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March 2, 2026

Via electronic mail: [crbpost2026@usbr.gov](mailto:crbpost2026@usbr.gov)

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

RE: Draft Environmental Impact Statement Comments for Post 2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead

Dear Acting Commissioner Cameron:

On behalf of Ute Water Conservancy District, which serves communities on Colorado's Western Slope within the Upper Colorado River Basin, thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead.

As water providers dependent on Colorado River headwaters, our mission is to ensure safe, reliable, and affordable drinking water for our communities—including critical infrastructure, hospitals, schools, industries, and tens of thousands of residents. The DEIS represents a pivotal opportunity to incorporate and reflect hydrologic reality, protect Upper Basin supply reliability, require accurate Lower Basin accounting, and avoid actions that shift disproportionate risk to Upper Basin water users while correcting the deficiencies in prior operational frameworks and guidelines. Please consider the following comments in the development of the Final EIS for Post 2026 operations.

### **1. Upper Basin Water Supply Reliability Must Be Analyzed and Protected**

Water providers in the Upper Basin—particularly on Colorado's Western Slope—face unique reliability challenges that are not fully analyzed in the DEIS. While Lower Basin shortages receive extensive recognition, the DEIS discloses far less about Upper Basin vulnerabilities, leaving the Upper Basin unprotected. The DEIS does not include performance indicator metrics

for Upper Basin water supply reliability, despite acknowledging deep uncertainty about future hydrology and the increasing likelihood of drier conditions across the Basin.

For Upper Basin water providers, this results in direct exposure to hydrologic shortages that are not mitigated. In contrast, Lower Basin shortages are triggered administratively based on reservoir levels. By excluding analysis of impacts to Upper Basin water deliveries, water quality, environmental categories (aquatic, vegetative, wildlife), economic, recreational, dam and related electrical power resources - the resulting operational rules greatly increase the risk, unpredictability, and vulnerabilities to the Upper Basin.

Upper Basin water reliability is far more sensitive to climate-driven hydrologic conditions than DEIS suggests. This translates into Upper Basin impacts that include:

- Reduced late-season streamflow needed for diversion reliability,
- Lower refill probability for local reservoirs and storage systems,
- Greater seasonal shortages despite senior water rights, and
- Increased likelihood of demand restrictions during extended drought.

*Recommendation:* Because water providers in the Upper Basin already absorb shortages when hydrologic supply falls below demand, the Final EIS must assess the reliability of Upper Basin water deliveries under each alternative and explicitly include analysis of performance indicators and core vulnerabilities applicable to the Upper Basin.

## **2. Lake Powell Elevation Protection Is Essential for Reliability**

The DEIS reveals that for Upper Basin water deliveries, reliability depends overwhelmingly on Lake Powell elevations and inflows, not Lower Basin shortage frameworks. Under several alternatives, Powell elevations drop below 3,500 feet in the first 5 years (at 5-year average flows  $\leq 11.3$  MAF), hydrological levels that have already occurred six times since 2000. These DEIS alternatives continue to put Upper Basin water systems at risk by allowing Powell to frequently fall below critical elevations—accelerating the unreliability of supply, regional infrastructure safety, and hydropower risk.

Upper Basin water reliability is closely tied to Powell and CRSP operations—even for water providers not diverting directly from Powell. Powell’s elevation determines compact compliance protection, which protects Upper Basin water providers from downstream release obligations; regional infrastructure safety, because Glen Canyon Dam’s performance affects CRSP Initial Units that stabilize Upper Basin operations; and hydropower revenue stability, which impacts the reliance on power rates and cost structures.

*Recommendation:* The Final EIS should include a water supply reliability analysis and performance indicator metrics specific to the Upper Basin and commit to examining hydrologic realities and protections that reduce the probability of critical reservoir declines.

### **3. Lower Basin Depletions Must Include System Losses**

The DEIS does not explicitly require the Lower Basin to account for and deduct ~1.5 MAF of annual evaporation and transit losses as part of its consumptive use which continues to be embedded in deliveries rather than subtracted from allocations. For the Upper Basin, failure to require Lower Basin loss accounting creates increased upstream compact compliance risk, continued pressure on Upper Basin storage, and a greater likelihood of negative impacts to Lake Powell elevations.

*Recommendation:* To protect Upper Basin allocations and Lake Powell elevations, the Final EIS must limit Lower Basin hydrology-dependent depletions at or below 7.5 MAF + Mexico compact delivery that includes mandatory accounting of system losses in Lower Basin consumptive uses.

### **4. Incorporate Realistic Upper Basin Conservation Assumptions**

Any DEIS alternative that allows conversion of Upper Basin conserved water to “system water” creates an unacceptable risk to the Upper Basin. Additionally, the DEIS includes alternatives with up to 350,000 AF/year of Upper Basin conservation contributions, far exceeding any historic performance (64,000 AF/year under SCPP). Any conserved Upper Basin water must remain in Lake Powell, use realistic conservation volumes aligned with historical performance, and be based on a fully analyzed assessment of municipal, agricultural, socioeconomic, and environmental impacts.

*Recommendation:* As water providers, we strongly support requirements that Upper Basin conserved water is operationally neutral with respect to the Lower Basin, is not used to offset Lower Basin shortages, and prohibits the conversion and release of Upper Basin conserved water to “system water” without Upper Colorado River Commission authorization.

### **5. Interbasin and Interstate Water Marketing Must Be Excluded**

Some DEIS alternatives contemplate transactions across basins. Alternatives that contemplate permanently exporting Upper Basin supply creates long-term uncertainty for water providers, agricultural communities, and local economies. Transactions that permanently export Colorado water out of the Upper Basin violate foundational compact principles and Colorado public policy and may accelerate the structural deficit by incentivizing new demands rather than reducing overuse.

*Recommendation:* The Final EIS should clearly prohibit interstate or interbasin marketing of Upper Basin water.

In conclusion, unlike the Lower Basin where shortages are administratively triggered by reservoir elevations, Upper Basin water shortages occur when hydrologic supply falls below demand—conditions that the DEIS shows occur across all hydrologic scenarios, including ‘wet’ futures. The Final EIS must include performance indicator metrics that evaluate impacts to the Upper Basin. The DEIS provides a broad evaluation of post 2026 operational strategies, but does not yet adequately address Upper Basin water supply reliability, Lake Powell protection, or the consequences of relying on large-scale Upper Basin conservation while allowing Lower Basin overuse to continue.

The DEIS provides a broad assessment of options but does not yet present a long-term, durable, hydrology-based framework that protects the Upper Basin, sustains reliability, or prevents critical reservoir failures under plausible future conditions. As a water provider responsible for the health and economic vitality of Western Colorado communities, we strongly request that the Final EIS include:

1. Performance indicator metrics for the Upper Basin that prioritize hydrologic realities.
2. Protections of Lake Powell above 3,500 feet including in most critically dry futures.
3. Require the Lower Basin to fully account for system losses.
4. Limits Upper Basin conservation to realistic, temporary, voluntary, and adequately compensated levels that ensure conserved Upper Basin water remains in Lake Powell and is not used to offset Lower Basin shortages.
5. Prohibitions to interbasin/interstate marketing of Upper Basin water.

Thank you for the opportunity to provide these comments and for your work in developing the Draft EIS. We look forward to continued engagement as Reclamation prepares the Final EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Williams". The signature is fluid and cursive, with a large loop at the end.

Gregory Williams  
General Manager, Ute Water Conservancy District

cc: Rebecca Mitchell, Colorado Commissioner to the Upper Colorado River Commission