



5656 W Talavi Boulevard  
Glendale, AZ 85306 USA  
[epcor.com](http://epcor.com)

March 2, 2026

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

Re: Post-2026 Colorado River Reservoir Operations Draft Environmental Impact Statement

To Whom It May Concern:

EPCOR USA is the largest private water utility in Arizona, serving an estimated 400,000 residents across Maricopa, Pinal, Santa Cruz, Mohave, and La Paz counties. We provide safe and reliable water service to communities, hospitals, schools, small businesses, manufacturing facilities, and other essential services across the state. Our customers depend on dependable water supplies every day for public health, economic stability, and basic community functions. Any reduction in the volume of Colorado River water delivered to our systems directly affects these communities and businesses and must be carefully considered in any decision. Accordingly, we respectfully submit the following comments to the U.S. Bureau of Reclamation (BOR) regarding the Post 2026 Colorado River Reservoir Operations Draft Environmental Impact Statement (DEIS).

### ***EPCOR's Use of Colorado River Water***

Approximately 70% of our Arizona customers live in a water service area that receives Colorado River water, including subcontract volumes delivered through the Central Arizona Project (CAP) and mainstem allocations. Across Central Arizona, EPCOR utilizes 30,606 AF/YR of CAP P4 M&I subcontracts as part of a larger water supply portfolio to provide water to residents, schools, businesses, and key industries in Fountain Hills, Goodyear, Glendale, Surprise, Peoria, Buckeye, El Mirage, Paradise Valley, and unincorporated areas of Maricopa County. These supplies support an estimated 238,541 Arizonans across our systems. Across Arizona's mainstem communities, EPCOR relies entirely on Colorado River water to serve residents in Parker, Lake Havasu, and unincorporated areas of La Paz and Mohave Counties. In both the Havasu and Willow Valley systems, P4 rights provide 100 percent of the available supply, while the Parker system depends on a combination of Present Perfected Rights and P4 allocations that together make up its full water portfolio. These mainstem systems collectively serve 15,383 Arizonans.

## ***Inadequate Legal and Operational Analysis in the Draft EIS***

With so many Arizonans directly affected by Colorado River operations, any analysis of Alternatives must fully account for the legal and operational rules that determine how water is delivered. Unfortunately, the Draft EIS fails to include any Alternative that complies with the Colorado River Compact. The Compact requires the Upper Basin to deliver at least 82.5 million acre-feet to the Lower Basin over any 10-year period, yet none of the five Alternatives reflect this requirement. Instead, the Draft EIS assumes the Upper Basin has no delivery obligation and would make no meaningful reductions, forcing the Lower Basin to take disproportionate cuts that conflict with its rights under the Compact and the Law of the River. The Draft EIS also ignores that the Lower Basin States can and will seek enforcement of the Compact should the Upper Basin fail to comply with its obligations.

Second, none of the Alternatives satisfy § 602(a) of the Colorado River Basin Project Act (CRBPA), which requires federal infrastructure to be operated to ensure Compact deliveries to the Lower Basin. The United States must operate the Upper Initial Units (UIUs) of the Colorado River Storage Project to release water necessary to fulfill these obligations. Yet the Draft EIS does not include any Alternative that contemplates or evaluates substantial UIU releases for this purpose.

Third, the Draft EIS fails to analyze engineering solutions that could protect Glen Canyon Dam infrastructure while maintaining access to millions of acre-feet of water in Lake Powell. By asserting that elevation 3490' must be protected without evaluating engineering alternatives that would allow releases below that elevation, the Draft EIS removes approximately 3.74-million-acre feet from consideration. This omission further limits BOR's ability to meet Compact delivery requirements and exacerbates impacts on Arizona's economy, national security interests, and Tribal communities.

In addition to these legal and operational concerns, we encourage BOR to consider the specific impacts the proposed Alternatives would have on systems and the communities served by EPCOR.

### ***Critical Industries***

Arizona is a critical hub for the nation's defense sector, military installations, and surrounding communities. EPCOR directly serves many of these areas, including the West Valley, home to Luke Air Force Base and the surrounding communities where its service members, civilian personnel, and retirees live and work. Luke supports approximately 6,000 active-duty members, 15,000 family members, 1,200 civilian employees, and more than 80,000 military retirees in the surrounding region. It is estimated that Luke Air Force base contributes \$2.4 billion annually to Arizona's economy. Reliable Colorado River supplies are essential to sustaining this base and

the communities that depend on it, as well as supporting key national security infrastructure for our Country.

In northern Phoenix, EPCOR's systems support communities adjacent to the rapidly expanding Taiwan Semiconductor Manufacturing Company (TSMC) campus and the manufacturing corridor around it. TSMC's investment, which was the largest foreign direct investment in U.S. history, has drawn additional advanced manufacturing industries. The West Valley is also emerging as a center for data centers, drawn by stable weather conditions and supporting sectors such as aerospace, defense, and healthcare. However, severe Colorado River shortages imposed by the federal government threaten the industries and investments.

This economic activity depends on stable and reliable Colorado River deliveries through EPCOR's systems. Yet the Draft EIS does not analyze the socioeconomic or national security impacts of deep shortage reductions. We urge the BOR to fully consider these consequences for the thousands of Arizonans and the critical industries that rely on Colorado River water when determining the preferred Alternative.

