



CENTRAL ARIZONA PROJECT

P.O. Box 43020
Phoenix, Arizona 85080

November 1, 2023

Via email to LTEMPSEIS@usbr.gov

LTEMP SEIS Project Manager
125 South State Street, Suite 800
Salt Lake City, UT 84138

Re: Comments on the Notice of Intent to initiate public scoping process on a supplemental Environmental Impact Statement to the Long Term Experimental and Management Plan

Dear LTEMP SEIS Project Manager,

The Department of the Interior (Interior) through the Bureau of Reclamation (Reclamation) has published a Notice of Intent to initiate the public scoping process on a Supplemental Environmental Impact Statement (SEIS) to the December 2016 Record of Decision for the Glen Canyon Dam Long Term Experimental and Management Plan (LTEMP). The SEIS will analyze flow options to prevent smallmouth bass and other warmwater invasive nonnative fish from establishing below Glen Canyon Dam and will analyze new information regarding the sediment accounting window associated with the LTEMP High Flow Experiment (HFE) Protocol. *See* 88 FR 68668 (October 4, 2023).

The Central Arizona Water Conservation District (CAWCD) is a political subdivision of the State of Arizona, established pursuant to Arizona Revised Statutes § 48-3701 et seq., that operates the Central Arizona Project (CAP) pursuant to various contracts and agreements with Reclamation. The CAP canal is a 336-mile system that brings Colorado River water to central and southern Arizona, delivers the State of Arizona's single largest renewable water supply, and provides water to municipalities, tribes, and agriculture. CAWCD, therefore, has a keen interest in the wise administration of the Colorado River system reservoirs, including Lake Powell and Lake Mead, and a particular interest in avoiding potential negative impacts from Glen Canyon Dam operations. In this effort, we ask that Reclamation consider and incorporate the comments below in determining the final scope of the SEIS.

Purpose and Need:

The purpose of the LTEMP SEIS is for Reclamation to analyze additional flow options at Glen Canyon Dam in response to invasive smallmouth bass and other warmwater nonnatives recently detected directly below the dam. As noted by the Colorado River Basin States in their March 10, 2023, letter in response to the Glen Canyon Dam/Smallmouth Bass Flow Options Draft Environmental Assessment, "We continue to believe that flow-related actions are *only one tool* to address the issue and that additional actions like

PHYSICAL ADDRESS

23636 North 7th Street
Phoenix, Arizona 85024

CONTACT INFORMATION

info@cap-az.com
623-869-2333

WEB

CentralArizonaProject.com
KnowYourWaterNews.com

the installation of fish exclusion device(s) are necessary and urgently needed for the long-term prevention of establishment of nonnative species from Lake Powell into the reach below Glen Canyon Dam.” CAWCD believes that the purpose and need statement should be broadened to consider a broad range of actions including non-flow related actions to prevent the entrainment and establishment of smallmouth bass and other non-native populations below Glen Canyon Dam.

Water Deliveries:

Operations to protect, mitigate and improve resources in Grand Canyon National Park and Glen Canyon National Recreation Area downstream of Glen Canyon Dam must remain consistent with and subject to the existing laws governing allocation, appropriation, development and exportation of the Colorado River resource. *See* Grand Canyon Protection Act, Pub. L. 102-575, 106 Stat. 4602, 4669, § 1802(b). The priority given to water storage, allocation and delivery under the GCPA substantially limits the Secretary’s ability to change other elements of Glen Canyon Dam operations. Accordingly, under existing LTEMP framework, water deliveries must be made “in a manner that is fully consistent with and subject to the Colorado River Compact, the Upper Colorado River Basin Compact, the Water Treaty of 1944 with Mexico, the decree of the Supreme Court in *Arizona v. California*, and the provisions of the Colorado River Storage Project Act of 1956 (CRSPA) and the Colorado River Basin Project Act of 1968 that govern allocation, appropriation, development, and exportation of the water of the Colorado River Basin, and consistent with applicable determinations of annual water release volumes from Glen Canyon Dam made pursuant to the Long-Range Operating Criteria (LROC) for Colorado River Basin Reservoirs, which are currently implemented through the 2007 Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead” (2007 Interim Guidelines). *See* Record of Decision for the Glen Canyon Dam Long-Term Experimental and Management Plan (Dec. 2016) at 1.

The 2007 Interim Guidelines link release determinations at Glen Canyon Dam to specific trigger elevations at both Lake Powell and Lake Mead to better balance the system under varying water supplies. Depending on the reservoir levels in both, the 2007 Interim Guidelines provide a range of possible release volumes from Glen Canyon Dam in any given water year. Because these guidelines directly implicate water storage, allocation and delivery of the Colorado River resource in a manner intended to comply with and implement the Law of the River, the SEIS must be “consistent with and subject to” the 2007 Interim Guidelines, the Colorado River Compact, and other aforementioned provisions of law. The scope of the SEIS must be tailored to recognize the significant legal constraints placed on annual and monthly releases from Glen Canyon Dam as a result of water supply considerations, and water delivery requirements.

The 2007 Interim Guidelines are set to expire in 2026. Reclamation is currently in the process of the Development of Post-2026 Operational Guidelines and Strategies for Lake Powell and Mead (Post-2026 Operations EIS). *See* 88 FR 39457 (June 16, 2023). It is of paramount importance that broad range of actions including non-flow related actions identified under the SEIS remain flexible under the operational policies for Glen Canyon Dam that could be in place post-2026.

CAWCD appreciates the opportunity to provide comments on the Notice of Intent. Should there be any questions or concerns regarding this letter or any aspect of CAWCD's interests regarding the NOI, please contact Vineetha Kartha at vkartha@cap-az.com or Greg Adams gadams@cap-az.com at your earliest convenience.

Sincerely,

Brenda Burman
General Manager