

CHAPTER 1 – INTRODUCTION AND NEED FOR THE ENVIRONMENTAL COMMITMENT AND MONITORING PLAN

1.1 INTRODUCTION

The Bureau of Reclamation (Reclamation), in cooperation with the Ute Mountain Ute and Southern Ute Indian Tribes (Tribes), has been authorized to construct the Animas-La Plata Project (ALP Project) in southwestern Colorado and northwestern New Mexico (Figure 1). The purpose of the ALP Project is to implement the Colorado Ute Indian Water Rights Settlement Act of 1988 (P.L. 100-585), as amended by the Colorado Ute Settlement Act Amendments of 2000 (P.L. 106-554). The ALP Project's principle structural component will be the development of an off-stream reservoir in Ridges Basin to store water diverted from the Animas River. Ridges Basin Reservoir will have a total storage capacity of approximately 120,000 acre-feet (af). A pumping plant and inlet conduit will be used to divert water from the Animas River and to deliver it to the reservoir for storage. Basin Creek will be used to convey ALP Project water back to the Animas River for downstream delivery. A Navajo Nation municipal pipeline will be constructed to deliver water to seven Navajo Chapters along the San Juan River and the Shiprock area. Location of the ALP Project is shown in Figure 1 – Animas-La Plata Project Area Map.

A Final Environmental Statement (1980 FES) was completed for the Project and filed with the U.S. Environmental Protection Agency (EPA) in July of 1980. Since that time, substantial changes have occurred to the Project. In 1998, the Department of the Interior recommended construction of a substantially scaled-down ALP Project. Reclamation has completed additional environmental analyses necessary to ensure compliance with the National Environmental Policy Act (NEPA), Section 404 of the Clean Water Act, Endangered Species Act (ESA), as well as other federal and state statutory requirements. The results of these analyses are summarized in the Final Supplement Environmental Impact Statement that was completed in 2000 (2000 FSEIS). A Record of Decision was issued on the ALP Project on September 25, 2000.

The 2000 FSEIS is tiered from the 1980 FES and to the 1996 Final Supplement to the Final Environmental Statement (FSFES). To eliminate repetitive discussions and issues that were addressed in the 1980 FES and the 1996 FSFES, the 2000 FSEIS addressed only those issues where changes in the project plan had occurred. Commitments made in the 2000 FSEIS supersede commitments made by Reclamation in previous ALP Project NEPA documents.

