



Fort McDowell Yavapai Nation

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April 27, 2020

Terrance J. Fulp, Regional Director
Bureau of Reclamation, Lower Colorado River Basin
P.O. Box 61470
Boulder City, NV 89006-1470

RE: Bureau of Reclamation Review of the 2007 Interim Guidelines – Proposed Scope and Approach

Dear Mr. Fulp,

This letter is submitted by the Fort McDowell Yavapai Nation (Nation) to provide comment on the proposed scope and approach of the review of the effectiveness of the Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead (2007 Interim Guidelines) currently being completed by the Bureau of Reclamation (BOR). The Nation appreciates the opportunity to provide comment and was encouraged by Secretary Bernhardt's statements regarding inclusion of tribal entities when he discussed the review at the Colorado River Water Users Association annual conference in December of 2019. The Nation anticipates that tribal participation will continue beyond this review into future discussion regarding what a new set of operational guidelines for the Colorado River system will include.

BOR has stated that the proposed scope of the review of the 2007 Interim Guidelines will evaluate effectiveness with respect to three components: adherence to common themes agreed upon by consensus; effectiveness with respect to the three states purposes; and evaluation of the effectiveness of the four operational elements. First, the Nation believes that the scope of the review should be expanded to include identification of entities that participated in the development of the 2007 Interim Guidelines and an analysis of the sufficiency of that level of participation. The analysis should include identification of entities with Colorado River water rights or a significant Colorado River nexus that were not participants in the development of the 2007 Interim Guidelines and identification of impacts to those entities that resulted from river operations under the guidelines.

The Nation also believes that BOR should expand the scope of the review to include an assessment of the breadth of all three components being evaluated. The assessment should examine whether the common themes, purposes and operational elements were appropriate. Should there have been more or fewer themes, purposes or operational elements? Would having more or fewer themes, purposes or operational elements have made the 2007 Interim Guidelines more or less effective? This assessment could provide the BOR with meaningful information moving forward.

Thank you for your consideration of the Nation's comments. Please do not hesitate to contact Gerry Walker, Water Resource Administrator at (480) 789-7123 with any questions you may have.

Sincerely,

Bernadine Burnette, President
Fort McDowell Yavapai Nation

CC: Tribal Council, Fort McDowell Yavapai Nation
Phil Dorchester, General Manager, Fort McDowell Yavapai Nation
Diandra Benally, Office of General Counsel, Fort McDowell Yavapai Nation
Gerry Walker, Water Resource Administrator, Fort McDowell Yavapai Nation