

**Re: Comments on the Draft Environmental Impact Statement for Post-2026 Colorado River Operations**

Submitted to:

**U.S. Bureau of Reclamation, Department of Interior**

Attn: Post-2026 Colorado River Reservoir Operations (EIS No. 20250184)

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BCOO-1000

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Submitted by:

**Protect CO Ag Water Coalition**

- **Colorado Cattlemen's Association**
- **Colorado Farm Bureau**
- **Rocky Mountain Farmers Union**

Date: March 2, 2026

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## **I. Introduction**

The Protect CO Ag Water Coalition, comprised of Colorado Cattlemen's Association, Colorado Farm Bureau, and Rocky Mountain Farmers Union, respectfully submits the following comments on the Draft Environmental Impact Statement (Draft EIS) for the *Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead*, as noticed in the Federal Register at 91 Fed. Reg. No. 11 (2026).

Agriculture is the second-largest industry in Colorado and is foundational to the economic stability, cultural heritage, and food production systems of rural communities—particularly on Colorado's West Slope. Water is the essential input that sustains this productivity. As hydrologic conditions grow increasingly arid and demand pressures intensify; durable, practicable, and economically sound river operations are critical.

The decisions made in this process will directly influence compact compliance exposure, agricultural water reliability, and the long-term viability of rural communities throughout Colorado.

To that end, we believe that, because of our hydrologic realities and limited storage capacity, the most effective way that the Upper Basin can contribute to stabilizing and managing the Colorado River system, and being part of a seven-state solution, is to include the Upper Division States' proposal of a voluntary conservation pool in the Final EIS.

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## II. Support for a Voluntary Conservation Pool — With Safeguards

We support creative and voluntary mechanisms to conserve water in ways that maintain the economic productivity of Colorado’s agricultural industry. Any additional activities above Lake Powell designed to deploy conserved consumptive use practices that contribute to a conservation pool must:

- Protect private property rights and the Prior Appropriation Doctrine; and
- Promote voluntary, temporary contributions from individual water users with adequate compensation rather than uncompensated curtailment; and
- Allow individual states to maintain their sovereignty to administer programs that:
  - Are informed by agricultural producers; and
  - Deploy no injury principles; and
  - Consider negative community economic impacts; and
  - Protect participants from abandonment or changes to historic consumptive use determinations; and
  - Allow for additional protections including:
    - Distributed geographic participation,
    - Amount of eligibility for any particular water right,
    - Appropriate payment structures that incentivize participation and discourage speculation,
    - Program integrity to guarantee that water is conserved, measured, and verified; and
- Provide autonomy for the Upper Basin to control releases from the conservation pool while ensuring that it is operationally neutral; and
- Ensure that that contributions to a dedicated conservation account of conserved water are stored in Upper Basin reservoirs; and
- Be designed to satisfy non-depletion obligations for Colorado as part of the Upper Division States.

There is clear consensus throughout the Upper Division States to include a voluntary conservation pool as a component to a Post-2026 Operating Guideline framework. These additional activities above Lake Powell were first offered as part of the Upper Division States Alternative Refinements on December 30, 2024 and this concept has continued to be offered throughout the negotiating process.

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### **III. Final EIS Analysis Recommendations**

We respectfully request that the Final EIS:

- Provide detailed modeling of Upper Basin agricultural curtailment risk;
- Quantify economic and social impacts to rural agricultural communities including the relation to our addition to the recreation industry and the multitude of ecosystem services that the headwaters of the CO River provides;
- Evaluate voluntary, temporary, compensated conservation as a viable operational strategy;
- Support federal investment in clear, verifiable means that provide integrity for compact accounting of conserved consumptive conservation; and
- Model methods for estimating, measuring, and verifying conserved consumptive use and processes for shepherding conserved water that account for transit loss and evaporation.

The Final EIS should clearly explain how agricultural water rights reliability is affected and how voluntary conservation programs could reduce the risk of mandatory curtailment.

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### **IV. Conclusion**

Colorado's farmers and ranchers are prepared to support an Upper Basin conservation pool where we engage in proactive conservation efforts that protect compact compliance while sustaining agricultural viability. However, any conserved consumptive use program must be voluntary, temporary, compensated, federally funded, protective of water rights, and administered with strong in-state control.

A thoughtfully structured conservation framework is preferable to reactive litigation, uncompensated curtailment, or permanent "buy and dry" outcomes that hollow out rural economies.

We urge the Bureau to incorporate these principles and funding mechanisms into the Final EIS and any subsequent Record of Decision.

Respectfully submitted,

**Protect CO Ag Water Coalition**

Taylor Szilagyi, Colorado Farm Bureau Executive Vice President  
Tyler Garret, Rocky Mountain Farmers Union Chief Executive Officer  
Erin Karney Spaur, Colorado Cattlemen's Executive Vice President

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Rocky Mountain  
Farmers Union



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