### ***Public Health and Safety***

The Draft EIS does not include criteria that reflect the minimum water levels needed to protect public health and safety, including access to potable water, sanitation, and fire protection. It also does not discuss the essential role municipal systems play in supporting commercial and industrial facilities that require uninterrupted service. The discussion of urban heat, one of the most serious public health risks in the Phoenix area, is limited to shade loss and visual impacts. It does not address how reduced municipal water availability would increase heat related illness and mortality. EPCOR sees these risks directly, and our existing company policy prohibiting water shutoffs during the summer months reflects how dangerous loss of service can be.

The impact of shortages is even more detrimental to Arizona's mainstem communities that rely entirely on Colorado River water, with no alternative supplies to meet basic needs. For the cities like Parker and Lake Havasu and unincorporated areas in La Paz and Mohave County, severe shortage reductions would threaten the ability to provide water for public health and safety. EPCOR operates three systems on the mainstem of the Colorado River. Collectively, these systems serve 15,383 residents who have no other water source.

Several Alternatives in the Draft EIS contemplate reductions or operational conditions that could leave these communities with a fraction of their allocations. For the BOR to consider Alternatives that would leave entire communities without their primary water supply, threatening basic public health and safety for over 15,000 Arizona residents, without an analysis of the impacts is unacceptable. This underscores the need for a thoughtful Alternative that would be feasible for mainstem communities served by the Colorado River. The Draft EIS must evaluate how the

proposed Alternatives would affect communities – both with and without alternate supplies – and acknowledge that reductions in Colorado River deliveries would have immediate consequences for public health and safety.

### ***Tribal Obligations***

A critical component of EPCOR's water portfolio is the Tribal water settlement lease that supplies water to thousands of Arizonans. EPCOR's Anthem system in northern Phoenix serves approximately 22,143 customers and sits nearby to the rapidly expanding semiconductor corridor anchored by TSMC, providing essential housing and services for the workforce supporting this manufacturing hub that is of national significance. The water supply for this community is comprised of 6,300 AF/YR of high priority CAP water that is leased from the Ak-Chin Indian Community. The Community receives its CAP allocation through a Tribal Water Settlement and is a permanent right granted to the Community. This water is the highest priority within the CAP system and must be protected. However, it is concerning that despite this priority status, several DEIS Alternatives model instances of dead pool at Lake Powell and Lake Mead and shortage conditions that would physically prevent delivery of the water that the United States holds a Tribal trust agreement to deliver. Any Alternative that fails to ensure a Tribal water settlement nullifies a Congressionally ratified Tribal water right and jeopardizes the only renewable supply available to the Anthem community is not feasible. We encourage BOR to consider both the impact this would have on the thousands of Arizonans who live and work in the Anthem community and rely on this water, but also the impact that selecting one of the proposed Alternatives would have on the operation of CAP infrastructure and commitment to Tribal agreements in the state.

### ***Failure to Recognize Existing Conservation Efforts***

EPCOR has invested for decades in conservation and the development of alternative water supplies to reduce reliance on groundwater. Across our systems, we reuse roughly 95 percent of all wastewater produced, either through direct reuse for customers and industry or through recharge and recovery. One of the most critical uses of reclaimed water is a partnership with the City of Tolleson and APS to supply cooling water to the Palo Verde Generating Station, the largest nuclear power plant in the Western Hemisphere. The nexus between water and power cannot be missed when analyzing Alternatives. As Lake Mead and Lake Powell approach levels that threaten hydropower generation at Hoover and Glen Canyon Dams, the reliability of water supplies needed to support other critical power generation in Arizona also needs to be considered.

EPCOR has invested millions of dollars in conservation programs, including but not limited to turf removal, advanced metering infrastructure, neighborhood outreach programs, AI leak detection, and distribution of low-flow fixtures. These efforts have allowed us to decouple population growth

from water use and reduce overall water use in the state. Meanwhile, the Upper Basin faces no mandatory conservation requirements during shortages. EPCOR has also contributed 10,260-acre feet through the Lower Basin Drought Contingency Plan, further demonstrating our commitment to responsible water management. It is inequitable to ignore the voluntary investments Lower Basin providers have already made while considering additional cuts that are not paired with comparable expectations for Upper Basin states.

Through the Groundwater Management Act, utilities like EPCOR have been required to transition away from groundwater and build diverse, renewable portfolios. In the West Valley, for example, in state surface water from the Agua Fria River now makes up about 15 percent of the supply portfolio. By blending these renewable sources with our CAP subcontracts, EPCOR became the first provider to obtain a Alternative Designation of Assured Water Supply, demonstrating that we can meet all current and future demands for 100 years. These stringent requirements do not exist in the Upper Basin. Therefore, just like there are opportunities to impose additional conservation efforts, there are also opportunities to increase regulatory requirements for water management. The BOR failed to analyze the impacts, sacrifice, and investments already made.

We appreciate the opportunity to file these comments and urge that final Record of Decision reflects the issues and recommendations submitted. We also support the comments that have been submitted by the Central Arizona Groundwater Replenishment District (CAWCD), the Arizona Department of Water Resources (ADWR), and the City of Phoenix.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Bradford', with a stylized flourish at the end.

Shawn Bradford  
Senior Vice President, EPCOR USA