

November 3, 2023

U.S. Bureau of Reclamation  
Attn: LTEMP SEIS Project Manager  
125 South State Street, Suite 800  
Salt Lake City, UT 84138

VIA ELECTRONIC MAIL

[LTEMPSEIS@usbr.gov](mailto:LTEMPSEIS@usbr.gov)

RE: Upper Division States' Scoping Comments on the Supplemental Environmental Impact Statement for December 2016 Record of Decision Entitled Glen Canyon Dam Long-Term Experimental and Management Plan

To Whom It May Concern,

This letter memorializes scoping comments from the Upper Division States of Colorado, New Mexico, Utah, and Wyoming (collectively, the "Upper Basin"), that need to be addressed in the Supplemental Environmental Impact Statement ("SEIS") for the December 2016 Record of Decision entitled Glen Canyon Dam Long-Term Experimental and Management Plan ("LTEMP"). These comments are in addition to the comments the seven Basin States provided on the SEIS.

Because of the urgent threats to humpback chub and other native aquatic species resulting from the presence of smallmouth bass ("SMB") and other warm-water invasives downstream of Glen Canyon Dam, the Upper Basin urges Reclamation to analyze operational alternatives prior to analyzing High Flow Experiments ("HFEs") sediment accounting and HFE implementation periods. We recommend the following priorities:

1. Operational alternatives to help prevent SMB establishment;
2. Operational alternatives to help prevent establishment of other warmwater non-native species; and
3. Changes to the sediment accounting and HFE implementation periods.

These priorities do not reflect a lesser importance of the sediment and HFE issues, but rather reflect the immediate threat posed by SMB and other warmwater non-natives at this time.

## **A. Operational Alternatives to Help Prevent Smallmouth Bass Establishment:**

### **1. Scope:**

The SEIS should clearly state that any potential operational alternatives are temporary measures that will only be implemented through an annual determination after consultation and communication as provided in Section 1.4 of the LTEMP Record of Decision. It is unclear why the proposed operational alternatives would be implemented for up to three years, through water year 2027, rather than through 2026, when the 2007 Interim Guidelines and the 2019 Drought Contingency Plans expire. Moreover, additional environmental compliance for the LTEMP may be needed for any post-2026 operations. We recommend the SEIS and any potential operational alternatives to help prevent establishment of SMB or other warmwater non-native species be limited through the end of water year 2026.

### **2. Purpose and Need:**

Reclamation should clarify and expressly state that the purpose and need is to pursue operational alternatives at Glen Canyon Dam as a temporary means to *help* prevent the establishment of SMB and other warmwater non-native species through the end of water year 2026. In isolation, operational alternatives work to disrupt spawning and disadvantage SMB, and do not fully prevent establishment.

### **3. Alternatives:**

We support Reclamation further investigating the operational alternatives described in the draft SMB Environmental Assessment (“EA”) published in March 2023, and appreciate that Reclamation has included a preliminary alternative that does not use the bypass tubes. Inclusion of a non-bypass alternative strengthens the environmental compliance analysis and focuses on impacts of flow fluctuations as opposed to solely evaluating temperature variations. If necessary, we also support Reclamation analyzing additional operational alternatives, or modifying prior alternatives, to better achieve the purpose and need. We also recommend that Reclamation analyze any potential impacts to critical infrastructure from extended use of the bypass tubes, using the observations from the Spring 2023 HFE as a guide.

Operational alternatives alone are insufficient to meet the purpose and need of the proposed action. Recent fish survey data and information from invasive fish control efforts in the Upper Colorado River Basin and other river basins have shown that an exclusive reliance on modified dam operations is insufficient to prevent invasive fish establishment. Moreover, the Glen Canyon Dam Adaptive Management Program Non-Native Fish Strategic Plan (“NNF Strategic Plan”) concludes that other long-term and short-term actions beyond dam operations are necessary to meet the specified goal. Such actions include early detection and rapid response, and fish exclusion. Any use of operational alternatives to disrupt establishment of non-native species should be implemented in conjunction with non-operational alternatives as detailed in the NNF Strategic Plan, as the actions being considered in this SEIS may not be successful in the absence of timely implementation of these additional efforts.

