

March 2, 2026

The Honorable Doug Burgum
Secretary of the Interior
U.S. Department of the Interior
Washington, D.C. 20240
CC: Bureau of Reclamation Attn: BCOO-1000 P.O. Box 61470
Boulder City, NV 89006
crbpost2026@usbr.gov

Re: Comments on the Draft Environmental Impact Statement for Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead.

ASARCO LLC appreciates the opportunity to offer comments on the *Draft Environmental Impact Statement on Post-2026 Operational Guidelines for Lake Powell and Lake Mead* (January 2026) (hereinafter “DEIS”). ASARCO joins fully in the comments submitted by the Central Arizona Water Conservation District / Central Arizona Project (“CAP”) and incorporate those comments by reference. As discussed in detail in CAP’s comments, the DEIS is fundamentally flawed and should be withdrawn for numerous reasons, including but not limited to its failure to evaluate compliance with the Colorado River Compact of 1922 and other aspects of the “Law of the River” as part of the alternatives analysis or to consider the reasonably foreseeable environmental, cultural, and socio-economic effects of the proposed federal action. ASARCO submits these supplemental comments to highlight the failure of the DEIS to consider the reasonably foreseeable impacts that the proposed alternatives will reduce water supplies for copper mining and related industries in Arizona.

“Copper is a critical material essential to the national security, economic strength, and industrial resilience of the United States” because it plays “a vital role in defense applications, infrastructure, and emerging technologies, including clean energy, electric vehicles, and advanced electronics.¹ Recognizing the importance of copper to the economic and national security interests of the United States, President Trump has made clear that it is “the policy of the United States to ensure a reliable, secure, and resilient domestic copper supply chain.”² The Trump Administration has further ordered measures to increase the production of copper and other important minerals and included copper on the Department of the Interior’s list of critical minerals.³

Arizona is one of the top copper producers in the world and the leading domestic source of copper in the United States, accounting for approximately 70% of domestic output.⁴ Given the

¹ Executive Order No. 14,220 (“Addressing the Threat to National Security from Imports of Copper”), 90 Fed. Reg. 11001 (February 28, 2025).

² *Id.*

³ See Executive Order No. 14,241 (“Immediate Measures to Increase American Mineral Production”), 90 Fed. Reg. (March 25, 2025); Final 2025 List of Critical Minerals, department of the Interior, U.S. Geological Survey, 90 Fed. Reg. 50494 (November 7, 2025).

⁴ U.S. Geological Survey, Mineral Commodity Summaries 2026, available at <https://pubs.usgs.gov/periodicals/mcs2026/mcs2026-copper.pdf>

importance of Arizona in maintaining a secure domestic supply of copper, federal actions which negatively impact copper production in Arizona are directly contrary to the economic and national security interest of the United States, as directed by the Trump Administration.

Although modern copper mines are extremely efficient in their use of water, with operators typically recycling and reusing 75% of their water on average, a stable supply of good quality water is essential to maintaining copper production. Colorado River water delivered through the CAP canal is an extremely important water resource for ASARCO and other operators in the state. ASARCO relies on CAP water purchased from the Tohono O’odham Nation for its Mission Mine operations and holds a CAP water subcontract that is important to its current and future operations at its Ray Mine and other operations in Arizona.

The enormous reductions to Arizona’s CAP water supply under the proposed alternatives in the DEIS threaten significant negative impacts to national copper production and adverse economic impacts to Arizona’s economy. In 2024, the total economic impact of mining in Arizona was approximately \$21.16 billion and resulted in 58,919 total jobs.⁵ Arizona copper mining firms produced an output of \$10.1 billion and employed 12,919 workers. The economic output per worker in copper mining is \$784,923, second only to the Arizona semiconductor industry. The DEIS fails to consider the impacts of the proposed reductions on the economic output or jobs in the copper industry; impacts on rural and tribal communities and small businesses that benefit from Arizona mines; and potential downstream economic effects and national security risks that would result from reduced access to domestic copper supplies.

