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Record of Decision

Decision Framework for Colorado River Guidelines: Coordinated Operations of Lake Powell and Lake Mead (2027–2036)

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Recommending Official:

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Secretary of the Interior

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Final Environmental Impact Statement (July 2026)

1. Introduction

For the past 26 years, the Colorado River Basin (Basin) has been experiencing an unprecedented multidecadal drought, resulting in historically low runoff and reservoir levels. During 2026, hydrologic conditions in the Basin have worsened, partially a result of the lowest observed snowpack on record during the winter of 2025–2026. The combined contents of Lake Powell (behind Glen Canyon Dam) and Lake Mead (behind Hoover Dam) have not been this low since before Lake Powell began filling, after the closure of the gates at Glen Canyon Dam in 1963.

Furthermore, current low Basin reservoir conditions, particularly at Lake Powell, have highlighted risks that could compromise the reliability and operational flexibility of Glen Canyon Dam that would affect the future ability to meet critical downstream water supply needs. Since 2021, Colorado River operations have included a series of extraordinary operations designed to protect the infrastructure at Glen Canyon Dam and support continued reliable operations. This has been a coordinated and successful effort to date to keep Lake Powell above the critical elevation of 3,490 feet. Despite these measures, due to the continued prolonged drought and water demands, the risk to the Colorado River System has never been greater.

After a 2020 review of the preceding two decades of operations of Glen Canyon Dam and Hoover Dam and recognizing that several of the major reservoir and water management documents and agreements that guide Colorado River operations expire in 2026, the Department of the Interior (Department) began engaging the public to develop new operating guidelines that recognize the need to reduce water use in the Basin while protecting water delivery systems. Critical to this process, the Department and the Bureau of Reclamation (Reclamation) engaged extensively with the Basin States, Basin Tribes, and other interested parties in pursuit of consensus-based long-term operating guidelines. Unfortunately, as of the publication of this Record of Decision (ROD), consensus on long-term operations has not been reached. Given the extraordinary importance of the Colorado River, the Secretary of the Interior (Secretary), for the first time in modern history, convened all seven Colorado River Governors multiple times to facilitate a common, consensus-based operational approach to the worsening conditions in the Basin. Despite these efforts, the seven Basin States were unable to reach an agreement. Nevertheless, new operations must begin October 1, 2026.

The absence of a Basin consensus on water management strategies coupled with the ever-increasing hydrologic risk highlights the importance of the Secretary's operational responsibilities under applicable Federal law to coordinate operations of Colorado River facilities so that these facilities meet their congressionally authorized purposes over the long term.

The Secretary has the statutory responsibility and authority to make decisions about Colorado River operations that are based on actual hydrologic conditions, that consider conditions across the Basin as a whole, and that use flexible and responsive water management tools to protect operations at mainstem facilities, avoid operational risks to infrastructure at Glen Canyon Dam, meet tribal trust responsibilities and obligations to Mexico, and manage risks to the urban, agricultural, and natural systems that rely on the Colorado River. These responsibilities are particularly profound with reservoirs at historic low levels and declining river runoff anticipated to continue or potentially worsen.

It is against this backdrop of hydrologic risk and lack of consensus among the seven Basin States that this ROD adopts the Decision Framework for Colorado River Guidelines: Coordinated Operations of Lake Powell and Lake Mead (2027–2036) (Decision Framework). This Decision Framework, as identified in the Preferred Alternative from the Final Environmental Impact Statement (EIS), establishes an adaptive decision framework that will be used to develop operating guidelines that are designed to ensure reliable operations while being able to respond to changing conditions over a 10-year period (2027–2036). The Secretary retains full legal authority to ensure ongoing operations of Colorado River facilities, including operational actions taken to address extraordinary circumstances to ensure protection of critical Federal infrastructure and continuous operational reliability of such facilities.

The Decision Framework establishes a broad operational range that provides the flexibility to develop specific operating guidelines within the 10-year period while preserving the opportunity for Basin negotiations to continue and, if successful, be incorporated in future operations. In addition, operational sideboards include enhanced coordinated reservoir operations and expanded storage and delivery of conserved system and non-system water opportunities that consist of new Intentionally Created Surplus (ICS)-type programs, conservation pools and exchange mechanisms.

The need for a flexible adaptive framework is clear given the history of the Basin since 2000. As reservoir elevations continued to fall and risk continued to increase, a series of interdependent agreements involving local, State, Tribal and Federal governments, water users and non-governmental organizations in both the United States and United Mexican States (Mexico) have enabled the system to operate by negotiated agreement rather than court determinations.

Maintaining the ability to negotiate and implement a consensus-based alternative remains a priority because a consensus-based solution is the most reliable way to ensure that operations balance the differing and often competing needs across the entire Basin. This is particularly true as poor hydrology and reduced reservoir storage exacerbate longstanding disputes among Colorado River water users.

2. Decision

The decision is the approval of the following Federal action: the adoption of the 2027–2036 Decision Framework, as provided in **Section 10**, that establishes the operational principles, sideboards (ranges for operational elements) and a process to govern development and issuance of Operating Guidelines for the coordinated operations of Lake Powell and Lake Mead. The Operating Guidelines are anticipated to be issued for 2-year intervals, unless the Secretary determines a different number of years is appropriate. The Secretary will issue each set of Operating Guidelines, subject to applicable environmental compliance, as a final agency action.

The Decision Framework provides a flexible, adaptive approach to management and is designed to support the periodic development of operating guidelines that are responsive to actual hydrologic conditions and other relevant considerations. In doing so, the Decision Framework facilitates operational decisions that consider the Colorado River System as an integrated whole, utilizes flexible operational and water management tools and protects critical Federal infrastructure while maintaining reliable operation of the Colorado River System.

The Decision Framework is based upon the Preferred Alternative analyzed in the Final EIS, and incorporates cooperating agency, Basin States, Basin Tribes, and stakeholder input, described below in **Section 6**. **The assumptions developed to analyze the Preferred Alternative do not limit future agreements, nor do they preclude or predetermine other legally permissible applications of law or Secretarial authorities in particular operations.** Specific operations would be identified through the Operating Guidelines developed pursuant to the Decision Framework as described in **Section 10**.

The Department intends to implement the Criteria for Coordinated Long-Range Operation of Colorado River Reservoirs Pursuant to the Colorado River Basin Project Act of September 30, 1968 (Long-Range Operating Criteria or LROC) through the Operating Guidelines issued pursuant to the Decision Framework and through the issuance of the Annual Operating Plan for Colorado River Reservoirs (AOP). The Operating Guidelines may also provide for temporary operational actions that are not otherwise provided for under the LROC when necessary to protect critical federal infrastructure during extraordinary circumstances, consistent with applicable Federal law. Such actions are intended to be temporary, shall be limited to the extent necessary to address the extraordinary circumstances, and shall not modify the Decision Framework or establish precedent for subsequent Operating Guidelines. The Secretary retains full legal authority to ensure ongoing operations of Colorado River facilities, including operational actions taken to address extraordinary circumstances to ensure protection of critical Federal infrastructure and continuous operational reliability of such facilities. The Decision Framework shall remain in effect through operating year 2036 unless superseded by subsequent Federal action.

The Decision Framework establishes a process to determine Operating Guidelines for the coordinated operations of Lake Powell and Lake Mead that will:

1. Identify circumstances under which the Secretary will determine the annual amount of water available for consumptive use from Lake Mead to the Lower Division States (Arizona, California, and Nevada) for Normal (7.5 million acre-feet (maf)), Surplus (above 7.5 maf) or Shortage (below 7.5 maf) Conditions pursuant to the Supreme Court Decree in *Arizona v. California*, 376 U.S. 340 (1964) (Consolidated Decree entered in 2006).

2. Determine the approach to the coordinated operations of Lake Powell and Lake Mead, particularly under low reservoir conditions.
3. Address potential mechanisms for the storage and delivery of conserved water in Lake Mead and/or Lake Powell to increase the flexibility to meet water use needs from both reservoirs, including the storage and delivery of non-system water; exchanges; and water conserved through extraordinary measures by or for Tribal, agricultural, or municipal entities, as appropriate based on the level of Basin consensus.

In carrying out the Decision Framework, the Department will continue to coordinate the operation of Lake Powell, Lake Mead, and the Colorado River Storage Project (CRSP) Upper Initial Units – specific reservoirs above Lake Powell – pursuant to Section 602 of the Colorado River Basin Project Act of 1968 (CRBPA). Consistent with each facility’s existing ROD, the CRSP Upper Initial Units remain an operational tool available to the Secretary, when necessary, to release additional water to increase the elevation at Lake Powell to protect critical Federal infrastructure. Consistent with assumptions and analysis in the Final EIS, the Department intends that operations are consistent with each facility’s existing ROD.

The Decision Framework is clear in its emphasis on prioritizing consensus agreements, voluntary actions, and a commitment to consultation throughout the period of adoption. Each set of Operating Guidelines will be developed pursuant to the Decision Framework in consultation with the seven Basin States and Basin Tribes, and other affected parties as appropriate, consistent with applicable federal law. When developing Operating Guidelines, the Department will take into consideration any consensus recommendations, or any other relevant information made available to the Secretary. Reclamation will provide the opportunity to submit comments on draft Operating Guidelines.

Before adopting Operating Guidelines, the Department will determine the applicable environmental compliance needed for their implementation. To the extent that the Operating Guidelines fall outside the range of operational approaches and environmental impacts programmatically considered and analyzed in the Preferred Alternative, the Department will conduct any necessary NEPA analysis in compliance with applicable federal law.

At the time of this ROD, the seven Basin States have not reached a consensus on an operational approach to the coordinated operations of Lake Powell and Lake Mead, and the Lower Division States are developing but have not yet reached agreement on several matters related to the operations of Lake Mead. These matters include provisions governing the continued storage and delivery of conserved and non-system water in Lake Mead and the volume or distribution of future shortages. To preserve flexibility for ongoing discussions and future agreements, and to continue support for the development of innovative and flexible water management tools across the Basin, the Decision Framework establishes broad operational sideboards for these elements but does not adopt specific operational provisions in the absence of consensus agreements.

Accordingly, although the Department is adopting a maximum potential volume of shortage to the Lower Division States and maximum volumes of accumulation of conserved water in Lake Powell and Lake Mead for the 2027–2036 period, the Department is not adopting the specific shortage volumes, shortage distributions, or conservation activities reflected in assumptions used to analyze

the Preferred Alternative in the Final EIS,¹ nor is the Department predetermining future specific operations with respect to these matters. Rather, specific shortage volumes, distributions, and conservation activities within the analyzed ranges for the operational sideboards will be established through Operating Guidelines issued pursuant to this ROD and will prioritize consensus agreements. The Department will continue to work with all Basin stakeholders to maximize efforts throughout the Basin to reduce the potential for large shortage volumes.

With respect to provisions concerning Lower Basin shortages in the Operating Guidelines, the Department will consult with the Lower Division States and other affected parties as appropriate, regarding specific shortage volumes and the distribution of shortages in the Lower Division States. The assumptions contained in the Final EIS shall not preclude or predetermine any consultation outcomes, and the Department may adopt shortage volumes and distributions that differ from the modeling assumptions applied in the Final EIS (in particular Table 2-3, Table 2-4 and Appendix C) and will consider approaches from prior NEPA analyses (e.g., the 2007 Interim Guidelines Final EIS), consistent with applicable federal law, so long as the Operating Guidelines remain within operational sideboards in the Decision Framework.

3. Background

3.1 Colorado River System Conditions

The Basin provides essential water supplies to approximately 40 million people, nearly 5.5 million acres of agricultural lands, and habitat for ecological resources across seven States which includes broad areas in the Southwestern United States and Northwestern Mexico. Prudent management of the Basin is critically important because the Colorado River is the foundation for diverse resources across a large geographic region and faces exceptional challenges from prolonged drought and future uncertainty. States, Tribes, and Mexico rely on the Colorado River to support essential municipal, agricultural, environmental, cultural, and hydropower needs.

These resources are now at significant risk: since the onset of the current drought in 2000, the Basin's primary reservoirs, Lake Powell and Lake Mead, have fallen to historically low elevations. Several of the major reservoir- and water-management documents and agreements developed to guide Colorado River operations through the persistently dry conditions expire in 2026, including the [2007 Record of Decision for the Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead](#) (2007 Interim Guidelines), the [2019 Colorado River Drought Contingency Plan](#) (2019 DCP), and key international agreements between the United States and Mexico.² Despite the significance of these agreements, actions taken over the past two decades have not been sufficiently robust to prevent continued decline of the reservoirs during the prolonged drought.