#### 4. Implementation of Operational Alternatives:

In the draft SEIS, Reclamation should clarify and expressly state that implementation of operational alternatives will follow the communication and consultation processes that have been developed according to Section 1.4 of the LTEMP Record of Decision. Moreover, the operational alternatives analyzed in the SEIS may each need to be implemented at some point in time depending on conditions. We recommend that more than a single operational alternative be available for implementation in a given water year. We also request that Reclamation create a process or schedule consistent with the existing communication and consultation processes in order to provide Western Area Power Administration (WAPA) sufficient time to plan for experimental flows. We also recommend two additional points for inclusion in the SEIS: (1) offramps for emergency exception criteria, including a threshold below which the Upper Colorado River Basin Fund (established under Section 5 of the Colorado River Storage Project Act) cannot fall, and (2) that Reclamation provide the criteria it will use to evaluate the effectiveness of the operational alternatives.

#### **B. HFE Protocol Modification:**

##### 1. Purpose and Need:

The purpose and need describe the goal or objective that Reclamation is trying to achieve and the underlying problem or opportunity to which Reclamation is responding with the proposed action. While the purpose and need in an EIS cannot be so narrow as to preclude a reasonable alternatives analysis, the feasibility of alternatives is necessarily tied to the purpose and need. With respect to the HFE Protocol Modification, the purpose and need for this EIS was crafted broadly to include two actions that are somewhat dissimilar and this may adversely affect the alternatives to be developed.

The preliminary alternatives provided in the Notice of Intent do not indicate a difference in alternatives for the HFE protocol modifications. Rather, the action alternatives include the same “revised annual sediment accounting period and implementation window.” The alternatives analysis must meaningfully discuss the impacts of the proposed action. If the SEIS analyzes the same HFE modifications in all action alternatives, it will impair Reclamation’s ability to isolate the impacts of the HFE protocol modifications from the impacts of the operational alternatives. This in turn will impair Reclamation’s ability to thoroughly evaluate the HFE protocol modifications. We recommend a range of HFE accounting period and implementation window alternatives be analyzed independently and in conjunction with the operational alternatives for SMB and other warmwater non-native species control.

##### 2. Known Issues to be Analyzed:

The Flow Ad Hoc Group of the Technical Work Group (“TWG”) for the Glen Canyon Dam Adaptive Management Program, in partnership with the Grand Canyon Monitoring and Research Center and Reclamation, developed a Proposal to Amend the HFE Protocol and Other Considerations. The TWG recommended the Proposal to the Adaptive Management Work Group (“AMWG”), which accepted the Proposal on August 17, 2023. The Proposal

recommends additional analyses to appropriately formulate HFE protocol alternatives and fully analyze impacts. Based on the Proposal, any environmental review of modifications to the HFE protocol should analyze:

- the risk of spring HFEs to distribute nonnative fish farther downstream and whether that risk is significantly different for implementation of fall HFEs;
- potential treatment of rollover sediment;
- sediment accounting windows longer than 1 year;
- the appropriate length of the spring HFE implementation window and the associated tradeoffs and impacts;
- whether changing the HFE protocol will alter the frequency of HFEs as analyzed in the LTEMP Final EIS and Record of Decision;
- the full potential impact to hydropower generation, power grid stability, and hydropower customers and beneficiaries including Tribal Nations and disadvantaged communities;
- the impact to the Upper Colorado River Basin Fund, considering its high value to both power and environmental programs; and,
- impacts to cultural resources.

### 3. Timelines:

The timelines for the two proposed actions are also distinct. The SEIS notes that any decisions regarding revisions to the HFE protocol are anticipated to run through the duration of the LTEMP Record of Decision. In contrast, the operational alternatives are temporary measures and may only be used through water year 2026. The difference between these timelines complicates merging these two issues into a single analysis and must be acknowledged if the different timelines are carried forward for analyses in the SEIS.

