



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

Submitted to:

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

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

BCOO-1000

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Submitted by:

Western States Ranches

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I. Introduction

Western States Ranches, LLC., a Colorado limited liability company, 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).

Ranching is a foundational industry across the Upper Basin states. In rural communities throughout the West, agricultural production supports local economies, preserves working landscapes, sustains wildlife habitat, and contributes directly to the nation's food and fiber

supply. The ranching ethic is woven into the fabric of our communities. This industry also anchors the recreation economy and provides essential ecosystem services throughout the headwaters of the Colorado River system.

Water is the indispensable input that sustains this productivity. As hydrologic conditions become increasingly arid and operational pressures intensify across the Colorado River Basin, durable, practicable, and economically sound river management is critical. The decisions made through this process will directly influence compact compliance exposure, agricultural water reliability, and the long-term viability of rural communities across the Upper Basin.

Our comments reflect the perspective of a producer headquartered in Delta County, Colorado—a working ranch that produces multiple classes of livestock, integrates irrigated pasture with native rangelands, and employs holistic and regenerative land management practices to improve soil health, forage productivity, and economic outcomes.

Given the hydrologic realities of the Upper Basin—including limited storage capacity, variable runoff, and the obligation to meet non-depletion requirements—the most effective way for Upper Division States to contribute to system stability as part of a durable seven-state framework is to include a voluntary conservation pool in the Final EIS.

II. Develop a Voluntary Conservation Pool

Western ranchers and agricultural producers support creative, voluntary mechanisms to conserve water in ways that maintain economic productivity and protect working lands. Many producers, including Western States Ranches, have engaged in early voluntary conservation practices to better understand water scarcity impacts and to develop producer-led solutions that work for real operations rather than reactive mandatory cutbacks. Participation in such activities demonstrates producer willingness to contribute to basin sustainability while retaining operational control and local decision-making.

Any activities above Lake Powell designed to deploy conserved consumptive use practices contributing to a conservation pool must include the following safeguards:

1. Protection of Water Rights and State Authority

Any program must:

- Protect private property rights and the Prior Appropriation Doctrine;
- Promote voluntary, temporary contributions from individual water users with adequate compensation rather than uncompensated curtailment;
- Preserve individual states' sovereignty to administer programs consistent with state water law;

- Be informed directly by agricultural producers and local water managers;
- Apply no-injury principles;
- Protect participants from abandonment findings or adverse changes to historic consumptive use determinations.

2. Program Design Safeguards

A conservation pool must:

- Encourage distributed geographic participation to prevent disproportionate community impacts;
- Establish reasonable limits on eligibility for any particular water right;
- Incorporate appropriate payment structures that incentivize participation and discourage speculation;
- Include strong program integrity standards to ensure conserved consumptive use is accurately measured, verified, and accounted for;
- Include clear protections against permanent “buy-and-dry” outcomes that permanently remove irrigated acreage and working lands from production.

3. Operational and Compact Integrity

The program must:

- Provide autonomy for the Upper Basin to control releases from the conservation pool while remaining operationally neutral;
- Ensure contributions to a dedicated conservation account are stored in Upper Basin reservoirs;
- Be structured to satisfy non-depletion obligations of the Upper Division States;
- Maintain transparent and verifiable compact accounting standards supported by federal investment.

There is broad consensus among Upper Division States that a voluntary conservation pool should be included as a component of a Post-2026 operating framework. This concept has been offered consistently throughout negotiations as a constructive alternative to mandatory curtailment or litigation-driven outcomes.

III. Final EIS Analysis Recommendations

We respectfully request that the Final EIS:

1. Provide detailed modeling of Upper Basin agricultural curtailment risk under multiple hydrologic scenarios;

2. Quantify the direct, indirect, and induced economic impacts to rural agricultural communities, including effects on employment, tax base, food production, recreation economies, and ecosystem services provided by working landscapes;
3. Evaluate voluntary, temporary, compensated conservation as a viable operational strategy relative to mandatory curtailment scenarios;
4. Support federal investment in clear, transparent, and verifiable methods for compact accounting of conserved consumptive use;
5. Model methods for estimating, measuring, and verifying conserved consumptive use, including processes for shepherding conserved water that account for transit losses and evaporation;
6. Clearly explain how agricultural water rights reliability would be affected under each alternative and how a voluntary conservation program could reduce the risk of mandatory curtailment.

The Final EIS should provide sufficient analytical transparency to allow agricultural producers and state water managers to understand the tradeoffs between proactive voluntary conservation and reactive shortage administration.

IV. Conclusion

Ranchers and other agricultural producers across the Upper Division States are prepared to engage in proactive conservation efforts that protect compact compliance while sustaining agricultural viability and rural communities.

However, any conserved consumptive use program must be:

- Voluntary
- Temporary
- Fully compensated
- Federally funded
- Protective of water rights
- Administered with strong in-state control

A thoughtfully structured conservation framework is far preferable to reactive litigation, uncompensated curtailment, or permanent “buy-and-dry” policies that hollow out rural economies, degrade working landscapes, and diminish the cultural heritage of ranching. Incorporating producer experiences—such as those of holistic, regenerative operations that have actively tested voluntary conservation approaches—will strengthen the Final EIS and ensure operational strategies are grounded in real agricultural realities.

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

Respectfully submitted,

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