¹ Specifically, these shortage assumptions, as described in Table 2-3, Table 2-4 and Appendix C of the Final EIS do not preclude or predetermine the development or application of any other legally permissible assumptions and approaches for shortage distribution.

² International agreements are pursuant to the [U.S.-Mexico Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande](#) (1944 Water Treaty). The U.S. will conduct all necessary and appropriate discussions regarding the proposed federal action and implementation of the 1944 Water Treaty with Mexico through the U.S. Section of the International Boundary and Water Commission (USIBWC) in consultation with the Department of State.

Since 2000, the Basin has been experiencing an unprecedented multi-decadal drought. In the early part of this period, falling reservoir elevations, together with the lack of objective criteria in the LROC for managing the reservoirs at lower levels, prompted the adoption of the 2007 Interim Guidelines. Since their adoption, average annual flows have continued to decline, and flows have been significantly below average in nearly half of the years from 2008 to 2025.

Additional responsive actions were taken during this period to reduce the risk to the Colorado River System's critical infrastructure and to reduce water use. These actions include the 2014 Memorandum of Understanding for Lower Basin Pilot Drought Response Actions (Lower Basin MOU), the 2019 DCP and the 2024 Supplement to the 2007 Interim Guidelines (SEIS). **Despite these actions, storage in Lake Powell and Lake Mead continued to fall.**

Since 2021, extraordinary actions have been necessary to protect the ability of infrastructure at Glen Canyon Dam to continue reliable operations.³ These actions have included additional releases from the CRSP Upper Initial Units to increase the elevation at Lake Powell coupled with further reductions in releases from Glen Canyon Dam to the Lower Basin.

In the spring of this year (2026), the Department implemented unprecedented measures in response to three consecutive years of significantly below-average hydrology from 2024 to 2026, that culminated with this water year's (October 1, 2025, to September 30, 2026) extremely dry hydrologic conditions (with the lowest snowpack since records began in 1930s). These measures included a decision to release up to 660 thousand acre-feet (kaf) to 1.0 maf of additional flows from Flaming Gorge reservoir and to reduce scheduled releases from Glen Canyon Dam to the Lower Basin by approximately 1.5 maf, resulting in an annual release of 6.0 maf.

Despite all of these measures, the risk to the system has never been greater due to the continuing prolonged drought and water demands. As of the adoption of this ROD, the combined contents of Lake Powell and Lake Mead was 12.5 maf, **a low that has not been seen since before Lake Powell began filling in 1963.**

Operating experience over this time has demonstrated that current agreements have not sufficiently reduced risk. The imbalance between water supply and demand will be exacerbated as declining river runoff is anticipated to continue or worsen. It is clear that more robust and adaptive guidelines are needed for the efficient and sustainable management of the mainstream Colorado River reservoirs and system resources. Accordingly, the Department is adopting a Decision Framework capable of responding to evolving hydrologic conditions while protecting critical Federal infrastructure consistent with applicable Federal law, and also providing opportunities for flexible and innovative water management strategies.

3.2 Legal and Operational Setting

The Secretary, acting through Reclamation, is responsible for water management throughout the western United States. Reclamation's authority is significant beginning with the Reclamation Act of

³ At elevation 3,490 feet water can only be released through the river outlet works. Operating below 3,490 feet limits the volume of water that can be released, since water can only pass through the river outlet works. There are infrastructure concerns associated with the uncertainty of extended operations through the river outlet works as the sole means of sustained water releases from Glen Canyon Dam that could compromise the reliability and operational flexibility of Glen Canyon Dam and affect the ability to meet critical downstream water supply needs. There are additional impacts to hydropower associated with operating below 3,490 feet as this is minimum power pool.

1902. The Secretary is vested with the responsibility to manage facilities throughout the Basin and the mainstream waters of the lower Colorado River pursuant to applicable Federal law.

The Secretary also has a broader and unique legal role as he manages the Colorado River System in accordance with Federal law, including the Boulder Canyon Project Act of 1928, the 1963 Decision of the U.S. Supreme Court in *Arizona v. California*, the 2006 Consolidated Decree of the U.S. Supreme Court in *Arizona v. California* (Consolidated Decree), the CRBPA, the Grand Canyon Projection Act of 1992 and other applicable provisions of Federal law. Within this legal framework, the Secretary makes annual determinations regarding the availability of water from Lake Mead by considering various factors, including the amount of water in system storage and predictions of natural runoff. The CRBPA directed the Secretary to propose and adopt criteria: “In order to comply with and carry out the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, and the Mexican Water Treaty, ... for the coordinated long-range operation of the reservoir constructed and operated under the authority of the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjustment Act.” These criteria are known as the Long-Range Operating Criteria or LROC. The CRBPA also directed the Secretary to prepare an annual report “describing the actual operation under the adopted [LROC] criteria for the preceding compact water year and the projected operation for the current year.” This report is known as the Annual Operating Plan or AOP. See discussion of LROC and AOP in the Final EIS, Section 1.8.7.

Among other provisions described in Section 1.8.7 of the Final EIS, the LROC provide that “the objective shall be to maintain a minimum release of water from Lake Powell of 8.23 maf for that year.” Despite the operational challenges due to prolonged drought, the release from Lake Powell over the term of the 2007 Interim Guidelines has met or exceeded the minimum objective release of 8.23 maf in 13 out of 19 years and has averaged 8.5 maf annually over the 2008–2026 period. Going forward, the Department recognizes the continued importance of operating to achieve the objective of a minimum release of 8.23 maf annually but meeting this objective release has been and will be increasingly difficult in a constrained system of low reservoir elevations, declining river flows, and the need to protect the operational reliability of Glen Canyon Dam.

Pursuant to the CRBPA, the narrative provisions of LROC are utilized by the Secretary, on an annual basis, to make determinations with respect to the projected plan of operations of the storage reservoirs in the Basin, including coordination of the two largest reservoirs: Lake Powell (Glen Canyon Dam) and Lake Mead (Hoover Dam). The AOP is prepared by Reclamation, acting on behalf of the Secretary, in consultation with representatives of the Basin States and other parties, as required by Federal law. In the AOP, with respect to operations of Hoover Dam, the Secretary is required to determine when Normal, Surplus, or Shortage Conditions⁴ occur in the lower Colorado River, based on various factors including storage and hydrologic conditions in the Basin, consistent with the Consolidated Decree.

To date, current operations have been implemented consistent with the LROC and through the issuance of the AOP. Beginning in 2007, the Department adopted the 2007 Interim Guidelines

⁴ A “Normal Condition” occurs when the Secretary determines there is sufficient mainstream water available to satisfy 7.5 maf of annual consumptive use in the Lower Division States. A “Surplus Condition” occurs when the Secretary determine that sufficient mainstream water is available to satisfy consumptive use in the Lower Division States in excess of 7.5 maf annually. A “Shortage Condition” occurs when the Secretary determines that insufficient mainstream water is available to satisfy 7.5 maf of annual consumptive use in the Lower Division States.

which provided specific objective criteria used to implement the LROC through 2026. **As discussed below, the 2007 Interim Guidelines are expiring and new guidelines are needed for operations beginning October 1, 2026.**

3.3 Post-2026 NEPA Process

Reclamation, as the agency that is designated to act on the Secretary's behalf with respect to operations of Glen Canyon Dam and Hoover Dam and managing the mainstream waters of the lower Colorado River in accordance with Federal law, is the lead Federal agency for the purposes of the National Environmental Policy Act of 1969 (NEPA), as amended. The Final Environmental Impact Statement – Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead, dated July 2026 (Final EIS) was prepared pursuant to NEPA, the DOI NEPA Implementing Regulations (43 Code of Federal Regulations [CFR] Part 46) and applicable Department guidance documents. The Final EIS was filed with the Environmental Protection Agency (EPA) on July 27, 2026, and noticed by EPA (72 *Federal Register* 48385) in the Federal Register on July 31, 2026.

Before formally initiating the NEPA process, in June 2022, Reclamation conducted a public “pre-scoping” effort requesting input on suggested mechanisms to ensure a wide range of stakeholder participation in the process and potential substantive elements to be considered for post-2026 operations.⁵ Using the input received, on June 16, 2023, Reclamation published a Notice of Intent (NOI) to prepare an environmental impact statement (EIS) in the Federal Register ([88 Federal Register 39455](#)), formally initiating the public scoping process. A Notice of Availability (NOA) for the [Scoping Report](#) was published in October 2023 in the Federal Register ([88 Federal Register 72535](#)), summarizing all public comments received during the scoping period (June 16, 2023, to August 15, 2023). In addition to these public involvement opportunities, Reclamation received considerable input from the Basin States, many Basin Tribes, conservation organizations, other Federal agencies, other stakeholders and members of the public throughout the two-and-a-half-year alternatives’ development phase. During this period, Reclamation met continually with States, Tribes and other stakeholders to review and discuss their input. Despite these engagement efforts, and in contrast to previous efforts, no clear consensus across the Basin had emerged at the time of the Draft EIS publication. The Draft EIS did not include a Preferred Alternative, preserving the opportunity for entities in the Colorado River to continue discussions to reach consensus.

Based on public input received during the Draft EIS public comment period beginning January 16, 2026, through March 2, 2026, and continued stakeholder coordination, Reclamation revised the Final EIS and incorporated a Preferred Alternative that was within range of the alternatives analyzed in the Draft EIS. The Final EIS was prepared by Reclamation to describe the formulation and evaluation of specific operating guidelines and coordinated management strategies to address Lake Powell and Lake Mead through their full operating range. Management strategies primarily focused on the operation of Glen Canyon Dam and Hoover Dam but also included actions upstream and downstream of these facilities to protect critical reservoir elevations such as releases from the CRSP Upper Initial Units to increase the elevation at Lake Powell, and approaches to enhancing opportunities for Lower Basin water users to reduce water use. While the CRSP Upper Initial Units were included in management strategies, the geographic scope of the EIS was not expanded above Lake Powell because the operations of those facilities is within their existing RODs and have been

⁵ The pre-scoping period began with a Federal Register notice on June 24, 2022 ([87 Federal Register 37884](#)). The Department received substantial feedback from Basin States, Basin Tribes, water users, non-governmental organizations, and the public, which Reclamation summarized in a [Pre-Scoping Summary Report](#) (Reclamation 2023a).

analyzed through other NEPA processes. The Final EIS addresses the environmental issues associated with different guidelines and management strategies and analyzes the environmental consequences of various alternatives. The alternatives analyzed in the Final EIS are those Reclamation determined would meet the purpose of and need for the Federal action and they represent a broad and reasonable range of alternatives for potential future guidelines and reservoir management strategies.

In the absence of a long-term consensus-based approach, Reclamation identified a Preferred Alternative in the Final EIS that consists of a 10-year decision framework. Using a modeling representation of potential operating guidelines that may be developed under the Preferred Alternative, a range of potential impacts were identified, analyzed, and compared to the other alternatives. **The Decision Framework does not establish specific reservoir operating guidelines; rather, it provides the structure and sideboards within which operating guidelines will be developed, reviewed and periodically updated through 2036 to allow for consensus and voluntary actions.**

Throughout the NEPA process, Reclamation engaged extensively with five cooperating agencies that provided special expertise in the environmental analysis and preparation of the Final EIS:

- Bureau of Indian Affairs (BIA)
- National Park Service (NPS)
- U.S. Fish and Wildlife Service (FWS)
- U.S. Section of the International Boundary and Water Commission (USIBWC)
- Western Area Power Administration (WAPA)

3.4 Need for the Decision

The Department and Reclamation engaged extensively with the Basin States, Basin Tribes, and other interested parties in pursuit of developing consensus-based long-term operating guidelines. Unfortunately, as of the adoption of this ROD, consensus on long-term operations has not been reached.

Regardless of the lack of consensus, the Secretary must provide for continued coordinated operation of the Colorado River reservoir system and new operations must begin October 1, 2026. Accordingly, the Secretary has determined that adoption of the Decision Framework provides the appropriate mechanism to ensure continuity of operations with the ability to respond to rapidly changing conditions, both preserving the opportunity to incorporate future consensus recommendations and providing the flexibility to make necessary decisions, consistent with applicable Federal law, in the absence of such recommendations. **Using the Decision Framework, Operating Guidelines that address operations beginning on October 1, 2026, will be issued pursuant to this ROD.**

4. Alternatives Considered

The purpose of the proposed federal action is to:

- Update and expand management guidelines for Colorado River reservoirs, particularly for the coordinated operations of Lake Powell and Lake Mead
- Provide Colorado River water users a greater degree of predictability with respect to annual water availability in future years under anticipated increasing variability, low runoff, and low reservoir conditions
- Provide additional mechanisms for the conservation, exchange, storage, and delivery of water supplies in Colorado River reservoirs to increase the flexibility to meet water use needs
- Provide new or enhanced opportunities for Basin Tribes to benefit from their water rights
- Provide flexibility to build resilience and accommodate future needs and growth that are supported by Colorado River water supplies, including the integration of unquantified Tribal water rights once they are resolved

This proposed federal action considers the following operational elements that collectively are designed to address the purpose and need for the proposed federal action. Operating guidelines would be used by the Secretary to:

- determine those circumstances under which the Secretary would allocate, reduce, or increase the annual amount of water available for consumptive use from Lake Mead to the Lower Division States at, below, or above 7.5 maf, pursuant to the Consolidated Decree.
- define the coordinated operations of Lake Powell and Lake Meads, particularly under low reservoir conditions.
- allow for the storage and delivery of conserved Colorado River System and non-system water in Lake Mead and Lake Powell, pursuant to applicable law, to increase flexibility in meeting water use needs.