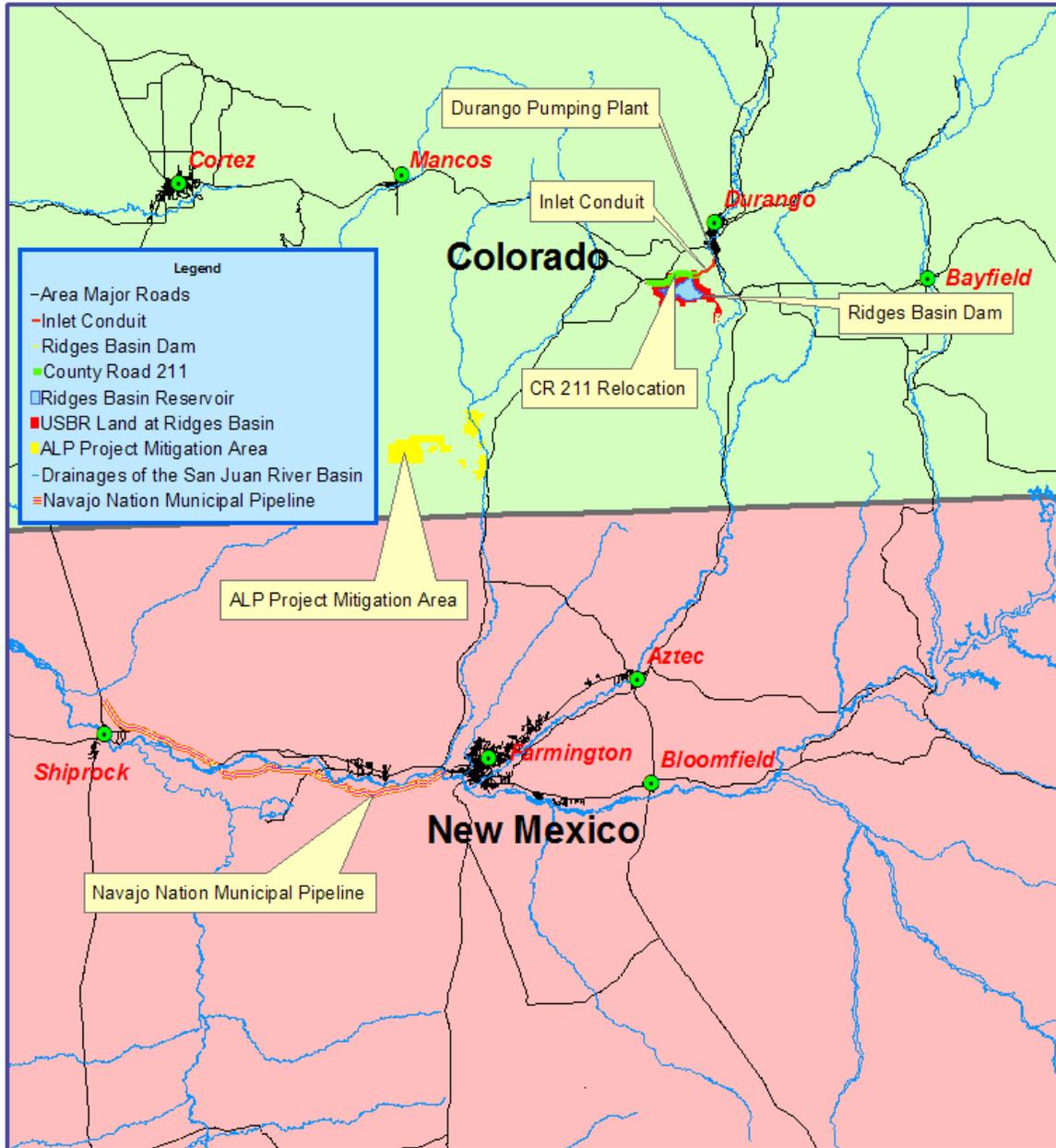
Additional NEPA compliance was completed in 2002 for the Ridges Basin Dam and Reservoir Pre-Construction Facilities Relocation. An Environmental Assessment (EA) was completed on the relocation of three pipelines to allow the construction of Ridges Basin Dam and Reservoir. The EA tiered from the 2000 FSEIS and discussed the environmental settings for the proposed action that were new or different than what was discussed in the 2000 FSEIS and their potential environmental impacts and proposed measures to avoid or ameliorate the impacts. The finding of the EA was that there were not any new significant impacts that were not already covered in the 2000 FSEIS.

Figure 1 ALP Location Map

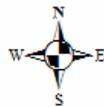
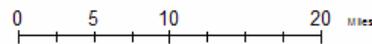
US Bureau of Reclamation

Figure 1: Animas-La Plata Project Location Map

Western Colorado Area Office



Reference Map



The purpose and need of the ALP Project and public input into the scoping of the Project are described in Chapter 1 of the 2000 FSEIS. Descriptions of the ALP Project and potential alternatives are provided in Chapter 2 of the 2000 FSEIS. The existing conditions and potential impacts to resources that will be affected by the ALP Project are described in Chapter 3 of the 2000 FSEIS. Possible mitigation measures for potential impacts are also described in Chapter 3. Mitigation and monitoring commitments are described in Chapter 4 and 5 of the 2000 FSEIS and in the Attachment A of the Record of Decision for the ALP Project. Since the completion of the 2000 FSEIS additional commitments have been made in the Ridges Basin Dam and Reservoir Pre-Construction Facilities Relocation Final Environmental Assessment – June 2002 (FRFEA). Also Attachment E contains suggested conservation measures that were employed for the vegetation control work in the wetlands/riparian area during the CY 2003 to avoid having adverse impacts to the list of federally protected and candidate species.

