been effectively used to reduce significant seepage losses.

PVID is also considering installation of up to three regulating reservoirs to capture excess flows in the river that are otherwise lost to the system like the Bureau's Drop 2 reservoir on Imperial Irrigation District's All American Canal system.[v] Preliminary engineering assessment of these reservoirs identified an annual potential water savings of 13,200 to 17,600 acre-feet of otherwise non-storable flows which could be captured for beneficial use.

Best Management Practices

For purposes of the Bureau's EIS, and with a goal to streamline approvals for future water conservation infrastructure projects, it would also be useful for the Final EIS to identify standard Best Management Practices (BMPs) for environmental protection. Examples of such measures are provided below but are in no way intended to limit inclusion of other potentially applicable BMPs the Bureau may want to add.

Potential effects related to construction activities would be avoided and or minimized by implementing standard best management practices (BMPs) as required by federal, State and local regulations. Examples of typical environmental compliance measures that will be implemented are provided below to address the primary environmental resources that may be affected by such projects, including air quality, water quality, biological resources, cultural and tribal resources, and historic resources.

Fugitive Dust Control BMPs

Construction of all infrastructure projects and improvements will utilize the appropriate standard measures for construction equipment and for fugitive PM10 control in compliance with the applicable air pollution control district's guidance. Typical control measures include pre-watering construction sites prior to clearing or grubbing; minimizing the amount of disturbed areas; applying water or applying non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; and use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour, watering frequency shall be increased.

Erosion Control and Water Quality Protection BMPs

Grading, construction, and desilting operations will be completed in accordance with provisions of General Permit for Discharges of Storm Water Associated with Construction Activity, for discharges of storm water during construction. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which includes erosion related BMPs, such as construction of sediment traps (e.g., hay bales, silt fences, straw wattles) and temporary desilting basins.

Biological Resources BMPs

For PVID, canal lining and regulating reservoirs should qualify as a covered activity under the Lower Colorado River Multi-Species Conservation Program. Among other activities, the LCR MSCP provides the necessary federal Endangered Species Act (ESA) documentation for future changes in points of diversion within the LCR system. The LCR MSCP provides for the conservation of habitat that offsets the habitat impacts of all covered activities and contributes to the recovery of various endangered and threatened species of fish, wildlife, and plants. The LCR MSCP conservation measures include maintenance of existing habitat, creation of new habitat, avoidance and minimization of impacts on habitat, population enhancement of specific species, monitoring and research, and adaptive management.

For other water users not covered by an MSCP or equivalent program, standard measures may include project siting to avoid sensitive habitats, pre-construction biological surveys, biological monitoring during construction, and habitat compensation if applicable.

Cultural and Tribal Resources BMPs

Standard measures for protection of cultural and tribal resources, including discovery of human remains will be implemented, including suspending earthwork within a 100-foot radius of a discovery until a qualified professional archaeologist has evaluated the significance of the find. If the discovery appears to be significant, Reclamation will initiate consultation under Section 106 with the applicable State Historic Preservation Office and Native American tribes. Work may not resume within the no-work radius until Reclamation determines that the site either: 1) is not eligible for the National Register of Historic Places or applicable state register; or 2) that the treatment measures have been completed to its satisfaction. If human remains are discovered, immediate telephone notification with written confirmation to the responsible Reclamation official must occur. The earthwork activity in the immediate area of the discovery must stop and the local Coroner's Office of the county where the human remains are located must be notified at once.

Historic Resources

One other consideration is existing facilities including canals that may be 50+ years old and may therefore be eligible as "historic" resources. These facilities should be documented by a qualified environmental professional prior to modifications and should include recognition that historic functions of the original facility will be retained.

Conclusion

Based upon understanding of the water conservation measures under consideration and review of the applicable NEPA regulations[vi], it is concluded NEPA compliance should be satisfied with the review to be included in the Final EIS. Together with a commitment to standard environmental protection measures applicable to all construction and operational activities, compliance with applicable federal, State, and local environmental resource protection laws and regulations can

be readily accomplished throughout implementation of infrastructure projects intended to contribute significant water savings within the lower Colorado River basin.

We appreciate this opportunity to comment on Reclamation's Draft EIS for the Post-2026 Operation Guidelines and Strategies. PVID is committed to working with Reclamation and all Colorado River basin water users to take aggressive measures to protect the river and all the critical water uses it supports, including production of food and fiber, essential drinking water supplies and environmental protection. Please don't hesitate to contact us if you have any questions or want to discuss any details regarding these comments for development of the Final EIS.

Sincerely,

JR Echard
General Manager

Endnotes:

[i] 2026, January, U.S. Department of the Interior, Bureau of Reclamation, Upper and Lower Colorado River Basins, Interior Regions 7 and 8, *Draft Environmental Impact Statement, Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead*

[ii] 1931, August 18; *Boulder Canyon Project, Agreement Requesting Apportionment of California's Share of the Waters of the Colorado River Among the Applicants in the State*; (commonly referred to as "The Seven Party Agreement")

[iii] 2005, September 1, U.S. Fish and Wildlife Service, *Lower Colorado River Multi-Species Conservation Program* (adopted by PVID and nine other participating California agencies and one investor-owned utility)

[iv] 2003, PVID, *Final Environmental Impact Report for the Proposed Palo Verde Irrigation District Land Management, Crop Rotation and Water Supply Program*, October 2003, SCH No. 2001101149

[v] 2007, June, U.S. Department of the Interior, Bureau of Reclamation, *Lower Colorado River Drop 2 Storage Reservoir Project, Imperial County, California, Final Environmental Assessment*, Yuma Area Office, Yuma, AZ, June 2007

[vi] 2012, U.S. Department of the Interior, Bureau of Reclamation, *National Environmental Policy Act Handbook*