The proposed federal action allows for development of robust operating guidelines for Lake Powell and Lake Mead without precluding upstream or downstream actions needed to protect critical reservoir elevations at Lake Powell and Lake Mead, such as the following:

- Approaches that consider total system storage in all major Colorado River reservoirs and/or actual inflows to determine coordinated operations of Lake Powell and Lake Mead.
- Approaches that include opportunities for conservation, augmentation, demand management, or other water management strategies (such as exchanges or transfers).
- Modified operations at upstream CRSP Upper Initial Units to release additional water if needed to protect critical infrastructure at Glen Canyon Dam.

Six alternatives are considered and analyzed in the Final EIS. The alternatives consist of a No Action Alternative and five action alternatives. The five action alternatives are: (1) the Basic Coordination Alternative, (2) the Enhanced Coordination Alternative, (3) the Maximum Operational Flexibility Alternative, the (4) Supply Driven Alternative, and (5) the Preferred Alternative. The action

alternatives reflect input from Basin States, Basin Tribes, conservation organizations, cooperating agencies and Reclamation staff.

The action alternatives represent a reasonable and broad range of alternatives for managing the Colorado River System and its resources post-2026. The objectives associated with analyzing a sufficiently broad range of alternatives were two-fold:

1. Ensuring that decision-makers and the public are informed of all potential impacts and tradeoffs of different operational approaches
2. Providing analysis for the four operational elements (Guidelines to Reduce or Increase Deliveries from Lake Mead, Coordinated Reservoir Operations, Storage and Delivery of Conserved System and Non-System Water, and Additional Activities above Lake Powell) that are the basis for operating guidelines that may eventually be developed under the Preferred Alternative

The process of developing the range of alternatives was informed by solicitation of input and extensive collaborative engagement with stakeholders throughout the Basin. For those proposals containing sufficient detail to be considered as a full alternative or a major component of an alternative, Reclamation worked extensively with these entities to capture their concepts in the action alternatives, as the descriptions below reflect.

The Preferred Alternative was developed in spring 2026 in recognition that shorter-term, hydrology-responsive operating guidelines developed within a decision framework that balances predictability and flexibility while providing opportunities for consensus was the most prudent approach to managing reservoirs near critical elevations.

The summaries below provide background and brief descriptions of how the alternatives address the four operational elements. The maximum shortage volumes include modeling assumptions about reductions in water deliveries to Mexico.⁶

4.1 No Action Alternative

The No Action Alternative is included as a requirement of NEPA. Operations would revert to annual determinations announced through the AOP. Pursuant to the LROC, the objective is to maintain a minimum release of water from Lake Powell of 8.23 maf, therefore Lake Powell releases are assumed to be 8.23 maf unless a higher release is required for equalization or a lower release occurs due to Glen Canyon Dam infrastructure limitations. Shortages to the Lower Basin would be based on priority and reach a maximum of 600 kaf. This would not represent a continuation of current operations but is generally based on the operating guidance that was in place before the adoption of the 2007 Interim Guidelines. While the authority to use CRSP Upper Initial Units to respond to exigent and emergency conditions was recognized at that time, no specific framework for such activities had been developed, so no defined activities are included in this alternative. Existing

⁶ Reclamation's modeling assumptions are not intended to constitute an interpretation or application of the 1944 Water Treaty or to represent current United States policy or a determination of future United States policy regarding deliveries to Mexico. The U.S. will conduct all necessary and appropriate discussions regarding the proposed Federal action and implementation of the 1944 Water Treaty with Mexico through the USBWC in consultation with the Department of State.

ICS would be delivered in accordance with existing agreements, but there would be no new storage and delivery mechanisms.

4.2 Basic Coordination Alternative

The Basic Coordination Alternative was designed to be implementable absent new agreements among Basin water users. Lake Powell releases would primarily be 8.23 maf, with some releases above and below 8.23 maf, and minimum releases of 7.0 maf. Lake Powell elevations could be increased by releases from CRSP Upper Initial Units within their respective RODs to protect infrastructure at Glen Canyon Dam. Reclamation would identify triggers for when additional Upper Basin actions are needed to protect critical infrastructure. Lower Basin shortages up to 1.48 maf would be triggered based on Lake Mead elevation and distributed consistent with priority system. Existing ICS would be delivered in accordance with existing agreements, but there would be no new delivery and storage mechanisms.

4.3 Enhanced Coordination Alternative

The Enhanced Coordination Alternative is based on concepts from Basin Tribes, Federal agencies, and other stakeholders to achieve protection of critical infrastructure while benefitting key resources (e.g., natural, hydropower and recreation) through an approach to distributing storage between Lake Powell and Lake Mead. Lake Powell releases would be determined based on a combination of Lake Powell and Lake Mead elevations, 10-year running-average hydrology, and Lower Basin deliveries. This alternative would include storage and delivery mechanisms for Lake Powell and Lake Mead and extensive flexibilities for all users. The operations incorporate Basin-wide shared contributions to the system, including Upper Basin conservation that would be stored in Lake Powell and Lower Basin shortages starting at 1.3 maf, approximately the average annual evaporative and system losses at and below Lake Mead, and reaching a maximum of 3.0 maf. Shortages would be triggered based on combined storage in Lake Powell and Lake Mead and distributed pro rata.

4.4 Maximum Operational Flexibility Alternative

The Maximum Operational Flexibility Alternative is informed by a proposal submitted by a consortium of conservation organizations and incorporates proactive responses, targeted reservoir management strategies and innovative and flexible tools to address an increasingly variable set of future hydrologic conditions. Lake Powell releases would range from 5.0 maf to 11.0 maf and would be determined by total CRSP system storage and recent hydrology. Releases would switch to “run-of-river” when Lake Powell is at 3,510 feet or lower. The operations incorporate Basin-wide shared contributions, including up to 4.0 maf of shortages in the Lower Basin triggered by combined seven-reservoir storage (CRSP Upper Initial Units, Lake Mead, Lake Mohave, and Lake Havasu) and recent hydrology and voluntary water contributions from both basins.

4.5 Supply Driven Alternative

The Supply Driven Alternative reflects operational concepts that Reclamation explored with the Basin States in summer and fall of 2025. Annual Lake Powell releases are determined based on a 65 percent of 3-year-average natural flow at Lees Ferry. Lake Powell elevations could be increased by releases from CRSP Upper Initial Units within their respective RODs to protect infrastructure at Glen Canyon Dam. This alternative would include new delivery and storage mechanisms for Lake Powell and Lake Mead. Lower Basin shortages up to 2.1 maf would be triggered based on Lake Mead elevation. This alternative analyzes two approaches to shortage distribution: (1) State-based combined with Lower Basin-wide priority and (2) State-based combined with Lower Basin-wide pro rata.

4.6 Preferred Alternative

The Preferred Alternative is a 10-year decision framework through 2036. The decision framework establishes operational principles, sideboards (key thresholds and ranges for operational elements) and a process that would govern development and issuance of operating guidelines covering anticipated 2-year intervals, unless consensus-based agreements provide for a longer duration. **The framework does not establish specific operating guidelines; rather, it provides the structure within which operating guidelines would be developed, reviewed, and periodically updated.** The framework (principles, sideboards, and process) would remain constant through 2036 and allow for voluntary actions and consensus, unless modified through future Federal action and appropriate environmental compliance.

In contrast to the specified operations under alternatives described above, the Preferred Alternative is designed to create the opportunity for subsequent decision making; because of this distinction, it is analyzed programmatically through a modeling representation of operating guidelines that may be developed under the Preferred Alternative. The sideboards provide a basis for understanding the range of potential impacts, and analyzing these potential impacts provides a necessary and instructive comparison to the other alternatives included in the Final EIS. Taken together, the representation of the operational elements described below is referred to and analyzed in the Final EIS as the “Representative Preferred Alternative.” The Representative Preferred Alternative is a set of modeling assumptions designed around the Preferred Alternative sideboards to approximate a range of operating guidelines that may be adopted for each interval during the 10-year framework.

The Representative Preferred Alternative models Lake Powell releases from 5.0 maf to 12.0 maf and models Lower Basin shortages up to 3.6 maf (distributing 3.0 maf among the Lower Division States). Shortages are analyzed using the two concepts captured in the sideboards: voluntary agreements (reflected in 2027–2028 by using the distribution developed by the Lower Division States for shortages up to 1.5 maf) and a representation of applicable law applied for shortages exceeding 1.5 maf in 2027–2028 and after 2028. The modeling assumptions also provide for storage and delivery mechanisms for conserved water in both Lake Powell and Lake Mead of 3.0 maf and 8.0 maf, respectively.

The description above reflects how the Representative Preferred Alternative was modeled. **The assumptions modeled under the Representative Preferred Alternative do not limit future agreements, nor do they preclude or predetermine other legally permissible applications of law or Secretarial authorities in particular operations.** Specific operations would be identified through the operating guidelines developed for each interval as described in **Section 10.4**. The modeling assumptions do not preclude the development or application of any other legally permissible assumptions and approaches for operations including those that may be established through agreements or operating guidelines developed pursuant to the Decision Framework.

5. Basis for the Decision

In developing this Decision Framework there are a number of key factors that the Secretary considered, including the following:

- Over the past 26 years, the Basin has been experiencing an unprecedented multi-decadal drought, resulting in historically low runoff and reservoir levels. Increased future hydrologic

variability with the continuation of prolonged droughts and low-runoff conditions is likely. These conditions will exacerbate the now widely recognized imbalance between water supply and demand in the Basin.

- The extremely low hydrologic conditions experienced since 2000 coupled with meeting water demands, albeit somewhat reduced by conservation and other activities, have resulted in the lowest combined contents at Lake Powell and Lake Mead since before Lake Powell began filling in 1963.
- Based on operational experience since 2007, the expiring guidelines were not robust enough to manage the system in a way that is sufficiently protective of the resources dependent on the Colorado River. Despite near-continuous drought-response actions over the past decade, low reservoir conditions have persisted, and new infrastructure risks at Glen Canyon Dam have arisen.
- As reservoir elevations have continued to fall and risk has continued to increase, a series of historic and interdependent agreements involving local, State, Tribal and Federal governments, water users and non-governmental organizations in both the United States and Mexico have enabled the system to operate by negotiated agreement rather than court determinations. With most of these agreements set to expire this year, the Department and Reclamation engaged extensively with the Basin States, Basin Tribes, and other interested parties over the past 3 years to develop successor long-term, consensus agreements for managing the Colorado River reservoirs. Unfortunately, as of the publication of the Final EIS on July 31, 2026 and this ROD, consensus has not been reached.

Given the history of the Basin since 2000, the need for a flexible and adaptive decision framework, one that considers the system as a whole and is based on actual hydrology, is clear. Furthermore, with the 2007 Interim Guidelines and other relevant agreements expiring September 30, 2026, new prescribed, objective, operating guidelines cannot wait for consensus. Reservoir operations are inherently ongoing and operating criteria for Lake Powell and Lake Mead must be in place by October 1, 2026.

It is against this backdrop of hydrologic risk and lack of consensus that Reclamation prepared the Preferred Alternative contained in the Final EIS. The Preferred Alternative establishes an adaptive Decision Framework for a 10-year period that will be used to develop specific Operating Guidelines in anticipated 2-year intervals (though the interval may be modified within the 10-year period). By facilitating the development of shorter-term guidelines, the Decision Framework enables reliable operations to continue while being able to respond to rapidly changing conditions. Furthermore, the Decision Framework supports continued Basin-wide discussions and the development and implementation of consensus agreements should they arise and also provides the Secretary the flexibility to make necessary decisions, consistent with applicable Federal law, in the absence of such agreements. The Secretary has, and retains all, legal authority to ensure ongoing operations of Colorado River facilities, including operational actions taken to address extraordinary circumstances to ensure protection of critical Federal infrastructure and continuous operational reliability of such facilities.