1.2 NEED FOR THE ENVIRONMENTAL COMMITMENT AND MONITORING PLAN

This document supplements the 2000 FSEIS by providing a plan to avoid impacts where possible and to mitigate impacts that will result from the construction and operation of the ALP Project. A monitoring program will be used to evaluate impacts from construction and operation of the project and to evaluate effectiveness of avoidance and mitigation measures. Reclamation will continue to refine this plan with the assistance and cooperation of other federal and state agencies, Tribes, and interest groups as project design and construction proceeds and the ALP Project moves into operation. The objective is to formulate, refine and implement avoidance measures and to develop a mitigation plan and monitoring program that is defensible and supported by all concerned parties. Also, the purpose of the plan is to provide a level of detail necessary to illustrate compliance with ALP Project environmental commitments made in the 2000 FSEIS.

Implementing the avoidance/minimization and compensatory mitigation measures and monitoring will occur concurrently with the construction of Project facilities as well as refinements in Project operation and will be implemented by Reclamation or Reclamation will require their implementation by the construction contractors, management authorities, or third-party developers. These measures and monitoring are discussed in greater depth in Chapter 2. A schedule for implementing the avoidance/minimization and/or compensatory mitigation measures and monitoring plans, tiered from the construction and operation of the Project, is provided in Chapter 3 of this document. This schedule will continue to be updated as construction proceeds.

Avoidance/minimization measures involve understanding the resource to be protected and using the flexibility in the Project to avoid impacting that resource whenever possible. Avoidance/minimization measures are provided for specific actions that will occur under each phase of project development and operation. Compensatory mitigation includes development, restoration and enhancement as well as preservation and protection measures. In general, compensatory mitigation measures for natural resources are based on a holistic ecosystem approach. Wherever practicable, plans will incorporate measures that will benefit multiple resources. The primary purpose of the monitoring program is to evaluate the impacts of the ALP Project and to evaluate the effectiveness of avoidance/minimization and/or compensatory mitigation measures. If the monitoring program indicates impacts other than anticipated, Reclamation will modify its environmental commitments accordingly.

This environmental commitment and monitoring plan addresses those drainages that will be affected by the Project, including the Animas and the La Plata Rivers. The plan also addresses monitoring of the construction and operation of Project features including Ridges Basin Reservoir, Durango Pumping Plant and Inlet Conduit, Navajo Nation Municipal Pipeline and the wetland/riparian and upland mitigation areas. If monitoring indicates the need for additional avoidance/minimization and compensatory mitigation measures, some possible measures are included in this plan.

The San Juan River is not included in this environmental commitment and monitoring plan. The June 2000 Biological Opinion for the ALP Project was prepared to address ESA issues that would result from construction and operation of the downsized ALP Project. It superseded previous opinions. One of conservation measures in the 2000 Biological Opinion for the Project requires Reclamation to participate in the San Juan River Basin Recovery Implementation Program (SJRBRIP). The conservation measure states:

Operation of Navajo Reservoir would mimic the natural hydrograph of the San Juan River to benefit endangered fish species and their critical habitat. Mimicry of the natural hydrograph would be achieved by operating Navajo Dam to follow the Flow Recommendation and would be subject to completion of the Navajo Reservoir Operations Environmental Impact Statement and Record of Decision.

It is estimated that the modified operation of Navajo Dam will have greater effects to the San Juan River as compared to the effects that will result from the construction and operation of the ALP Project. It was concluded in the 2000 FSEIS that the ALP Project will have minimal effects to the San Juan River; therefore, no mitigation and monitoring was proposed for the San Juan River.

Threatened and endangered species issues specific to the ALP Project are included in this environmental commitment and monitoring plan, although some of these issues are also addressed under separate specific programs. Any additional threatened and endangered species listed in the future and potentially affected by the Project will also be addressed appropriately in accordance with the requirements of ESA.

Reclamation will develop specific guidelines or plans for the management of resources associated with Reclamation owned lands associated with the ALP Project. These guidelines will be developed prior to or concurrent with the construction of Project features.