



Rivers Committee

12/6/04

Robert Johnson, Regional Director
Atten: BCOO-4600
Bureau of Reclamation
Lower Colorado Region
Box 61470
Boulder City, Nevada 89006-1470
(702) 293-8042 (fax)
rjohnson@lc.usbr.gov
jharkins@lc.usbr.gov
tryan@uc.usbr.gov

Re: Coordinated Long-Range Operating Criteria for Colorado River Reservoirs

Mr. Johnson,

These comments are submitted on behalf of the Sierra Club, a national grassroots environmental organization with over 750,000 members nationwide by its Rivers Committee, and by High Country Citizens' Alliance, a grassroots environmental organization with over 500 members in Gunnison County, Colorado. Both organizations have an interest in federal dam operations.

We must take exception with the limited scope of this 5-year review. The proposed changes to the Coordinated Long-Range Operating Criteria (CLROC) do not reflect additions and changes to the Law of the River that have been made since these Operating Criteria were first established in 1970, nor do they reflect other federal laws that have been promulgated since 1970 that have bearing on the Secretary's responsibilities within the Colorado River system.

The purpose of the review is to determine if changes to the criteria need to be made "...as a result of actual operating experience or unforeseen circumstances..." We contend there are several changes needed that are being overlooked since the Colorado River Project Act of 1968 (Public Law 90-537) was passed. The Grand Canyon Protection Act, (P.L. 102-575), (GCPA) of 1992 was passed and implemented as well as numerous environmental laws including the Endangered Species Act (P.L. 93-205, as amended) since 1968. These more recent Acts must be acknowledged and compliance with their purposes be incorporated into the CLROC. If this is not done, the CLROC is ignoring the law and violating the GCPA. This can be accomplished by adding a new subsection (d) to section II (3) that says, "to meet the requirements of the Grand Canyon Protection Act and the Endangered Species Act." Failure to recognize the requirements of the GCPA and the continued adherence to II.(4) make it difficult, at best, to comply with the GCPA and other laws, such as ESA. "Actual operating experience"

of changing dam operations has led the Bureau of Reclamation to consult with USFWS to attempt to meet its obligations, in some cases, under ESA. These actions should be recognized in the CLROC, most easily by removing or conditioning the provisions of II.(4). Section II.(4) prevents the Secretary from protecting, mitigating impacts to, and improving the values for which Grand Canyon National Park and Glen Canyon National Recreation Area were established. We also recommend that the protection and enhancement of these values be inserted as reservoir uses.

We repeat our suggestion that a new subsection be added to section II (1) that reads: "Streamflow requirements of fish and wildlife, and other environmental values."

We request that Reclamation conduct an environmental review of these Operating Criteria under NEPA. Long-range operating criteria for the Colorado River reservoir system are, by definition, neither of limited size nor with short-term effects. An EIS should be conducted to evaluate the impact of the CLROC on the natural resources in the basin.

Sincerely,



Steve Glazer
Sierra Club, Rivers Committee, Chair
Sierra Club, Colorado River Task Force, Chair
Box 459
Crested Butte, CO 81224

Wendy McDermott, Executive Director
High Country Citizens' Alliance
Box 1066
Crested Butte, CO 81224