The Decision Framework establishes operational principles, operational sideboards, and a process to guide the development of specific guidelines for each operating interval. Specifically, the operational principles provide the fundamental objectives to be considered in developing specific Operating Guidelines, the sideboards provide the key thresholds and ranges for operational elements making

up specific guidelines and the process ensures that specific guidelines are developed in a transparent and inclusive way and provides the opportunity to review the guidelines' performance as well as to consider new developments.

The Draft EIS published in January 2026 purposely did not identify this (or any) preferred alternative in order to allow for continued opportunity for consensus. Because the Framework provides for the needed flexibility and adaptability, precise operations for each year in the 10-year period cannot be specified within this ROD. However, the sideboards provide a range for potential operating guidelines that may be issued during the 2027–2036 period, allowing the ability to represent the Decision Framework as an alternative (called the “Representative Preferred Alternative”) and include it in the Final EIS. Specific operations will be identified in Operating Guidelines issued pursuant to this ROD.

Analysis of the Preferred Alternative, illustrated by the Representative Preferred Alternative, includes modeling assumptions related to different volumes of potential shortages to the Lower Division States, distributions of those shortages, and potential activities related to Lake Mead conservation mechanisms. Assumptions related to the potential 2027–2028 distribution of 1.25 maf of shortage were derived from proposals previously submitted by the Lower Division States. Assumptions for larger shortage volumes and conservation activity were developed for analytical purposes and do not represent the Department's intentions to implement particular operations or limit future agreements, nor do they necessarily reflect interpretations of law or Secretarial authorities.

Accordingly, although the Department is adopting a maximum potential volume of shortage to the Lower Division States of up to 3.0 maf for the 2027–2036 period, the Department is not adopting the specific shortage volumes, shortage distributions, or conservation activities reflected in assumptions used to analyze the Preferred Alternative in the Final EIS, nor is the Department predetermining future specific operations with respect to these matters. **Rather, specific shortage volumes, distributions, and conservation activities within the analyzed ranges for the operational sideboards will be established through Operating Guidelines issued pursuant to this ROD and will prioritize consensus agreements.** The Department will continue to work with all Basin stakeholders to maximize efforts throughout the Basin to reduce the potential for large shortage volumes.

Given the information detailed above, Reclamation concluded that the Preferred Alternative was reasonable and fully analyzed its environmental effects in the Final EIS. The identified environmental effects are well within the range of the anticipated effects of the alternatives in the Draft EIS and do not affect the environment in a manner not already considered in the Draft EIS. As described in Section 2.6.2 of the Final EIS, the Preferred Alternative appropriately balances system tradeoffs and is a practical approach to robust protection of critical infrastructure while considering adverse impacts to water users and avoiding unnecessary impacts to other resources. Thus, based on all available information, the Preferred Alternative is a reasonable, feasible, implementable, and durable alternative and provides the ability to adapt to changing circumstances.

The Department is adopting the Decision Framework as described in the Preferred Alternative. **Using the Decision Framework, Operating Guidelines that address operations that begin on October 1, 2026, will be issued pursuant this ROD.**

6. Public and Stakeholder Engagement

The process leading to this ROD has been defined by robust and inclusive engagement with the States, Tribes, stakeholders and the public. From the outset, the Department and Reclamation recognized that the complexity and significance of Colorado River operations demand a transparent and inclusive approach. Throughout the development of the Final EIS and this ROD, the Department convened regular consultations with representatives of the seven Basin States, providing opportunities for input and discussion. Although Basin-wide consensus on long-term operating guidelines for the full duration of the Preferred Alternative was not reached prior to completion of the Final EIS, **the Department has designed the adopted Decision Framework to accommodate future agreements and remains committed to pursuing consensus-based operations.**

In parallel, the Department undertook extensive engagement efforts with the 30 federally recognized Tribes in the Basin, consistent with Federal trust responsibilities and applicable law. These efforts consisted of monthly information calls during the process, establishing Tribal technical workgroups, and government-to-government consultations to ensure Tribes remained informed and had opportunities for meaningful communication. Tribal input on water rights, resource management, and cultural resources informed the development and refinement of alternatives, and the Department has ensured that Tribal comments and concerns are captured in the Final EIS and addressed in this ROD.

Before formally initiating the NEPA process, in June 2022, Reclamation conducted a public “pre-scoping” effort requesting input on suggested mechanisms to ensure a wide range of stakeholder participation in the process and potential substantive elements to be considered for post-2026 operations. Subsequently, in June 2023 Reclamation issued a NOI to prepare an EIS, followed by a comprehensive public scoping process that included public meetings, webinars, and opportunities for written comment. The Draft EIS was made available for public review in January 2026, and the Department received and reviewed thousands of submissions from a broad spectrum of stakeholders, including state and local governments, Tribes, water users, non-governmental organizations, and members of the public. All substantive comments were systematically reviewed, organized into themes, and addressed in the Final EIS. In response to these comments, the Department and Reclamation made clarifications and refinements to the Final EIS, including updates to modeling assumptions, additional analysis of environmental and socioeconomic impacts, and enhanced discussion of Tribal and stakeholder engagement. The Department’s responses to public and stakeholder input are documented in the Final EIS and reflected in the Decision Framework and guidelines adopted in this ROD. **The Department remains committed to continued engagement with all stakeholders as implementation proceeds, and to maintaining the flexibility to adapt operating guidelines in response to new information, voluntary actions, changing conditions and future consensus recommendations.**

7. Environmental Review and Compliance

Hydrologic modeling of the Colorado River System was conducted to determine the potential hydrologic effects of the alternatives. Modeling provided projections of future Colorado River System conditions (i.e., reservoir elevations, reservoir releases, river flows) for comparison of those conditions under the No Action Alternative and the action alternatives, including the Preferred

Alternative. Due to the uncertainty with regard to future inflows into the system, multiple ensembles were modeled to in order to analyze a reasonable range of uncertainties of future conditions. The analysis for the Final EIS uses a Decision Making under Deep Uncertainty approach, which is designed to account for uncertainty in future Basin conditions, especially hydrology. The hydrologic modeling generated projections that serve as the basis for analyzing potential effects on other environmental resources, including recreation, biological resources, and hydropower generation, as well as resource-specific models.

Hydrologic modeling also provided the basis for the analysis of the potential effects of each alternative on other environmental resources. The Final EIS evaluated the following resource areas: hydrologic resources, water deliveries, geomorphology and sediment, water quality, air quality, biological resources (including fish and other aquatic species), vegetation (including special status species), terrestrial wildlife (including special status species), cultural resources, paleontological resources, Tribal resources, recreation, dams and electrical power resources, socioeconomics, population and land use, Indian trust assets, and visual resources. The potential effects on specific resources were identified and analyzed for the No Action Alternative and the action alternatives, including the Preferred Alternative, as analyzed through the Representative Preferred Alternative.

It is important to note that Reclamation has been undertaking environmental mitigation measures on the Colorado River for more than 20 years through both the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) and for the last 30 years through the Glen Canyon Dam Adaptive Management Program (GCDAMP). Based on the analyses in the Final EIS, the ongoing mitigation being conducted under these programs, and any new conservation measures are described below (to be implemented by the LCR MSCP and GCDAMP).

7.1 Lower Colorado River Multi-Species Conservation Program

The LCR MSCP is a 50-year cooperative effort between Federal and non-federal entities, approved by the Secretary in April 2005 and is in effect through 2055. This program was developed to address potential effects to listed and other selected special status species (covered species) from identified ongoing and future anticipated Federal discretionary actions and non-federal activities on the lower Colorado River (covered actions). When established in 2005, the Biological Opinion (BO) issued by FWS for the LCR MSCP provided Endangered Species Act (ESA) compliance for the effects of covered actions until 2055. When the 2007 Interim Guidelines were adopted, the ESA compliance provided by the 2005 BO was sufficient to allow for full implementation of the 2007 Interim Guidelines. In 2018, the LCR MSCP was amended and a new BO was issued to address potential effects to the northern Mexican gartersnake for the identified ongoing and future anticipated covered actions. The 2018 BO expires in 2055. In 2022, a new BO was issued for the LCR MSCP to accommodate implementation of the 2019 Lower Basin DCP and the 2014 Lower Basin MOU. This 2022 BO increased coverage for annual flow reductions from Hoover Dam to Parker Dam up to 1.574 maf. The 2022 BO expires in 2055. In 2024, in response to the purpose and need identified in the 2024 SEIS, a new BO was issued for the LCR MSCP to allow for annual flow reductions in a range of 2.083 maf up to 3.0 maf through January 31, 2028.

The LCR MSCP has coverage from the 2024 BO for the SEIS for the possibility of reduced flows up to 3.0 maf through January 2028. Reduced flows is a cumulative total of reduced water releases out of Hoover Dam including reduced water released for deliveries to the Lower Division States, ICS, and other conservation activities. Reclamation and FWS are working to extend the 2024 BO while the LCR MSCP is being amended to provide long term coverage for increased reduction in

flows that may result from additional activities under at the upper end of the operational sideboards under the Preferred Alternative. These combined actions allow for the possible implementation of up to 3.0 maf of reduced flows, with required ongoing consultations, including reinitiating Section 7 consultation, will provide coverage through the life of the LCR MSCP for additional activities that may be taken under the ranges identified in the Preferred Alternative.

The LCR MSCP identified, and is mitigating for, impacts on the covered species and their habitats from the flow reductions described above. The analyses completed in 2005 and 2022 estimated these impacts to include the potential loss of up to 2,008 acres of cottonwood-willow habitat, 140 acres of marsh habitat, and 414 acres of backwater habitat. The analysis completed under the 2024 BO estimated additional impacts resulting in the potential loss of 41 acres of marsh habitat and 109 acres of backwater habitat.

To offset these impacts, the LCR MSCP will continue implementation of all conservation measures established in 2005, 2018, 2022, and 2024 including:

- creation and long-term management of 5,940 acres of cottonwood-willow habitat,
- creation and long-term management of 568 acres of marsh habitat,
- creation and long-term management of 484 acres of backwater habitat,
- stocking of 660,000 razorback sucker over the term of the LCR MSCP,
- stocking of 620,000 bonytail over the term of the LCR MSCP; and
- a suite of additional avoidance and minimization measures, monitoring and research measures, and species-specific conservation measures.

These habitats will be actively managed to provide habitat values greater than those of the impacted habitats. While the LCR MSCP is geared toward special status species, it is important to understand that all species that use the habitats impacted by the LCR MSCP covered activities benefit by the conservation actions currently being carried out under the LCR MSCP.

7.2 Glen Canyon Dam Adaptive Management Program (GCDAMP)

The GCDAMP provides an organization and process for cooperative integration of dam operations, downstream resource protection and management, and monitoring and research information, as well as to improve the values under the Grand Canyon Protection Act for which the Glen Canyon National Recreation Area and Grand Canyon National Park were established. The GCDAMP works within the operating guidelines of the Long-Term Experimental and Management Plan (LTEMP) for sub annual operations of Glen Canyon Dam.

7.3 Endangered Species Act (ESA) Compliance

A. Lake Powell to Lake Mead

In compliance with the ESA, Reclamation submitted a Biological Assessment (BA) to FWS on July 15, 2026, and requested formal consultation on the Preferred Alternative for the geographic area Lake Powell downstream to the upper end of Lake Mead.

Through the Representative Preferred Alternative, Reclamation reviewed the potential effects of the Preferred Alternative in the Final EIS and determined that all potential effects to listed species and

their habitats from full pool Lake Powell to the inflow of the Colorado River into Lake Mead are covered by the Post-2026 ESA consultation.

The BA included the “likely to adversely affect” finding for the razorback sucker and humpback chub and their critical habitat and a “not likely to adversely affect” finding for the Colorado pikeminnow, bonytail chub, southwestern willow flycatcher, and the western yellow-billed cuckoo.

New conservation measures identified in the BA were designed to address warmwater nonnative invasive fish entrainment and downstream production under lower Lake Powell elevations. Should future conditions exist such that elevations remain high (e.g., >3,565 feet) and release temperatures cool for an extended period (e.g., <16 C for 5 years), Reclamation will coordinate with the FWS to determine what conservation measures can be reduced or are no longer necessary. Conservation measures identified in the 2016 LTEMP BO and the 2024 BO for the SEIS will be continued and are included as part of the new proposed conservation measures.

