

## Scoping Notice

# Environmental Assessment

### ***Ruedi Reservoir Water Sales Contract Fryingpan-Arkansas Project, Colorado***

The Bureau of Reclamation announces and seeks public comment on a proposed water sales contract for 5,000 acre-feet (af) of Ruedi Reservoir Round II water. The contract was requested by the Colorado River Water Conservation District (River District). The requested contract would likely have a term of 25 years.

## Background

The Fryingpan-Arkansas Project (Fry-Ark) is a multipurpose transmountain water diversion and delivery project in Colorado. The Fry-Ark was authorized in 1962 (by Public Law 87-92).

Ruedi Reservoir, the first feature constructed on the Fry-Ark, was completed in 1968. Because a portion of the water stored in Ruedi is intended for use by Colorado's West Slope, Reclamation initiated a water-marketing program in the early 1980s. The first round (Round I) of contracting concluded in 1982. In response to additional West Slope demand in the late 1980s, Reclamation initiated a second round (Round II) of contracting. In 1990, a Supplement to the Fryingpan-Arkansas Project Environmental Impact Statement was completed to assess the effects of the proposed Round II water marketing program<sup>1</sup>. The final Record of Decision (ROD) summarizes the environmental effects, basis of decision and issues evaluated, and environmental commitments. The commitments in the ROD require site-specific National Environmental Policy Act (NEPA) compliance for each proposed water sales contract. Copies of the ROD are available online at <http://www.usbr.gov/gp/nepa/quarterly.cfm#ecao> or by contacting [tmoberg@gp.usbr.gov](mailto:tmoberg@gp.usbr.gov).

## Colorado River Water Conservation District

The River District is a quasi-municipal organization and independent political subdivision of the State established by the legislature in 1937. The purpose of the River District is to conserve and put to beneficial use the water resources of the Colorado River and its principal tributaries including the Yampa, White and Gunnison Rivers. The River

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Ruedi Reservoir, Colorado Round II Water Marketing Program, Final Supplement to the Environmental Statement, Frying Pan Arkansas Project, Colorado, 08/01/1989.



District has developed a water-marketing plan, under which it may enter into contracts with third parties for the use of water directly, or by exchange or augmentation. The River District currently has three contracts for Ruedi Reservoir water totaling 1,730 af annually.

The area served by the River District (Figure 1) overlaps numerous smaller districts, including the Basalt Water Conservancy District, West Divide Water Conservancy District, Silt Water Conservancy District, the Bluestone Water Conservancy District and Ute Water Conservancy District.

## **The Proposal**

The River District has requested a water sales contract from Reclamation for an additional 5,000 af per year of Ruedi Reservoir Round II water. The location of Ruedi Reservoir within the Colorado River basin is shown in Figure 2. The purpose of the River District's request is to fulfill its statutory role of assuring an adequate supply of water for western Colorado. The River District believes entering into a contract at this time is beneficial because the cost of the water is still feasible. Reclamation is preparing an EA on the proposal and this scoping notice seeks public and agency comment to identify the issues that will be addressed in the EA.

The River District proposes to use the contract water as a legal source of water for municipal and domestic users within the River District's boundaries to replace stream depletions, preventing injury to downstream senior water rights. Additionally, the River District proposes to use the water to augment flows in the 15 Mile Reach of the Colorado River for the recovery of the endangered Colorado fishes, and to augment winter flows in the Fryingpan River downstream of Ruedi Reservoir. The following discussion explains how and when the River District will use the proposed contract for each of these purposes.

### **Integrated into the River District's Water Marketing Program**

The River District anticipates 300 af per year of new contracts under its water-marketing program. At this estimated rate of demand, the total 5,000 af would not be needed for municipal and domestic users for 16 years. In the interim period, as municipal demands for contract water materialize, the River District proposes to use the water for the purposes described below. The quantity of water available for those purposes by year is estimated in Table 1.

**Table 1. Water Potentially Available for the 15 Mile Reach or Winter**

**Flow Augmentation in the Fryingpan River.**

Year	AF	Year	AF	Year	AF	Year	AF
2006	4,700	2010	3,500	2014	2,300	2018	1,100
2007	4,400	2011	3,200	2015	2,000	2019	800
2008	4,100	2012	2,900	2016	1,700	2020	500
2009	3,800	2013	2,600	2017	1,400	2021	200

**Augmentation of Flows in the 15 Mile Reach**

Under the Programmatic Biological Opinion (PBO) for the recovery of the endangered fish in the Upper Colorado River<sup>2</sup>, existing commitments of water from Ruedi Reservoir to enhance flows in the 15 Mile Reach of the Colorado River (Figure 2) include the following:

- 5,000 af annually plus an additional 5,000 af in 4 out of 5 years
- 10,825 af through the year 2012. This commitment was reduced from of 21,650 af annually when the East and West Slope water users agreed to provide 5,412.5 af each per year.

On June 24, 2003, Reclamation, the U.S. Fish and Wildlife Service (Service) and the Colorado Water Conservation Board (CWCB) executed a long-term agreement (through the year 2012) for Ruedi Reservoir’s 10,825 af commitment under the PBO. During the public negotiations, concerns were expressed on the over-reliance of Ruedi Reservoir for providing water to the 15 Mile Reach.