The DEIS also fails to consider the impact of the proposed reductions on groundwater use and related issues in Arizona. Reductions in CAP water will force Arizona mines and other water users to switch to or rely more heavily on finite groundwater supplies. As Reclamation knows, one of the important factors behind construction of the CAP was to provide renewable supply of water and reduce Arizona’s reliance on groundwater. The CAP water reductions proposed in the proposed alternatives will frustrate groundwater management strategies. Increased reliance on groundwater by water users could lead to declining groundwater levels and land subsidence issues throughout the CAP service area. These issues must be adequately studied in a new draft environmental impact statement.

In consideration of CAP’s comments and the supplemental comments in this letter, ASARCO respectfully requests that the DEIS be withdrawn. Reclamation should develop a new set of proposed alternatives consistent with the 1922 Compact and adequately study the environmental, cultural, and socio-economic effects of such alternatives, including the impacts from potentially reducing copper production in Arizona. Specifically, ASARCO urges that the Revised DEIS, in addition to addressing CAP’s comments, include the following:

1. *Incorporate Enforcement of the Colorado River Compact of 1922 into its Analysis of Proposed Alternatives and Selection of a Preferred Alternative.*

⁵ Arizona Mining Association, 2024 Economic Impact Study of the Arizona Mining Industry, Prepared by L. William Seidman Research Institute, W.P. Carey School of Business, Arizona State University.

The current DEIS fails to consider the Secretary of the Interior’s non-discretionary duty to enforce the Colorado River Compact of 1922 (“Compact”) for the proposed alternatives. The failure to incorporate enforcement of the delivery obligations to the Lower Basin States and Mexico into the alternatives analysis in DEIS render it fundamentally inadequate. Accordingly, Reclamation must withdraw the DEIS and develop new proposed alternative that incorporate Compact compliance.

2. Explicitly Evaluate the Economic Impacts to Critical Mineral Production.

To ensure proper consideration of the economic impacts of the proposed alternatives on critical mineral production, the Revised DESI must:

- a. Incorporate a dedicated, quantitative analysis that evaluates the impacts of each alternative on U.S. copper and associated critical mineral production from Arizona mines; domestic smelting capacity; and National security, reliable energy deployment, and supply chain resilience;
- b. Address the economic impacts from potential job losses and impacts on rural and tribal communities, small businesses, and regional tax bases in acres anchored by Arizona mines and mine-related operations;
- c. Evaluate the downstream effects on U.S. manufacturing, grid infrastructure, energy development, vehicles and transportation, data center and artificial intelligence development, and defense systems that rely on secure and predictable copper supplies; and
- d. Consult with relevant federal agencies (e.g., Department of Energy, Department of Defense, Department of Commerce, and the U.S. Geological Survey) regarding the strategic implications of potential capacity losses or curtailments in domestic copper production and smelting.

3. Align the Revised DEIS with Federal Critical Mineral, Energy and Advanced Microchip Manufacturing Policies.

Reclamation must ensure that the Revised DEIS and its selected alternative are consistent with federal strategies on critical minerals and advanced microchip manufacturing; and national defense and economic security objectives that depend on reliable domestic access to copper and associated minerals produced at mines in Arizona. Where tradeoffs are unavoidable, make those tradeoffs explicit in the record, including the impacts of the potential for increased imports from regions with weaker environmental and labor standards and the associated national security implications.

ASARCO greatly appreciates Reclamation's consideration of our comments in developing proposed alternatives for future management of the Colorado River system in compliance with the 1922 Compact. Sound management of the Colorado River and access to CAP water supplies has been vital to continued development of copper and other critical minerals in Arizona. It is vitally important that future Colorado River management continue to be aligned with federal policy on critical mineral development to ensure an adequate supply of copper and other mineral for current and future needs. Thank you.

Sincerely,



James M. Stewart
Director of Sustainability
ASARCO LLC
JaStewart@ASARCO.com
520-822-6714