FWS issued its BO for the Preferred Alternative by memo dated August 13, 2026. The BO concurred with Reclamation’s “may affect and is not likely to adversely affect” findings for the Colorado pikeminnow, bonytail chub, southwestern willow flycatcher, and the western yellow-billed cuckoo, and found that the Preferred Alternative “may affect, and is likely to adversely affect” the razorback sucker and the humpback chub. However, the BO concluded that Preferred Alternative is not likely to jeopardize their continued existence or destroy or adversely modify the habitat of either species. In addition to the conservation measures identified in the BA, FWS determined that it would be necessary and appropriate to monitor the effects of the Preferred Alternative on humpback chub, including incidental take resulting from the Preferred Alternative, and report the findings to FWS.

B. Lake Mead to the Southerly International Boundary with Mexico

Reclamation reviewed the effects of the Preferred Alternative in the Final EIS and determined that all potential effects to listed species and their habitats from Lake Mead to the Southerly International Boundary with Mexico were covered by the existing consultations for the LCR MSCP. An amendment to the LCR MSCP Habitat Conservation Plan and an associated BA are currently being developed, with an anticipated completion in January 2028, to extend Section 7 and Section 10 consultation incidental take coverage for the LCR MSCP’s Federal and non-federal parties until 2055.

7.4 National Historic Preservation Act - Section 106 Compliance

Section 106 of the National Historic Preservation Act (NHPA; 54 U.S.C 306108), as amended, and its implementing regulations (36 CFR part 800) require Federal agencies to take into account the effects of their Federal undertakings on historic properties, in consultation with appropriate consulting parties.

Reclamation determined that this Federal action constitutes a Federal undertaking subject to Section 106 of the NHPA and initiated consultation with the State Historic Preservation Officers for Arizona, California, Nevada, and Utah; Tribal Historic Preservation Officers (THPOs); affected Tribes without THPOs; land-managing agencies; and other consulting parties, to develop a project-specific programmatic agreement (36 CFR 800.14). Given the geographic scale and scope of the undertaking, Reclamation is using a phased approach consistent with 36 CFR 800.4(b)(2) to identify and evaluate historic properties included on, or eligible for inclusion on, the National

Register of Historic Places within the defined Area of Potential Effects and for applying the criteria of adverse effect pursuant to 36 CFR 800.5(a)(3). In coordination with the Post-2026 NEPA process, Section 106 consultation efforts considered the potential effect of the undertaking on historic properties and established a process for resolving potential adverse effects to historic properties resulting from Reclamation's operation of the Glen Canyon and Hoover Dams under new Operating Guidelines.

A Programmatic Agreement has been developed that establishes a framework for identification, evaluation, consultation, monitoring, and potential treatment of historic properties. Detailed compliance procedures will be included in the Historic Preservation Plan (HPP) developed in consultation with consulting parties. Reclamation's compliance with the procedures in the HPP will fulfill its compliance responsibilities under Section 106 of the NHPA. This Programmatic Agreement is anticipated to be executed prior to October 1, 2026 when operations pursuant to this ROD will begin.

8. Operational Setting

8.1 Criteria for the Coordinated Long-Range Operation of Colorado River Reservoirs

Section 602 of the CRBPA required the Secretary to propose and adopt criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act of 1956, the Boulder Canyon Project Act of 1928 (BCPA), and the Boulder Canyon Project Adjustment Act. The Secretary adopted such "Long-Range Operating Criteria" (LROC) in 1970 and has been operating the Colorado River consistent with the LROC since 1970. In 2005, the Secretary approved minor changes to the text of the LROC. (70 *Federal Register* 15873, Mar. 29, 2005). The Secretary identified the bases for the limited changes as: (1) specific change in Federal law applicable to the Operating Criteria, (2) language in the current text of the Operating Criteria that was outdated, and (3) specific modifications to Article IV(b) of the Operating Criteria that reflect actual operating experience.

The Department intends to implement the LROC through the Operating Guidelines issued pursuant to the Decision Framework and implemented through the AOP. The Operating Guidelines may also provide for temporary operational actions that are not otherwise provided for under the LROC when necessary to protect critical Federal infrastructure during extraordinary circumstances, consistent with applicable Federal law.

8.2 Annual Operating Plan for Colorado River Reservoirs

Section 602(b) of the CRBPA of 1968 requires that the Secretary transmit to the Congress and to the Governors of the Basin States, by January 1st of each year, a report describing the actual operation under the LROC for the preceding compact water year and the projected operation for the current year. This report is commonly referred to as the AOP.

Each year the Secretary implements the provisions of the 1968 statute regarding the projected operation of Colorado River reservoirs and stakeholder consultation through the Colorado River Management Work Group. This process involves appropriate consultation prior to finalization of the proposed AOP. The AOP is used to memorialize operational decisions that are made pursuant to individual Federal actions (e.g., 2007 Interim Guidelines, Operating Guidelines issued pursuant to

this ROD). Thus, the AOP serves as a single, integrated reference document required by Section 602(b) of the CRBPA of 1968 regarding past and anticipated operations.

It is the Department's decision that Operating Guidelines developed and issued pursuant to this ROD will be implemented and documented on an annual basis through each year's AOP through 2036. Such guidelines will address annual volumes of releases from Glen Canyon Dam and Hoover Dam. Accordingly, this ROD does not modify the authority of the Secretary to determine monthly, daily, hourly or instantaneous releases from Glen Canyon Dam and Hoover Dam.

8.3 Framework for Operations at the Initial Units of the Colorado River Storage Project Act Under Drought Conditions

The CRSP Upper Initial Units will be operated consistent with their current authorities, each facility's current RODs, and associated NEPA compliance documents, which are not modified by this ROD. The Secretary anticipates executing an agreement describing a process to plan for CRSP Upper Initial Units operations within such existing authorities.

8.4 Mexico

The United States delivers an annual allotment of Colorado River water to Mexico pursuant to the 1944 Water Treaty between the United States and Mexico. In the absence of a Basin consensus on water management strategies coupled with the ever-increasing hydrologic risk, the Department is taking a final agency action regarding the Decision Framework that will be used to issue Operating Guidelines for the operations of Lake Powell and Lake Mead, and the delivery of water to water users in the United States.

The United States and Mexico, through the International Boundary and Water Commission (IBWC), have a history of successful cooperation on the Colorado River to address Basin issues through Minutes to the 1944 Water Treaty. Since 2008, the United States and Mexico have continued this cooperation to address the ongoing drought through multiple minutes, including Minutes 316, 317, 318, 319, 323, and 330.

Prior to adopting this Decision Framework, the Department provided information on the proposed action to the IBWC and met with representatives of the Mexican Section of the IBWC and the Mexican Government. The Department has considered the information provided by the IBWC prior to adopting this Decision Framework, including information representing the views of the government of Mexico.

The Department notes the intention of the governments of the United States and Mexico to continue the cooperation and collaboration regarding issues related to the Colorado River through the IBWC. In addition, the Department acknowledges ongoing binational work reflecting continued commitment by both governments to develop cooperative mechanisms responsive to emerging conditions on the Colorado River.

The Department has considered domestic environmental impacts related to its obligation to deliver water to Mexico under the 1944 Water Treaty and has determined they fall within the scope of the analysis.

9. Definitions

For the purpose of this ROD, the following definitions apply. Additionally, each set of Operating Guidelines issued from the Decision Framework includes definitions that are specific to those guidelines.

1. “2007 Interim Guidelines” refers to the 2007 Record of Decision for the Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead.
2. “24-Month Study” refers to the operational study that reflects the current AOP that is updated each month by Reclamation to project future reservoir contents and releases. The projections are updated each month using the previous month’s reservoir contents and the latest inflow and water use forecasts.
3. “AOP” shall mean the Annual Operating Plan for the Colorado River System Reservoirs.
4. “BCPA” shall mean the Boulder Canyon Project Act of 1928 (28 Stat. 1057).
5. “Basin States” shall mean the seven Colorado River Basin States of Arizona, California, Colorado, New Mexico, Nevada, Utah, and Wyoming.
6. “Basin Tribes” shall mean the 30 federally recognized Native American tribes in the Basin: Ak-Chin Indian Community, Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort McDowell Yavapai Nation, Fort Mojave Indian Tribe, Fort Yuma-Quechan Tribe, Gila River Indian Community, Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Jicarilla Apache Nation, Kaibab Band of Paiute Indians, Las Vegas Paiute Tribe, Moapa Band of Paiute Indians, Navajo Nation, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community, San Carlos Apache Tribe, San Juan Southern Paiute, Shivwits Band of Paiutes, Southern Ute Indian Tribe, Tohono O’odham Nation, Tonto Apache Tribe, Ute Indian Tribe of the Uintah and Ouray Reservation, Ute Mountain Ute Tribe, White Mountain Apache Tribe, Yavapai-Apache Nation, and Yavapai-Prescott Indian Tribe.
7. “Certification Report” shall mean the written documentation provided by a Contractor that provides the Secretary with sufficient information to allow the Secretary to determine whether the quantity of ICS or DSS approved by the Secretary in an approved plan has been created and whether the creation was consistent with the approved plan.
8. “Colorado River System” shall have the same meaning as defined in the 1922 Colorado River Compact.
9. “Consolidated Decree” shall mean the Consolidated Decree entered by the United States Supreme Court in *Arizona v. California*, 547 U.S. 150 (2006).
10. “Contractor” shall mean an entity holding an entitlement to Mainstream water under (a) the Consolidated Decree, (b) a water delivery contract with the United States through the Secretary, or (c) a reservation of water by the Secretary, whether the entitlement is obtained under (a), (b) or (c) before or after the term of this ROD.
11. “CRBPA” shall mean the Colorado River Basin Project Act of September 30, 1968 (82 Stat. 885).
12. “Colorado River Storage Project Upper Initial Units” shall mean Flaming Gorge, Blue Mesa (the most upstream facility of the Aspinall Unit, which serves as its primary storage reservoir) and Navajo reservoirs.

13. “DSS Account” shall mean records established by the Secretary regarding Developed Shortage Supply.
14. “Decision Framework” shall mean the operational principles, sideboards (key thresholds and ranges for operational elements), and process that will govern development and issuance of Operating Guidelines through 2036.
15. “Delivery Agreement” shall mean an agreement consistent with this ROD entered into between the Secretary and one or more Contractors creating ICS.
16. “Developed Shortage Supply (“DSS”)” shall mean water available for use by a Contractor under the terms and conditions of a Delivery Agreement and Section XI.G.4 of the 2007 Interim Guidelines in a Shortage Condition (as determined in Operating Guidelines issued pursuant to this ROD), under Article III(B)(3) of the Consolidated Decree.
17. “Domestic Use” shall have the same meaning as defined in the 1922 Colorado River Compact.
18. “Forbearance Agreement” shall mean an agreement under which one or more Contractors agree to forbear any right under a water delivery contract or the Consolidated Decree to water involved in ICS, System Conservation, or other action resulting in a verified reduction in consumptive use.
19. “ICS Account” shall mean records established by the Secretary regarding ICS.
20. “Intentionally Created Surplus (“ICS”)” shall mean Colorado River System water available for use under the terms and conditions of a Delivery Agreement, a Forbearance Agreement, this ROD and Operating Guidelines issued pursuant to this ROD.
 - a. ICS created through extraordinary conservation, as provided for in **Section 10.9.E.1**, shall be referred to as “Extraordinary Conservation ICS.”
 - b. ICS created through tributary conservation, as provided for in **Section 10.9.E.2**, shall be referred to as “Tributary Conservation ICS.”
 - c. ICS created through system efficiency projects, as provided for in **Section 10.9.E.3**, shall be referred to as “System Efficiency ICS.”
 - d. ICS created through agreements with Mexico, as provided for in **Section 10.9.E.4**, shall be referred to as “Binational ICS.”
 - e. ICS created pursuant to the 2019 DCP, Exhibit 1 to the Lower Basin DCP, as provided for in **Section 10.9.E.5**, shall be referred to as DCP ICS.
21. “Law of the River” refers to the treaties, compacts, decrees, statutes, regulations, and other legal documents and agreements applicable to the allocation, appropriation, development, exportation, and management of the waters of the Basin are often referred to as the “Law of the River.” There is no single, universally agreed-upon definition of the “Law of the River,” but it is useful as a shorthand reference to describe this longstanding and complex body of legal agreements governing the Colorado River.
22. “Long-Range Operating Criteria (“LROC”)” shall mean the Criteria for the Coordinated Long-Range Operation of Colorado River Reservoirs Pursuant to the Colorado River Basin Project Act of September 30, 1968 (Pub. L. No. 90-537), published at 35 *Federal Register* 8951 (June 10, 1970), as amended March 21, 2005.
23. “Lower Basin DCP” shall mean the Lower Basin Drought Contingency Plan Agreement authorized by Congress through the Colorado River Drought Contingency Plan Authorization Act, Pub. L. No. 116-14, 133 Stat. 850 (2019).

