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**COLORADO RIVER COMMISSION
OF NEVADA**

March 25, 2024

Via e-mail LTEMPSEIS@usbr.gov only

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

Re: Comments on the Draft Supplemental Environmental Impact Statement for the December 2016 Record of Decision Entitled Glen Canyon Dam Long-Term Experimental and Management Plan

Dear LTEMP SEIS Project Manager:

The Colorado River Commission of Nevada (CRCNV) submits the following comments regarding the Bureau of Reclamation's (Reclamation) release of the Draft Supplemental Environmental Impact Statement (DSEIS) for the December 2016 Record of Decision titled "Glen Canyon Dam Long-Term Experimental and Management Plan" (89 Fed. Reg. 9147) (LTEMP) published in the Federal Register on February 9, 2024.

The CRCNV is required to protect and safeguard the State of Nevada's allocation of Colorado River water and power resources granted to it by Congress. CRCNV has a significant interest in water matters impacting the Colorado River as well as hydropower resources from the Boulder Canyon Project, the Parker-Davis Generation Project, and the Salt Lake City Area Integrated Projects. The CRCNV provides hydropower from these projects to 23 contractors in southern Nevada including electric utilities, educational institutions, Nevada state agencies, and companies that produce goods and services.

The CRCNV is a member of the Colorado River Energy Distributors Association (CREDA) and supports the comments filed by CREDA concerning the DSEIS. The CRCNV is also a signatory to the Seven Basin States comment letter on the DSEIS (Seven Basin States Letter). The CRCNV offers the following additional comments.

Concerns regarding infrastructure integrity of Glen Canyon Dam if any of the bypass flow options are implemented.

During the 38 Sovereigns webinar discussion led by Reclamation on February 28, 2024, Reclamation expressed concerns regarding the integrity of the river outlet works at Glen Canyon Dam due to potential cavitation and scouring in the river bottom that may occur with greater intensity at lower Lake Powell elevations. Reclamation became aware of damage following the implementation of High Flow Experiments (HFEs) under LTEMP when the river outlet works were used during the experiment. Since then, Reclamation has indicated it is continuing to evaluate the extent of these concerns both physically and through computer modeling and that, with stakeholder input, will be considering some infrastructure modifications that may help mitigate or eliminate these concerns when needing to operate the dam at low lake levels.

The final SEIS must incorporate Reclamation's ongoing analysis of flows through the river outlet works. It is imperative that the infrastructure be fully operational to manage deliveries to the lower basin for extended periods of time under low lake elevations. Any of the bypass flow options identified in the DSEIS, let alone existing HFEs under LTEMP currently, should not be conducted if protective modifications are not in place, the river outlet works are showing signs of ongoing degradation, or if there is otherwise a risk to the integrity to the infrastructure.

The final SEIS should discuss in greater detail the impact of each of the flow options on Western Area Power Administration (WAPA) and the hydropower community.

The final SEIS should address the impacts of Reclamation's proposed actions on the powerplant equipment at Glen Canyon Dam, the financial impact of the proposed actions on the Basin Fund, and the impact of the proposed action on WAPA if it is unable to secure replacement power to meet its firm contractual commitments. It should also include important offramps that give stakeholders some protection if the proposed actions are ineffective, have unintended consequences or become cost prohibitive.

The final SEIS needs to include offramps for financial protection of the Basin Fund.

WAPA has long been relied upon to produce hydropower impact analyses in support of the Bureau's proposed actions related to experimental flows. WAPA's role in this regard makes sense because WAPA is the entity that markets and transmits hydropower resources generated at the dams and actively transacts in the wholesale power markets. In the DSEIS, Reclamation has produced its own analysis of hydropower impacts. However, the CRCNV is aware that WAPA has produced a competing analysis that is significantly more impactful to the hydropower community. The fact that stakeholders have two sets of competing numbers merely shows that there is a wide range of outcomes related to the impact of the experiments and, where there is a wide range of unresolved outcomes, there is significant financial risk to the Basin Fund.

Costs for experimental flows are non-reimbursable costs, meaning that WAPA does not include them in power customer rates. The money to pay for experimental flows, which in this case is the cost of replacing lost generation, is taken out of the Basin Fund, but is not recovered from customers. While the Basin Fund has been used in the past to support experiments, those experiments were short-lived and far less costly. In this case, the cost of the flow options has the potential to bankrupt the Basin Fund within a short period of time, jeopardizing WAPA's ability to pay for the operation and maintenance of the CRSP facilities, support environmental programs such as the Upper Colorado River Recovery Implementation Program, support salinity programs, and provide irrigation assistance. Before any of the flow options are implemented, Reclamation and WAPA must identify a source of funding that is adequate to sustain the Basin Fund or include offramps to protect the Basin Fund to avoid its depletion.

The final SEIS must include offramps if WAPA is unable to secure replacement power.

The CRCNV has commented multiple times that hydropower resources are a critical component to operating the power grid, particularly during the hot summer months when power is in short supply and the transmission grid is "stressed" by heavy flows. The hydropower community relies on hydropower resources to serve load. For larger utilities, this reliance on hydropower resources and their green attributes, are included in long-term resource plans that are presented to their customers, governing bodies, and, in some situations, public utility commissions that review the reasonableness of those plans.

Utilities have already had to adjust their resource plans in response to the drought and WAPA-199 which relieved WAPA of its obligation to provide a firm amount of power up to a contractual amount and forced power customers to accept the risk of replacing that supply. Reclamation should have a similar obligation to engage in prudent resource planning and, if they intend to remove resources from service, should also be required to ensure that an adequate supply of replacement resources is available.

WAPA has already received early indication from its trading partners that replacement power of the amount needed by WAPA to replace lost generation may be unavailable. The unavailability of power indicates that there is insufficient generation in the regional market to serve demand and such a supply and demand imbalance could not only disrupt market prices but also impact system reliability. The final SEIS must contain offramps should WAPA be unable to secure replacement power.

The final SEIS must include a sufficient plan for implementation.

Utility planning is complex and requires careful, thoughtful, and frequent communication. Detailed implementation and communication plans should also address how frequently Reclamation will communicate with WAPA about the likelihood that a trigger will be met as well as the quantity of lost generation and the days and hours during which it will be lost so that WAPA can replace the power in as prudent a manner as possible. The implementation plan should also include sufficient notice to allow WAPA the opportunity to analyze the generation pattern and recommend alternative days and hours for the

experiment which could aid in minimizing the impact to the Basin Fund. The final SEIS should contain timelines for analysis and dialogue that ensure WAPA will have the tools it needs to manage the impacts of the experiments in a prudent manner.

Reservation of Rights

Failure of the CRCNV to provide specific comments regarding the details of the SEIS shall not be construed as an admission with respect to any factual or legal issue or a waiver of rights for the purposes of any future legal, administrative, or other proceeding. Moreover, the comments herein are specific to this SEIS process and should not be interpreted to apply to any other ongoing NEPA processes. Lastly, the CRCNV reserves the right to comment further on SEIS documentation as Reclamation proceeds with subsequent phases of the SEIS process.

Conclusion

The CRCNV appreciates the opportunity to provide comments to the DSEIS to the 2016 LTEMP ROD. As stated in the 7 Basin States Letter, while the CRCNV is supportive and appreciative of Reclamation's efforts to address the concerns and risks of warm water nonnative fish species establishment in Colorado River below Glen Canyon Dam, the actions must not be taken at the expense of compromising the integrity of dam infrastructure, depleting the Basin Fund for its primary purpose, or putting the electric power grid at risk.

Sincerely,



Eric Witkoski
Executive Director
Colorado River Commission of Nevada