### 4. Potential Conflicts:

Throughout the LTEMP Record of Decision and the Biological Opinion, there are known concerns with HFEs and impacts to fisheries. Specifically, there is concern that HFEs and Bug Flow Experiments may indirectly promote the establishment of warmwater non-native species by relocating the species farther downstream or by providing more favorable conditions, respectively. The SEIS should evaluate these potential risks and clarify how risks from the proposed operational changes for SMB or other warmwater non-native species differ from those risks presented by authorized experimental flows.

There is also a potential conflict or potential for compounding effects if both operational changes and HFEs are implemented within the same year. The full impacts and tradeoffs of potential implementation of both proposed actions within the same year should be analyzed and considered, including the full range of impacts of potential multiple bypass actions within a single HFE implementation window. The analyses should also consider whether implementation of an operational alternative could effectively function as an HFE.

### **C. Other Significant Issues to Be Addressed in this SEIS:**

The analysis of impacts in the SEIS should include any impacts, including multi-year impacts, to hydropower generation, grid stability, the Basin Fund and recipients of hydropower, especially Tribal Nations and disadvantaged communities. We encourage Reclamation to work with WAPA to evaluate impacts of the proposed action under the minimum, maximum, and most probable hydrologic scenarios. We also suggest that Reclamation include one or more SMB/warmwater invasive fish species experts on the SEIS team.

### **D. ESA Compliance:**

We urge Reclamation to ensure that the proposed actions do not negatively impact humpback chub. We recommend that Reclamation include sufficient offramps for any proposed operational alternatives at Glen Canyon Dam, and that the SEIS analyze the cumulative effects of drought and changes in the HFE protocol that may impact humpback chub populations downstream. Additionally, the cumulative effects and changed operations may require reinitiation of consultation under the Endangered Species Act.

### **E. Concurrent NEPA Processes:**

Operations pursuant to the LTEMP dictate monthly, daily, and hourly releases from Glen Canyon Dam. The LTEMP does not impact annual operations. Importantly, the projected annual release from Glen Canyon Dam becomes the basis for the monthly LTEMP operations. Currently, there are two concurrent NEPA processes that impact annual operations at Glen Canyon Dam: (1) the Supplemental Environmental Impact Statement to the 2007 Interim Guidelines, and (2) the Environmental Impact Statement for Post-2026 Lake Powell and Lake Mead Operations. The proposed actions in these concurrent NEPA processes will impact annual operations in ways that may require additional NEPA compliance for the LTEMP. Therefore, certain aspects of this SEIS may need to be reconsidered, or expanded upon, after 2026.

### **F. Reservation of Rights**

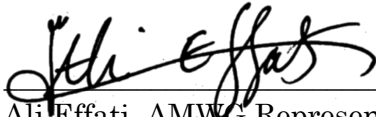
The Upper Basin comments are intended to highlight overarching issues that will require acknowledgment, specification, or clarification as the SEIS process continues to progress. Any failure by the Upper Basin to provide specific comments regarding details of the SEIS shall not be construed as an admission with respect to any factual or legal issue or the waiver of rights for the purposes of any future legal, administrative, or other proceeding. Furthermore, the Upper Basin reserves the right to comment further on SEIS documentation as Reclamation proceeds with subsequent phases of the SEIS process.

The Upper Basin thanks you for the opportunity to provide these scoping comments for the LTEMP SEIS. If you have any questions or concerns regarding this letter, or any other aspect of the Upper Basin's interest regarding the LTEMP SEIS process, please contact us at your earliest convenience.

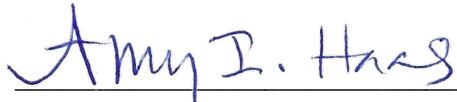
Sincerely,

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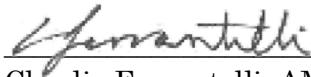
Michelle Garrison, AMWG Representative  
Colorado

Handwritten signature of Ali Effati in black ink, underlined.

Ali Effati, AMWG Representative  
New Mexico

Handwritten signature of Amy I. Haas in blue ink, underlined.

Amy Haas, AMWG Representative  
Utah

Handwritten signature of Charlie Ferrantelli in black ink, underlined.

Charlie Ferrantelli, AMWG Representative  
Wyoming