24. “Lower Division States” shall mean the Colorado River Basin States of Arizona, California, and Nevada.
25. “Mainstream” shall have the same meaning as defined in the Consolidated Decree.
26. “Most Probable” shall mean a modeling projection provided by Reclamation in the monthly 24-Month Study as defined in the Operating Guidelines.
27. “Operating Guidelines” shall mean the objective criteria that determine the operations of Lake Powell and Lake Mead each Operating Year.
28. “Operating Year” shall mean a Water Year (October 1 through September 30) for Lake Powell operations and a Calendar Year (January 1 through December 31) for Lake Mead operations.
29. “Preferred Alternative” shall mean the operational principles, operational sideboards and process described in the Final EIS as the basis for the Decision Framework adopted in this ROD.
30. “Reclamation” shall mean the United States Bureau of Reclamation.
31. “Record of Decision (“ROD”)” shall mean the Record of Decision issued by the Secretary for the Decision Framework for Colorado River Guidelines: Coordination Operations of Lake Powell and Lake Mead (2027–2036).
32. “Representative Preferred Alternative” refers to the set of modeling assumptions developed for modeling purposes in the Final EIS to analyze the Preferred Alternative’s operational sideboards and illustrate a potential range of impacts resulting from operating guidelines that may be adopted for each interval during the 10-year framework. These modeling assumptions do not limit future agreements nor do they preclude or predetermine other legally permissible applications of law or Secretarial authorities in particular operations.
33. “Secretary” shall mean the Secretary of the Interior, including acting through Reclamation’s Regional Directors of the Upper Colorado Basin Region or Lower Colorado River Basin Region, or other such duly authorized representative.
34. “System Conservation” shall mean Colorado River water that is conserved by a Contractor under a System Conservation Implementation Agreement and left in Lake Mead to benefit the Colorado River System.
35. “Upper Division States” shall mean the Colorado River Basin States of Colorado, New Mexico, Utah and Wyoming.
36. “Water Accounting Report” shall mean the annual *Colorado River Accounting and Water Use Report – Arizona, California, and Nevada* that includes, but is not limited to, the compilation of records in accordance with Article V of the Consolidated Decree.
37. “Water Year” shall mean October 1 through September 30.
38. “Year” shall mean calendar year.

10. 2027–2036 Decision Framework

10.1 Overview

The Decision Framework establishes the operational principles, sideboards (key thresholds and ranges for operational elements), and process that will govern development and issuance of Operating Guidelines through 2036. The Secretary will issue these Operating Guidelines as final

agency actions, subject to applicable environmental compliance, published in the Federal Register. The Operating Guidelines are anticipated to cover 2-year intervals, unless the Secretary determines a different number of years is appropriate. If consensus-based agreements are reached, a longer duration can be adopted. **The Decision Framework does not establish specific Operating Guidelines; rather, it provides the structure within which Operating Guidelines will be developed, reviewed, and periodically updated allowing for voluntary actions and consensus.** Modeling in the Final EIS that captures the sideboards, and the analysis of the potential impacts, provides environmental compliance for Operating Guidelines developed consistent with the Decision Framework.

The Decision Framework is a vehicle for continued work toward sustainable water management in the Basin. It provides continuity following the expiration of the 2007 Interim Guidelines; establishes transparency and predictability for future decision making; preserves flexibility to respond to changing hydrology and evolving Basin circumstances; facilitates incorporation of future Basin voluntary actions and consensus recommendations; and is consistent with applicable federal law.

10.2 Relationship to Operating Guidelines

Operating Guidelines are the objective criteria that determine the operations of Lake Powell and Lake Mead each year. For each operating interval, the Decision Framework will be utilized to develop and adopt Operating Guidelines in accordance with the principles and sideboards described below. Once adopted, the Operating Guidelines will be in effect until the end of the operating interval. The Operating Guidelines will be implemented through each year's Annual Operating Plan.

Operating intervals are anticipated to be of 2-year lengths, unless consensus-based agreements or other conditions warrant otherwise. During the anticipated 2-year period of implementation, the process to develop subsequent guidelines will begin. Each set of Operating Guidelines developed and adopted during the term of this Decision Framework will be subject to the principles and sideboards described below. Before adopting Operating Guidelines, the Department will conduct a review to determine the applicable environmental compliance needed for their implementation. For the first interval of Operating Guidelines, this review is documented in the Final EIS. To the extent that the Operating Guidelines fall outside the range of operational approaches and environmental impacts programmatically considered and analyzed in the Preferred Alternative, the Department will conduct any necessary NEPA analysis in compliance with applicable federal law.

The Decision Framework (principles, sideboards, and process) will remain constant through 2036, unless modified through future Federal action and appropriate environmental compliance.

10.3 Operational Principles

The Decision Framework is guided by operational principles – fundamental objectives and considerations that reflect Reclamation's mandate to protect the Colorado River System infrastructure, acknowledge the Secretary's authority to operate the system and take protective actions when necessary, and the desire to reach consensus operations whenever possible, subject to applicable law and tribal trust responsibilities. Elevating these principles ensures that Operating Guidelines adopted under the Decision Framework adhere to fundamental management priorities and provide a basis for review and reflection toward the end of each operating interval as new Operating Guidelines are developed.

1. ***Operations should be responsive to hydrology.*** The experience in the Basin of prolonged, unprecedented drought, near-constant planning and mitigation, and record-low reservoir levels demonstrates that being responsive to hydrologic conditions is critical to sustainable management of the Colorado River System. While low-runoff conditions may continue or worsen, Basin supply is highly variable; prudent management of above-average years is as important as careful planning and management for dry years. Annual operations and within-year adjustments that account for evolving supply conditions should be adopted to ensure a flexible, adaptive approach to management.
2. ***Critical Federal infrastructure must be protected through practical and deliberate operations.*** When Lake Powell is projected to fall below elevation 3,500 feet⁷ or when Lake Mead is projected to fall below elevation 1,000 feet,⁸ processes and tools will be used to manage risks to infrastructure and prevent damage to Federal facilities of regional and national importance. These elevations reflect current understanding of these facilities, but do not preclude the identification of alternate or additional critical elevations. The Department is prepared to use a range of tools, in coordination with key partners, to protect its facilities consistent with applicable Federal law. The Department also recognizes the importance of preserving the benefits of extraordinary actions and the need to balance the impacts of such actions on connected facilities and affected stakeholders.
3. ***Operating Guidelines should implement the LROC while also providing directions to address extraordinary circumstances.*** The LROC provide a basis for coordinating the operations of Lake Powell and Lake Mead, but, as was demonstrated before the adoption of the 2007 Interim Guidelines, additional specificity and objective criteria for operating under low reservoir conditions are needed to provide greater predictability to Basin stakeholders. Operating Guidelines will address this need while also providing for temporary operations to address extraordinary circumstances that are not otherwise provided for under the LROC when necessary to protect critical Federal infrastructure in accordance with applicable federal law. If such actions are temporarily adopted, they would not set precedent for subsequent Operating Guidelines.
4. ***Operating Guidelines should prioritize consensus-based recommendations.*** Collaborative processes and consensus-based operations offer the greatest opportunity for stability for the Basin. The Department will support efforts to achieve consensus agreements that appropriately provide benefits to multiple parties, that offer innovative, inclusive solutions to operational and management challenges, and that are sufficiently protective of the system. Should such agreements arise, they will be prioritized as new Operating Guidelines are developed and adopted, recognizing that it is the intent of the Secretary that agreements should not adversely impact systemwide operations. In the absence of consensus-based arrangements, the Secretary will take necessary protective actions, consistent with applicable Federal law.

⁷ Elevation 3,500 feet provides a 10-foot buffer on elevation 3,490 feet, a critical threshold described in footnote 3.

⁸ Elevation 1,000 feet provides a 50-foot buffer on elevation 950 feet, which is the elevation below which water can only be released through the intake towers, constraining both the volume of water able to be released as well as the ability to generate power. A larger buffer is used for Lake Mead than Lake Powell because Reclamation is required to deliver water orders that have already been approved. As a result, there is generally less flexibility to adjust releases from Hoover Dam than from Glen Canyon Dam.

10.4 Operational Sideboards

The Decision Framework is oriented within operational sideboards – key thresholds and ranges for operational elements that create boundaries for the development of each set of Operating Guidelines and provide a basis for environmental compliance for the duration of the Decision Framework. The sideboards defined in **Table 1** were selected to provide sufficiently broad operational ranges to support the development of innovative and flexible water management tools, accommodate future consensus recommendations, voluntary actions, and ensure the Department has the flexibility and environmental compliance to operate consistent with the operational principles given future hydrologic uncertainty.

Table 1
2027–2036 Decision Framework Operational Sideboards

Operational Element	Operational Ranges
Lower Basin Shortage Guidelines	A potential maximum of up to 3.0 maf, as needed, after appropriate consultation, to provide protection of critical infrastructure at Hoover Dam in dry hydrologic conditions as described in Section 10.6, Incorporation of Consensus Recommendations and Consultation. Consultation will occur if the projected Lake Mead elevation is < 1,000 feet to determine potential additional reductions to Lower Basin water deliveries as described in Section 10.7, Extraordinary Circumstances. The allocation of shortages will be based on applicable law, including the Consolidated Decree. Deviation from applicable law will occur only if water entitlement holders have reached voluntary arrangements.
Coordinated Reservoir Operations	5.0 maf to 12.0 maf Lake Powell water year releases to provide protection for critical infrastructure at Glen Canyon Dam, while meeting other operational objectives consistent with applicable Federal law, and sufficiently high releases necessary to prevent spill avoidance releases. Consultation will occur if the projected Lake Powell elevation is < 3,500 feet to determine potential additional actions as described in Section 10.7, Extraordinary Circumstances.
Storage and Delivery of Conserved System and Non-system Water	Lake Powell: up to 3.0 maf. Lake Mead: up to 8.0 maf (supports existing ICS, new ICS-type program, conservation pools and exchange mechanisms).
Lower Basin Surplus Guidelines	Up to 500 kaf in addition to any available surplus nearing or during flood control releases.
Additional Activities Above Lake Powell	Potential for maximum use of CRSP Upper Initial Units within their respective RODs to release additional water if needed to protect critical infrastructure. Voluntary Upper Basin contributions up to 200 kaf per year subject to hydrologic conditions.

10.5 Process for Development of Operating Guidelines

Each set of Operating Guidelines will consist of reviews, consultations with key stakeholders and agencies, and opportunities for consensus building. During the first Operating Year, implementation is the expected focus. The second Operating Year includes both implementing the issued guidelines and completing the process to develop and issue subsequent Operating Guidelines. Draft Operating Guidelines will be subject to consultation with Basin States and Basin Tribes, and other affected parties as appropriate, and Reclamation will provide the opportunity to submit comments. The Secretary will issue these Operating Guidelines as final agency actions, subject to applicable environmental compliance, published in the Federal Register. The anticipated schedule of activities and determinations over a 2-year interval is outlined in **Table 2**. Reclamation will coordinate and consult with the seven Basin States throughout the interval as well as with Basin Tribes and partner agencies, Mexico, and other interested parties during key operational milestones.

Table 2
Process to Develop Operating Guidelines Under 2027–2036 Decision Framework

Month and Operating Year (Anticipated)	Activity
August <i>preceding</i> Operating Year 1 of Operating Guidelines	• Issue Operating Guidelines for upcoming 2 years • Determine operations for Operating Year 1
August of Operating Year 1	• Determine operations for Operating Year 2
October of Operating Year 2	• Conduct review of current Operating Guidelines and develop considerations for the next set of Operating Guidelines
November of Operating Year 2	• Incorporate considerations from review of current Operating Guidelines into ongoing coordination and consultations on Operating Guidelines for upcoming interval
November – March of Operating Year 2	• Develop draft Operating Guidelines, applying operational principles and sideboards • Determine approach to applicable environmental compliance for draft Operating Guidelines
March of Operating Year 2	• Provide draft Operating Guidelines for upcoming interval
May 1 of Operating Year 2	• Consensus recommendations on upcoming Operating Guidelines due
May-June of Operating Year 2	• Finalize Operating Guidelines, perform analysis, perform necessary consultations
June of Operating Year 2	• Identify and announce upcoming Operating Guidelines to be adopted • Initial AOP consultation on next year's operations (per upcoming Operating Guidelines)
July of Operating Year 2	• Finalize environmental compliance, as appropriate, for upcoming Operating Guidelines
August 1 of Operating Year 2	• Issue upcoming Operating Guidelines as a final agency action and publish in the Federal Register
August 15 of Operating Year 2	• Determine operations for Operating Year 3

10.6 Incorporation of Consensus Recommendations and Consultation

The Decision Framework establishes the process by which the Department will develop and adopt Operating Guidelines through 2036. The Department anticipates developing guidelines at regular intervals, generally every 2 years, consistent with the operational principles and sideboards established in this Decision Framework. The Operating Guidelines adopted for each operating interval will be implemented through the AOP.