The River District has an agreement with the Service to provide 5,412.5 af per year from Wolford Mountain Reservoir (Wolford) to the 15 Mile Reach. This water constitutes the West Slope water users’ commitment under the PBO. There is a drought clause in the existing agreement that waives the River District’s obligation to provide 5,412.5 af from Wolford under certain conditions. The two conditions or triggers that invoke the drought clause are (i) the Weather Service’s May 1<sup>st</sup> estimated of the April to July forecast for runoff in the Muddy Creek Basin upstream of Ritschard Dam is less than 28,000 af; and (ii) the June 1<sup>st</sup> reservoir level is less than 56,000 af.

In the interim period, as municipal demands materialize, the River District proposes to use the requested contract to provide the West Slope’s 5,412.5 af commitment to the 15 Mile Reach in those years that the drought clause is triggered at Wolford. Based on recent hydrologic estimates this may have a recurrence interval of up to 20 percent, or up to 5 years over the proposed 25-year contract, and may occur up to 3 years in a row.

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<sup>2</sup> 1999 Final Programmatic Biological Opinion for Bureau of Reclamation’s Operations and Depletions, Other Depletions, and Funding and Implementation of Recovery Program Actions in the Upper Colorado River Above the Confluence with the Gunnison River

Releases would be made from Ruedi Reservoir to the 15 Mile Reach from August to October.

### **Augmentation of Winter Flows on the Fryingpan River**

The River District has also proposed to use the requested contract to augment winter flows on the Fryingpan River (Figure 2). It is proposed that in December of each year, the River District would determine projected municipal demands for the proposed 5,000 af of contract water. Seventy five percent of the uncommitted Round II contract water could be made available for winter flow augmentation from January 1 to March 31. This use would be determined on a year-to-year basis and implemented through a contract with the CWCB.

The River District will not make releases from Ruedi Reservoir to augment winter flows in the same year (calendar year) as it determines the drought provisions are triggered at Wolford Mountain Reservoir. In December of each year, the River District would project water availability in Wolford Mountain Reservoir for delivery of the West Slope's 5,412.5 af commitment to the 15 Mile Reach. If it is projected that Wolford will meet its June 1<sup>st</sup> fill trigger of 56,000 af, then the River District could use uncommitted Round II contract water to augment winter flows on the Fryingpan River.

### **National Environmental Policy Act (NEPA)**

Reclamation will prepare an EA in accordance with NEPA to determine whether or not there are significant impacts associated with the proposal.

The document will describe the proposal, the need for action, alternatives, potential effects of the alternatives, and mitigation, if any. The EA will focus on the effects of the proposed action on hydrology, recreation, fish and wildlife, endangered species, and cultural resources. The draft environmental document will be made available for public review and comment.

### **Location of Study Area**

The area of effect would include Ruedi Reservoir, the Fryingpan River from Ruedi Reservoir to the confluence with the Roaring Fork River, the Roaring Fork River downstream to the confluence with the Colorado River, and the Colorado River to the Stateline (Figure 1).

## Timing

Reclamation intends to complete the EA by August 31, 2006.

## Public Comments Requested

Reclamation is seeking written comments from the interested public, organizations, and agencies regarding the requested contract. **Written comments on this scoping document will be accepted until May 30, 2006.** In particular, Reclamation is interested in issues of which we might not be aware. For example: (1) significant issues relevant to the proposal; (2) elements of the environment that could be affected by the proposal; (3) alternatives to the proposal; and (4) other past, present, or reasonably foreseeable projects that when combined with the proposal could create cumulative environmental effects. An electronic copy of this document may be found at <http://www.usbr.gov/gp/nepa/quarterly.cfm>, under the “Eastern Colorado Area Office, Colorado River Water Conservation District Ruedi Round II Contract EA, Scoping Document.”

Please submit written comment by mail, e-mail, or facsimile transmission to:

Tara Moberg, Natural Resource Specialist  
Bureau of Reclamation, Eastern Colorado Area Office  
11056 West County Road 18E  
Loveland, CO 80537  
E-mail: [tmoberg@gp.usbr.gov](mailto:tmoberg@gp.usbr.gov) Fax: (970) 663-3212

## Public Working Meeting

On **May 11, 2006**, (Thursday) Reclamation will host a public working meeting discuss and answer questions related to the EA. The meeting will be held in concert with Reclamation’s Annual Ruedi Operations meeting in the Basalt Town Hall, 101 Midland Avenue, Basalt, and run from 7 p.m. to approximately 9 p.m. The meeting will include a presentation of the River District’s proposed contract and an explanation of the NEPA process will be part of the evening’s agenda. The presentation will be followed by a “round table” discussion with all meeting attendees.

If you have questions regarding the NEPA process, the public meeting, or about the proposal under consideration, please contact Kara Lamb, Public Involvement Specialist, at either (970) 962-4326, or [klamb@gp.usbr.gov](mailto:klamb@gp.usbr.gov) .