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# SCOPING ANNOUNCEMENT

Environmental Impact Statement on a  
Long-Term Miscellaneous Purposes Contract for the  
Carlsbad Irrigation District

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New Mexico Interstate Stream Commission  
P.O. Box 25102  
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*Pursuant to the National Environmental Policy Act (NEPA) of 1969, the Bureau of Reclamation (Reclamation) and the New Mexico Interstate Stream Commission (NMISC) intend to prepare a draft environmental impact statement (EIS) on the execution of a long-term contract, based upon the 1920 Sale of Water for Miscellaneous Purposes Act (long-term miscellaneous purposes contract) with the Carlsbad Irrigation District (CID), New Mexico, and the subsequent conversion and delivery of the full amount of irrigation water addressed in the contract and any related contracts (collectively referred to as a single contract). Reclamation is the lead Federal agency and the NMISC will serve as a joint lead agency for NEPA compliance for the proposed Federal action.*

*In this brief document, you will learn more about the proposed project, alternatives identified to date, the EIS process, and how to get involved. To make it easy to participate, a comment form is attached to this announcement, which can be detached and mailed in with your comments.*

**SCOPING ANNOUNCEMENT**  
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Carlsbad Irrigation District

**Public Meeting Announcement**  
*The Bureau of Reclamation and the New Mexico Interstate Stream Commission will hold a public scoping meeting to solicit comments on the scope of the EIS. The meeting will be held in Carlsbad on Thursday, February 12, 2004 from 7:00 to 9:00 p.m. at the Best Western Stevens Inn, Room 4, 1829 South Canal Street, Carlsbad, NM. Following an open house at 7:00 p.m., a brief presentation will begin at 7:30 p.m, followed by an informal discussion of issues and concerns.*

### The Proposed Project

The proposed Federal action is the execution of a long-term miscellaneous purposes contract, which would replace a current short-term contract. The purpose of Reclamation’s proposed action is to allow the NMISC to use Carlsbad Project water (Project water) allotted to land located inside the boundaries of the CID that NMISC owns or leases from other members of the CID, or other Project water, for release from facilities serving the Carlsbad Project. “Other Project water” consists of water that is allotted to land on the CID assessment rolls that is available for lease under a Contingent Water Contract where: (1) Willing lessors temporarily forego irrigation of their lands in an irrigation season (fallowed land water) or (2) allotted water is not delivered to farms by October 31 of a given year (undelivered allotment water). The long-term miscellaneous purposes contract would replace Reclamation’s 1999 short-term contract with the CID that allows the NMISC to use

water allotted to CID lands leased by the NMISC or lease other available Carlsbad Project water.

The Carlsbad Project is a Federal Reclamation project authorized to irrigate 25,055 acres. Reclamation stores and delivers Carlsbad Project water for the benefit of the CID. Carlsbad Project facilities on the Pecos River include Santa Rosa Dam (owned and operated by the U.S. Army Corps of Engineers), Sumner Dam, Brantley Dam, and Avalon Dam. The NMISC plans to purchase land, and water rights appurtenant thereto, within the boundaries of the CID.

The long-term miscellaneous purposes contract would allow the NMISC to use water allotted for up to 6,000 acres, or other available Project water, for purposes other than irrigation. These 6,000 acres, plus 164 acres that the NMISC currently owns within the boundaries of the CID, would be fallowed under this contract. Execution of this contract would not preclude future use of the water for irrigation purposes

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on lands owned by the NMISC. The Commissioner of Reclamation has granted approval to negotiate and execute a long-term miscellaneous purposes contract, pursuant to authority provided by the Sale of Water for Miscellaneous Purposes Act of 1920, whereby the NMISC would be limited to using or leasing a maximum of 50,000 acre-feet of Project water per year.