In developing subsequent Operating Guidelines, the Department will evaluate the current hydrologic and reservoir conditions, projected reservoir operations, the effectiveness of previously adopted operating guidelines, and other relevant information. The Department will consult with the Basin States, Basin Tribes, Mexico, other Federal agencies and other interested stakeholders throughout the guideline development process.

The Department will give priority consideration to consensus recommendations, should any be submitted, regarding future Operating Guidelines. Consensus recommendations that are consistent with applicable law and the Decision Framework may be incorporated, in whole or in part, into subsequent Operating Guidelines. In the absence of consensus recommendations, the Secretary will determine the Operating Guidelines consistent with the operational principles, sideboards and applicable law, and the modeling assumptions contained in the Final EIS shall not preclude or predetermine such determinations.

In the event that shortages to the Lower Division States are required in the absence of a Lower Basin agreement, the Secretary will consult with the Lower Division States and Contractors. If no agreement is reached, the Secretary will apportion shortages according to the Law of the River, and the assumptions contained in the Final EIS shall not preclude or predetermine such apportionments. The Department will also continue to work with all Basin stakeholders to maximize efforts throughout the Basin to reduce the potential for large shortage volumes.

Consultation provisions during extraordinary circumstances are described in **Section 10.7, Extraordinary Circumstances**.

10.7 Extraordinary Circumstances

Extraordinary circumstances may require temporary operational actions to protect critical Federal infrastructure or maintain the operational integrity of the Colorado River System. Such actions are intended solely to address extraordinary circumstances and shall be limited to the extent necessary to achieve their intended purpose. Extraordinary circumstances would include operations that are prudent or necessary for safety of dams, public health and safety, other emergency situations, or other anticipated or unforeseen activities arising for actual operating experience.

The Secretary has the vested authority and responsibility to operate the System through coordinated operations, including the ability to respond to exigent and emergency conditions, pursuant to applicable Federal law, the Consolidated Decree, contractual obligations and other elements of the Law of the River. The Department reserves its authorities to perform emergency or other necessary operations.

Temporary operational actions undertaken pursuant to this section shall not modify the operational principles or sideboards established by this Decision Framework, shall not amend the applicable operating guidelines, and shall not establish precedent for subsequent guideline development.

The Decision Framework establishes consultation thresholds associated with critical reservoir elevations. When projected reservoir conditions approach or fall below the consultation thresholds identified in the operational sideboards, the Secretary will coordinate and consult with the Basin States, Basin Tribes and other affected parties, as appropriate, regarding additional operational actions that may be appropriate to reduce risks to critical Federal infrastructure and maintain system reliability. During the 10-year term of this ROD, the lowest anticipated release from Glen Canyon Dam is 5.0 maf, which would only be implemented after coordination and consultation with the Basin States, Basin Tribes and other affected parties, as appropriate, to address potential actions throughout the Basin to respond to hydrologic and operational conditions. This coordination and consultation shall be promptly initiated by the Department at the earliest opportunity after any 24-Month Study shows Lake Powell declining below 3,500 feet at any time through the spring of the following year.

During the term of this ROD, whenever Lake Mead is projected to be below elevation 1,000 feet at any time during the succeeding 12-month period as projected by the Most Probable 24-Month Study, the Secretary shall coordinate and consult with the Basin States, Basin Tribes and other affected parties, as appropriate, to consider further measures that may be undertaken. Those actions are not predetermined and allow for voluntary actions and consensus. The Secretary shall implement any additional measures consistent with applicable Federal law and will take public health and safety considerations into account, and review and address any relevant information submitted to the Secretary by affected parties. In the event that shortages to the Lower Division States are required in the absence of a Lower Basin agreement, the Secretary will consult with the Lower Division States and Contractors. If no agreement is reached after consultation, the Secretary will apportion shortages according to the Law of the River, and the modeling assumptions contained in the Final EIS shall preclude or predetermine such apportionments.

Such consultations may include consideration of additional reductions in water use, adjustments to coordinated reservoir operations of Lake Powell and Lake Mead, use of the CRSP Upper Initial Units, or other operational actions.

10.8 Duration and Future Federal Action

The Decision Framework adopted by this ROD shall remain in effect for the development of Operating Guidelines through the 2036 Operating Year unless modified or superseded by subsequent Federal action.

The Department intends to develop and adopt subsequent Operating Guidelines pursuant to this Decision Framework for each successive operating interval. Each set of Operating Guidelines shall supersede the preceding Operating Guidelines upon its effective date but shall remain subject to the operational principles and sideboards established by this Decision Framework unless otherwise provided by subsequent Federal action.

Nothing in this Decision Framework precludes the Department from modifying or superseding the Decision Framework prior to 2036. Should consensus proposals on long-term operations be developed, or should changing circumstances warrant a different approach, the Secretary may modify or replace this Decision Framework through appropriate Federal action and any required environmental compliance.

10.9 Incorporation of Provisions from Previous Operational Decisions and Additional Provisions

This ROD contains the provisions that are both carried forward from previous operational decisions (the 2007 Interim Guidelines and the Lower Basin DCP) as well as new provisions that will apply to each set of Operating Guidelines issued pursuant to this ROD during the term of 2027–2036.

A. Forbearance

1. Role of Forbearance Agreements within the Context of the Law of the River and Relationship to ICS and System Conservation

For the purposes of this ROD and associated Operating Guidelines, the term “forbearance agreements” refers to parties agreeing to forgo (or not exercise) their rights to Colorado River water for the purposes of delivering or exchanging ICS to Contractors with established ICS accounts. In any such agreements, the party agrees to “forbear” or refrain from exercising its right to this Colorado River water under the specified terms and conditions of the applicable agreement. Through such agreements, increased flexibility of Colorado River water management can be achieved – resulting in greater conservation of water than would otherwise be accomplished.

For the purpose of increasing the efficiency, flexibility, and certainty of Colorado River management and thereby helping satisfy the current and projected regional water demands, the Secretary, during the term of this ROD, may review and determine that it is prudent and desirable to promulgate a procedural framework in the Operating Guidelines issued under this ROD for facilitating the creation and delivery of ICS within the Lower Basin.

In order to allow for management flexibility, the Lower Division States may recommend an operational program to be established in the Operating Guidelines under this ROD for the creation and delivery of ICS. In furtherance of this recommendation, numerous major water users within the Lower Basin have identified their willingness, under specified circumstances, to participate in such an operational program. Should this program be established, these parties will establish a “Forbearance Agreement” for each set of Operating Guidelines for consideration by the Secretary as a necessary element to enable implementation of the operations contemplated by the Lower Division States.

Through issuance and implementation of this ROD, the Secretary will only approve the creation, delivery and use of ICS, if approved as part of an associated Operating Guidelines during the term of this ROD, in a manner that is fully consistent with the provisions of the Consolidated Decree, including Articles II(B)(2) and II(B)(6) therein, and consistent with a Lower Division State Forbearance Agreement. The Secretary will require forbearance by the appropriate Contractors in each Lower Division State for implementation of this element of these Guidelines (regarding ICS). If, in the opinion of the Secretary, the appropriate Contractors unreasonably withhold forbearance, the Secretary may, after consultation with the Lower Division States, modify the Operating Guidelines. Moreover, the Secretary will ensure that implementation of the ICS mechanism does not infringe on the rights of any third party who is a Contractor and who is not a party to the Forbearance Agreement.

Further, under this ROD, forbearance for the creation of System Conservation water and creation and delivery of water from the Federal pool may be developed as part of the Operating Guidelines associated with this ROD.

2. Monitoring Implementation

Under this ROD and associated Operating Guidelines, Colorado River water will continue to be allocated for use among the Lower Division States in a manner consistent with the provisions of the Consolidated Decree. **It is expected that Lower Division States and individual Contractors for Colorado River water have or will adopt arrangements that will affect utilization of Colorado River water during the term of the ROD and associated Operating Guidelines.** It is expected that water orders from Colorado River Contractors will be submitted to reflect forbearance arrangements by Lower Division States and individual Contractors. The Secretary will deliver Colorado River water to Contractors in a manner consistent with these arrangements, provided that any such arrangements are consistent with the BCPA, the Consolidated Decree and do not infringe on the rights of third parties. ICS will be delivered according to the applicable sections of Operating Guidelines issued pursuant to this ROD and a Delivery Agreement.

B. Delivery Agreement

Article II(B)(5) of the Consolidated Decree in *Arizona v. California* states that mainstream Colorado River water shall be released or delivered to water users in Arizona, California, and Nevada “only pursuant to valid contracts therefore made with such users by the Secretary, pursuant to Section 5 of the Boulder Canyon Project Act or any other applicable federal statute.” Section 5 of the Boulder Canyon Project Act authorizes the Secretary to enter into such contracts. The Secretary may also enter into contracts with tribes in Arizona, California, and Nevada with a water entitlement under the Consolidated Decree or Indian Water Rights Settlement.

Numerous Contractors in Arizona, California, and Nevada now hold contracts which entitle them to the delivery of Colorado River water under the circumstances and in the priorities specified in the individual contracts. Contracts entered into prior to the adoption of this ROD and associated Operating Guidelines do not, however, expressly address circumstances in which ICS might be created or delivered.

To ensure the requirements of Section 5 of the Boulder Canyon Project Act and Article II(B)(5) of the Consolidated Decree are complied with, and to reduce the possibility of ambiguity, the Secretary anticipates amending existing delivery contracts or entering into delivery contracts with any person or persons intending to create ICS as described in this ROD and the associated Operating Guidelines. Such contracts are expected to address the requirements set forth in this ROD and associated Operating Guidelines for the approval of ICS plans, the certification and verification of the ICS created under the plans, the ordering and delivery of ICS, the accounting for ICS in the annual report filed with the U.S. Supreme Court in accordance with Article V of the Consolidated Decree, and such other matters as may bear on the delivery of the ICS, as for example the point of delivery and place of use, if not already provided for under existing contracts.

The Secretary also anticipates entering into delivery contracts for the creation and delivery of Federal pool water during term of the ROD consistent with the associated Operating Guidelines.

The Secretary will continue to administer DSS in accordance with the delivery contracts established under the 2007 Interim Guidelines through the term of this ROD.

C. *Intentionally Created Surplus*

1. Findings

ICS may be created through projects that create water system efficiency or extraordinary conservation or tributary conservation of non-Colorado River System water into the mainstream. ICS is consistent with the concept that entities may take actions to augment storage of water in the Lower Basin. The ICS shall be delivered to the Contractor that created it pursuant to both Articles II(B)(2) and II(B)(6) of the Consolidated Decree and Forbearance Agreements. Implementation ICS provisions within this ROD and/or under Operating Guidelines issued pursuant to this ROD is conditioned upon execution of Forbearance Agreements and Delivery Agreements that may be developed during the term of this ROD.

2. Purposes

The primary purposes of ICS are to: (a) encourage the efficient use and management of Colorado River water; and to increase the water supply in Colorado River System reservoirs, through the creation, delivery and use of ICS; (b) help minimize or avoid shortages to water users in the Lower Basin; (c) benefit storage of water in and surface elevations in Lake Mead; (d) subject to Operating Guidelines that may be issued under this ROD, provide benefits to storage of water and surface elevations in Lake Powell; and (e) assure any Contractor that invests in conservation or augmentation to create ICS that no other Contractor will claim the ICS created by the Contractor pursuant to an approved plan by the Secretary.

3. Quantities

The maximum quantities of Extraordinary Conservation ICS that may be accumulated in all ICS Accounts, at any time, during the term of this ROD are limited to the amounts described in the Operating Guidelines. The maximum quantities of Extraordinary Conservation ICS that may be created and/or delivered in any given year will be subject to Operating Guidelines issued pursuant to this ROD.

D. *ICS Exhibits*

ICS Exhibits established in the 2007 Lower Colorado River Basin ICS Forbearance Agreement⁹ and the Lower Basin DCP will be updated and re-established through Operating Guidelines issued from this ROD. A Contractor may only create ICS through an ICS Exhibit that has been approved by the Secretary.

⁹ Pursuant to Section XI.G.8.B.2 of the 2007 Interim Guidelines, Exhibit A to the 2007 Lower Colorado River Basin ICS Forbearance Agreement - Virgin and Muddy River Tributary Conservation, ICS Project, is in effect through December 31, 2057.

