

Uintah Water Conservancy District

“Steinaker Dam”

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“Red Fleet Dam”

March 2, 2026

Bureau of Reclamation
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VIA ELECTRONIC MAIL
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RE: UWCD’s Comments on the Draft Environmental Impact Statement for Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead

To Whom It May Concern:

This letter presents the following comments of the Uintah Water Conservancy District (“UWCD”) to the *Draft Environmental Impact Statement for Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead* (“DEIS”).

UWCD is a Utah water conservancy district organized as the project sponsor for the Vernal and Jensen Units of the Central Utah Project. By contract with the Bureau of Reclamation (“Reclamation”), UWCD is the repayment, operation, and maintenance entity for these units. These units serve irrigation, municipal, and industrial water to a variety of users throughout eastern Utah, on and near the Green River. Vernal Unit and Jensen Unit features include the Steinaker Dam and Reservoir, the Red Fleet Dam and Reservoir, and all related diversion and conveyance facilities. UWCD holds a large block of undeveloped Green River water under Reclamation’s 1996 Assignment to the Utah Board of Water Resources. UWCD is actively developing this water in support of growth, industry, and the sustained economic viability of Uintah County, Utah.

The rights and obligations of UWCD are defined in part by its water rights and storage facilities located in and near tributaries to the Green River.

Having reviewed the post-2026 Colorado River operations DEIS, UWCD urges Reclamation to continue coordination among state officials and local water agencies and entities regarding the proposed federal action. As noted throughout the DEIS, and as highlighted in Section 4.6, a “consensus-based approach to operations” is critical to the stability of the system. We agree. In Utah, ongoing coordination between Reclamation, the Utah State Engineer, and local entities, like UWCD, will best advance and maintain the generations-long stewardship of Green River and Colorado River Basin water.

Such consensus is not only important practically, but also legally and administratively. The post-2026 operations must respect Upper Basin states’ prerogatives to administer waters within their respective

jurisdictions. UWCD, whose water supply is part of Utah’s apportionment, expects that any administration of its water rights and supplies will continue to be overseen by the appropriate regulatory authority (*i.e.*, the Utah Division of Water Rights). As Reclamation is aware, Section 8 of the Reclamation Act of 1902 provides, in relevant part, that “nothing in this Act shall be construed as affecting or intending to affect or in any way interfere with the laws of any States ... relating to the control, appropriation, use or distribution of water used in irrigation ... and the Secretary of Interior shall proceed in conformity with such laws. ...”¹ Indeed, throughout the history of federal-state coordination in reclaiming arid Western lands “runs the consistent thread of purposeful and continued deference to state water law by Congress.”²

Given these considerations, and the importance of state and local administration of Utah’s waters, UWCD expresses its preference for state-driven voluntary modifications in use across all alternatives. To the extent new agreements emerge, all alternatives must provide for equitable management of the supplies on which UWCD depends. To this end, we ask that all alternatives respect the reality and history of built and financed projects and the existing hardened demand which, in all cases, relies on them. Only at a state and local level can the unique and nuanced nature of use, supply, and demand be fully understood to best support the full-scale Colorado River and Upper Basin reservoir management and the local-scale needs of water users and the local project sponsors. One of the overarching themes must be the paramount position of storage projects in the availability and preservation of local and Basin-wide water supplies. We ask that all alternatives respect and promote the long-term viability of storage projects throughout.

Coordinating with Reclamation, UWCD’s investment in developing water tributary to the Green River and Colorado River has long been a hallmark of its operations. Through efforts over the course of the last century, UWCD and other water users have built and maintained critical infrastructure to develop dependable water supplies. Foremost among this infrastructure are the numerous storage facilities upstream of Lake Powell that have allowed for a stable, predictable water supply.

For UWCD’s part, these storage facilities include Steinaker Reservoir and Red Fleet Reservoir. Although initially financed by Reclamation, UWCD is repaying its obligations. Critically, these storage components of the Vernal and Jensen Units provide a buffer, allowing water users to withstand the differences between supply and demand occurring during the water year and between wet and dry years. So, as a result of UWCD’s generation-spanning efforts, the developed supply is now integral to a host of uses, not least of which are municipal and industrial uses and irrigation. The hard demand created by these uses cannot be satisfied without the continued stability of the system. Such stability depends on the state oversight of UWCD’s water rights.

Utah is well suited to manage its waters, through both its Division of Water Rights, as well as its Colorado River Authority. The latter, created by the Utah Legislature in 2021,³ spearheads conservation and management of Basin waters throughout the State, with regular input from interested stakeholders. The Authority’s responsiveness to Utah water users is of paramount importance and should not be overlooked if reductions to Utah’s apportionment must be passed on to users within the state. It should be noted that

¹ 43 U.S.C. § 383.

² *California v. United States*, 438 U.S. 645, 653 (1978).

³ See Utah Code § 63M-14-101, *et seq.*

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Utah has already taken numerous policy steps towards supporting Lake Powell inflows. One need look no further than Utah's Colorado River Demand Management Pilot Program allowing for water rights, including storage rights, to be committed voluntarily downstream with appropriate market-based financial remuneration to the water users. Or, one may look to Utah's substantial investments in conservation, split-season agricultural use, secondary metering, and technologically advanced diversion and depletion monitoring. Utah's state and local entities are answering this call.

Given the long-term investments by UWCD and its water users, and their ongoing reliance on critical storage facilities, UWCD asks that Reclamation take a judicious view toward any proposed curtailment of diversions of water tributary to the Colorado River within Utah. Such reductions, if they must occur, need to be equitably distributed among Utah's water users. Utah's Division of Water Rights and its Colorado River Authority, among other state agencies, are best suited to equitably allocate any reductions within Utah's apportionment of Colorado River water.

Finally, UWCD adopts the fundamental concerns made in the comment letters submitted by the Central Utah Water Conservancy District, the Colorado River Authority of Utah, and the Upper Colorado River Commission.

Thank you for your attention to this matter.

Very truly yours,

UINTAH WATER CONSERVANCY DISTRICT



William Merkley
General Manager