## EIS Process

For several years, Reclamation and the NMISC have worked together to address Pecos River water issues. Recently, the two agencies developed an approach for the environmental review of proposed Pecos River Basin activities that involves two concurrent EISs: the Miscellaneous Purposes Contract EIS (the subject of this announcement) and the Carlsbad Project Water Operations and Water Supply Conservation EIS. The latter EIS is being developed to address Reclamation's Carlsbad Project water operations and water acquisition program. The Miscellaneous Purposes Contract EIS will address the effects of entering into a long-term miscellaneous purposes contract and the subsequent conversion and delivery of the full amount of irrigation water addressed in the miscellaneous purposes contract. Reclamation and the NMISC plan to coordinate the environmental analyses for both EIS processes.

Identification of significant environmental issues related to the proposed action by Reclamation, the NMISC, other agencies and the public is called *scoping*. Alternatives to the proposed action also can be identified during scoping. The environmental analysis phase of the EIS process will begin after scoping. The EIS will present an analysis of the physical, biological, social, and economic effects of the proposed project and its reasonable alternatives. Any mitigation needed to reduce impacts will be identified. Reclamation will use the analysis disclosed in the EIS process to evaluate the proposed project and the alternatives, and ultimately to issue a decision on whether to execute a long-term miscellaneous purposes contract.

Reclamation and the NMISC encourage your participation in the EIS process. You may submit comments at the public meeting or send comments using the form on the next page. After publication and distribution of the draft EIS, Reclamation and the NMISC will solicit public comments on the environmental impact analysis. A final EIS will address all substantive public comments.

## The Proposed Alternatives

Reclamation and the NMISC have identified two alternatives associated with the proposed project. In the Proposed Action Alternative, Reclamation would execute a long-term miscellaneous purposes contract with the CID, allowing the NMISC to use water from up to 6,000 acres of land for miscellaneous purposes. In the No Action Alternative, Reclamation would not execute a long-term miscellaneous purposes contract with the CID. Reclamation and the NMISC would continue to operate under the existing short-term contract until it expires. Other reasonable alternatives to the Proposed Action identified in the scoping process that fulfill the purpose and need also will be considered.

## Questions and Issues

Reclamation and the NMISC have identified the following questions and issues regarding the proposed project—

- How would a long-term contract affect flow in the Pecos River and the NMISC's ability to comply with the Pecos River Compact and U.S. Supreme Court Amended Decree?
- Would the use of water for miscellaneous purposes affect the economy of Carlsbad and the surrounding area?
- Would any threatened, endangered, or rare plant or animal species be adversely affected?
- How would a long-term contract affect the integrity of the Carlsbad Irrigation District irrigation facilities as a National Historic Landmark?
- How would lands no longer used for irrigated agriculture be managed?
- Would there be cumulative effects of the proposed project with other current or planned activities on the Pecos River?

These concerns, and others identified during scoping, will be considered in the EIS. The EIS is expected to describe and disclose the effects of the Proposed Action on the following resources: vegetation, wetlands, wildlife, threatened or endangered species and species of concern, geology and soils, visual resources, air quality, water resources, flood control, water quality, historic structures, cultural resources and traditional cultural properties, land use, recreation, water use, the local economy, and environmental justice.

## Scoping Comment Sheet Environmental Impact Statement for Long-Term Miscellaneous Purposes Contract

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Representing: \_\_\_\_\_

**You are invited to send comments on additional pages or in a different format if desired.**

*(Please Be Specific)*

Please comment on the issues identified on the previous pages.

Are there other environmental, social, or economic issues that you believe should be addressed?

What alternatives should the agencies consider in the analysis?

**Comments will be most useful if received by March 12, 2004.**

Do you wish to remain on the mailing list to receive additional information on this project as it progresses?

Yes, I want to be on the mailing list.

No, I do not want to be on the mailing list.

**Mailing Instructions:** Remove this page from the first page along the dotted line. Please fold with the reverse side out, staple or tape, add a 37¢ stamp, and mail to Ms. Sara Rhoton, New Mexico Interstate Stream Commission, P.O. Box 25102, Santa Fe, New Mexico 87504-5102; fax: (505) 476-0399; e-mail: srhoton@ose.state.nm.us.

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