E. Categories of ICS

1. Extraordinary Conservation ICS

A Contractor may create Extraordinary Conservation ICS with an approved ICS Exhibit. Examples of current ICS Exhibits allow for creation of ICS through the following activities:

- Fallowing of land that is, historically was, and otherwise would have been irrigated in the next Year.
- Agricultural efficiency programs that reduce the consumptive use of Mainstream water.
- Desalination programs in which the desalinated water is used in lieu of Mainstream water.
- Municipal efficiency or wastewater reuse programs that reduce the consumptive use of Mainstream water.
- Tributary Conservation ICS created and not delivered in the Year created.

2. Tributary Conservation ICS

A Contractor may create Tributary Conservation ICS by purchasing documented water rights on Colorado River System tributaries within the Contractor's State if there is documentation that the water rights have been used for a significant period of Years and that the water rights were perfected prior to June 25, 1929 (the effective date of the Boulder Canyon Project Act). The actual amount of any Tributary Conservation ICS introduced to the Mainstream shall be subject to verification by the Secretary as provided in **Section 10.9.H**. Any Tributary Conservation ICS not delivered pursuant to applicable provisions for the delivery of ICS or deducted pursuant to system assessments provisions in Operating Guidelines issued pursuant to this ROD, in the Year it was created, will, at the beginning of the following Year, be converted to Extraordinary Conservation ICS and will thereafter be subject to all provisions applicable to Extraordinary Conservation ICS. Tributary Conservation ICS may be delivered for Domestic Use only. Creation and delivery of Tributary Conservation ICS shall be consistent with Section XI.G.3 of the 2007 Interim Guidelines. These provisions remain in place until December 31, 2057.

3. System Efficiency ICS

A Contractor may make contributions of capital to the Secretary for use in projects designed to realize system efficiencies that save water that would otherwise be lost from the Mainstream in the United States. An amount of water equal to a portion of the water conserved would be made available to contributing Contractor(s) by the Secretary as System Efficiency ICS. System efficiency projects are intended only to provide temporary water supplies. System Efficiency ICS will be delivered to the contributing Contractor(s) on a schedule of annual deliveries as provided in an exhibit to a Forbearance Agreement and Delivery Agreement. The Secretary may identify potential system efficiency projects, terms for capital participation in such projects, and types and amounts of benefits the Secretary could provide in consideration of non-federal capital contributions to system efficiency projects, including identification of a portion of the water saved by such projects.

4. Binational ICS

ICS created pursuant to a minute to the 1944 Water Treaty and transferred from Mexico to a US Contractor's ICS Account.

5. Drought Contingency Plan (DCP) ICS

ICS created pursuant to Exhibit 1 of the Lower Basin DCP.

6. Additional Categories of ICS

Nothing in this ROD shall preclude the development of additional categories of ICS, subject to Secretarial review and approval and the applicable forbearance.

F. Creation of ICS

Provisions regarding the creation of ICS will be established through the Operating Guidelines issued pursuant to this ROD.

G. Delivery of ICS

The Secretary shall deliver ICS in accordance with applicable law and the following conditions:

1. In accordance with the 2007 Interim Guidelines and the 2019 Lower Basin DCP, Extraordinary Conservation ICS, System Efficiency ICS, and Binational ICS may be delivered through 2036. The delivery of ICS shall be made consistent with the associated Operating Guidelines and other applicable agreements and may be extended beyond 2036.
2. Delivery of DCP ICS shall be done in accordance with Section III.F.4 of Exhibit 1 to the Lower Basin DCP. These provisions remain in place through December 31, 2057.
3. The delivery shall be consistent with the terms of a Delivery Agreement with a Contractor regarding ICS. The Contractor shall agree in the Delivery Agreement that the records of the Contractor relating to the creation of ICS shall be maintained and open to inspection by the Secretary and by any Contractor or Basin State for 5 years after the creation of such ICS.
4. The existence of Forbearance Agreements necessary to bring the delivery of the ICS into compliance with Articles II(B)(2) and II(B)(6) of the Consolidated Decree.
5. A Contractor may request mid-Year modification(s) to the amount of ICS to be delivered during that Year because of changed conditions, emergency, or hardship, subject to the requirements of the ROD and the Operating Guidelines.
6. Additional provisions regarding the delivery of ICS, including but not limited to the total volume of ICS that may be delivered to each State or in total to the Lower Division States in a Year and any ICS delivery restrictions that may be necessary to protect critical elevations at Lake Mead, during this period will be established through the Operating Guidelines issued pursuant to this ROD.

H. Accounting of ICS

The Secretary shall annually account for ICS in accordance with the following:

1. Unless modified in the Operating Guidelines, the quantity of ICS remaining in an ICS Account at the end of each Year shall be diminished by annual evaporation losses of 3 percent. Losses shall be applied annually to the end-of-the-Year balance of ICS beginning in the Year after the ICS is created and continuing until no ICS remains in Lake Mead. This provision includes DCP ICS but excludes System Efficiency ICS created pursuant to the 2007 Forbearance Agreement Exhibit C - Drop 2 Reservoir System Efficiency Project.

2. ICS from a project within a State may be credited or transferred to the ICS Account of a different Contractor within that State that has funded or implemented the project creating ICS, or to the ICS Account of a Contractor within the same state as the funding entity and project and with written agreement of the funding entity.
3. Each Year the Water Accounting Report will include ICS Account balance information for each Contractor and shall address ICS creation, deliveries, amounts no longer available for delivery due to releases for flood control purposes, deductions applied to volumes of ICS created, deductions due to annual evaporation losses, any amounts of ICS converted to Extraordinary Conservation ICS, any ICS transferred and ICS remaining available for delivery. Accounting shall be done in accordance with this ROD and the applicable Operating Guidelines.
4. If the Secretary releases water for flood control purposes, Extraordinary Conservation ICS accumulated in ICS Accounts shall be reduced by the amount of water released for flood control purposes on an acre-foot for acre-foot basis until no Extraordinary Conservation ICS remains. The reductions to the ICS Accounts shall be shared on a pro-rata basis among all Contractors that have accumulated Extraordinary Conservation ICS.

Should Operating Guidelines contain provisions for the creation of ICS, the following accounting provisions shall apply:

5. A Contractor shall submit for the Secretary's review and verification, appropriate information, as determined by the Secretary, contained in a Certification Report, to demonstrate the amount of ICS created and that the method of creation was consistent with the Contractor's approved ICS plan, a Forbearance Agreement, and a Delivery Agreement. Such information shall be submitted in the Year following the creation of the ICS.
6. The Secretary, acting through the Lower Colorado Regional Director, shall verify the information submitted pursuant to **Section 10.9.H.5**, and provide a final written decision to the Contractor regarding the amount of ICS created. The results of such final written decisions shall be made available to the public through publication of the Water Accounting Report and other appropriate means. A Contractor and any party to an applicable Forbearance Agreement may appeal the Regional Director's verification decision first to the Lower Colorado Regional Director and then to the Secretary; and through judicial processes.

I. Developed Shortage Supply

During a Year when the Secretary has determined a Shortage Condition, the Secretary shall deliver Developed Shortage Supply available in a Contractor's DSS Account at the request of the Contractor, subject to the provisions in Section XI.G.4 of the 2007 Interim Guidelines. These provisions remain in place through December 31, 2057.

J. Establishment of a Federal Pool

The operational sideboards in the Decision Framework provide for the establishment of a Federal pool for up to 1.0 maf in Lake Mead. Upon the effective date of this ROD the Secretary is establishing a Federal pool for Federally determined purposes, including meeting Federal firming or other Federal delivery obligations pursuant to Congressionally authorized Indian water rights settlements and providing limited offsetting of tribal water shortages as well as protecting Federal infrastructure. The Secretary may acquire, subject to applicable law, water for the pool through multiple potential mechanisms involving control or acquisition of conserved consumptive use water, which includes but is not limited to ICS. Operation of the pool would be consistent with the applicable Operating Guidelines. For each operating interval, the Secretary will define and describe the operations of the pool, including but not limited to continuing or amending prior guidelines' provisions. The Federal pool is anticipated to be called the Federally Managed Water Resources Pool.

K. Inadvertent Overruns

The Secretary will manage water use in the Lower Basin to ensure overruns do not occur during Shortage Conditions. An inadvertent overrun is Colorado River water diverted, pumped or received by an entitlement holder of the Lower Division States that is in excess of the water user's annual approved water order or water entitlement due to circumstances outside the users control—for example, a change in U.S. Geological Survey gage records that occurs after the end of the calendar year. Should an overrun unintentionally occur, e.g. from a gage error or other corrections identified in December or after the end of the Calendar Year in which the overrun occurs, as determined during development of the Water Accounting Report, the Secretary will require payback in the same year the Water Accounting Report is published. The Secretary, in consultation with the Lower Division States, will develop a plan to address inadvertent overruns during sustained drought conditions prior to the issuance of Operating Guidelines for the second operating interval.

10.10 Relationship with Existing Law

Operating Guidelines issued pursuant to this ROD are not intended to, and do not:

1. guarantee or assure any water user a firm supply for any specified period;
2. change or expand existing authorities under applicable Federal law, except as specifically provided herein with respect to determinations under the LROC and administration of water supplies during the effective period of this Decision Framework;
3. address intrastate storage or intrastate distribution of water, except as may be specifically provided by Lower Division States and individual Contractors for Colorado River water who may adopt arrangements that will affect utilization of Colorado River water during the effective period of this Decision Framework;
4. change the apportionments made for use within individual States, or in any way impair or impede the right of the Upper Basin to consumptively use water available to that Basin under the Colorado River Compact;
5. affect any obligation of any Upper Division state under the Colorado River Compact;
6. affect any right of any State or of the United States under Section. 14 of the Colorado River Storage Project Act of 1956 (70 Stat. 105); Section. 601(c) of the Colorado River Basin

Project Act of 1968 (82 Stat. 885); the California Limitation Act (Act of March 4, 1929; Ch. 16, 48th Sess.); or any other provision of applicable Federal law;

7. affect the rights of any holder of present perfected rights or reserved rights, which rights shall be satisfied within the apportionment of the State within which the use is made, and in the Lower Basin, in accordance with the Consolidated Decree;
8. constitute an interpretation or application of the 1944 Water Treaty or represent current United States policy or a determination of future United States policy regarding deliveries to Mexico. The United States will conduct all necessary and appropriate discussions regarding the proposed Federal action and implementation of the 1944 Water Treaty with Mexico through the IBWC in consultation with the Department of State; or
9. preclude the ability to develop opportunities for conservation, augmentation, demand management, or other water management strategies (such as intrastate and interstate exchanges or transfers), subject to necessary agreements and environmental compliance.

10.11 Authority and Operations under the Decision Framework

This Decision Framework and any Operating Guidelines issued pursuant to this Decision Framework are issued pursuant to the authority vested in the Secretary by Federal law, including the Boulder Canyon Project Act of 1928 (28 Stat. 1057), the Colorado River Storage Project Act of 1956 (70 Stat. 105), and the Consolidated Decree issued by the U.S. Supreme Court in *Arizona v. California*, 547 U.S. 150 (2006) and shall be used to implement Articles II and III of the Criteria for the Coordinated Long-Range Operation of Colorado River Reservoirs Pursuant to the Colorado River Basin Project Act of September 30, 1968 (Pub. L. No. 90-537), as amended.

The Secretary retains full legal authority to ensure ongoing operations of Colorado River facilities, including operational actions taken to address extraordinary circumstances to ensure protection of critical Federal infrastructure and continuous operational reliability of such facilities.

The Secretary recognizes that differences exist with respect to certain provisions contained in the Law of River and the proper application of those provisions. The terms of this Decision Framework, and any Operating Guidelines issued pursuant to this Decision Framework shall not represent interpretations of existing law by the Secretary or assert any authority for the Secretary to deviate from the Law of the River, nor predetermine in any manner the means of operation that the Secretary may adopt following this Decision Framework. Secretarial actions pursuant to any Operating Guidelines issued pursuant to the Decision Framework shall not prejudice the position or interests of either the Upper or Lower Division States, or any Colorado River Basin State, or Basin Tribe, or Contractor, with respect to storage or deliveries of water pursuant to applicable Federal law, either during or after the duration of the Decision Framework.

The Secretary acknowledges that any Basin State or Basin Tribe or Contractor's cooperation with, consent to, or failure to object to this Decision Framework or any associated Operating Guidelines does not constitute its waiver of any right, claim, or defense, nor prevent them from later asserting any right, claim or defense related to the issuance of operating guidelines under this Decision Framework. Neither this Decision Framework, nor any Operating Guidelines issued under this Decision Framework, nor any implementing agreements impede any Basin State's or Basin Tribe's or Contractor's ability to bring any action to enforce compliance with the Law of the River or any right, claim or defense related to the issuance of this Decision Framework or any Operating Guidelines issued hereunder.