



PUBLIC SCOPING REPORT

*Bureau of Reclamation
Eastern Colorado Area Office*



Prepared by:



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December 19, 2003



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1. Introduction

Public involvement is a vital component of the National Environmental Policy Act (NEPA) and is an important step in the development of the Windy Gap Firming Project Environmental Impact Statement (EIS). The first phase of the public involvement process, also called “scoping,” is designed to help determine the scope of issues and alternatives to be addressed in the EIS, and helps Reclamation identify what issues the public feels are most important.

This report documents the results from the public scoping process, conducted between September 8, 2003, and November 7, 2003. The main sections of this report include:

- Public scoping activities
- Agency consultation
- Scoping results
- Issues to be considered in the EIS
- Future actions

Background

The goal of the Windy Gap Firming Project (Firming Project) is to improve the reliability of water deliveries from the existing Windy Gap Project in order to maximize the use of the previously adjudicated water rights, infrastructure, and previous investment in Windy Gap facilities. Participants in the Firming Project include the cities of Broomfield, Greeley, Longmont, Louisville, and Loveland, the Towns of Erie and Superior, the Central Weld County Water District, and the Platte River Power Authority. Participants have requested that the Municipal Subdistrict of the Northern Colorado Water Conservancy District (Subdistrict) investigate and implement measures to cooperatively enhance or improve the reliability of (or to “firm”) their Windy Gap Project water units. This may include firming up all or at least a portion of each participant’s water units. In order to meet this goal, the Firming Project needs to provide an annual delivery of up to 30,000 acre-feet of water. To provide this yield, approximately 110,000 acre-feet of new storage is being considered.

The Firming Project is a non-federal project and would be constructed and operated by the Subdistrict. However, there are federal actions associated with the project that will require compliance with the National Environmental Policy Act and implementing regulations and review and analysis within an Environmental Impact Statement. The direct federal action for the proposed project includes a decision on allowing the connection of Firming Project facilities to Colorado-Big Thompson (C-BT) facilities, which are administered by the U.S. Bureau of Reclamation (Reclamation). Another possible federal action includes the possible granting of right-of-way permits and/or easements across federal lands or issuance of a federal Clean Water Act Section 404 Permit. The draft EIS will analyze several different Firming Project alternatives including a proposed action and a no action alternative to determine their effects on the human environment.

2. Public Scoping Activities

Public scoping is one of the first steps in the NEPA process. It provides an opportunity for public and agency involvement during the early planning stages of the analysis. The intent of the scoping process is to gather comments, concerns, and ideas from those who have an interest in or that may be affected by the proposed action. During the scoping phase of the project, Reclamation sought input from the public, interested organizations, and agencies to help identify issues for evaluation in the EIS.

Several methods were used to inform the public and solicit comments. These methods included public information meetings, publication of a Notice of Intent in the Federal Register, scoping announcements, press release, paid advertisements, project web site, and public scoping meetings. Each of these public involvement activities is described below.

Public Information Meetings

Public information meetings were held by the Subdistrict prior to the official NEPA scoping period to provide interested parties an opportunity to learn more about the Firming Project, ask questions, and understand future opportunities for public involvement. The Subdistrict, in cooperation with Reclamation, held these meetings in Granby on July 22, 2003 and in Loveland on July 23, 2003. Representatives from federal, state, and local agencies attended the meetings, as well as members of the public. Formal scoping comments were not taken, but preliminary issues and concerns were recorded. Table 1 shows the number of individuals that attended each meeting.

Table 1. Public Information Meetings.

				Attendance
Granby, CO	July 22, 2003	Inn at Silver Creek	6:30 – 8:30 PM	7
Loveland, CO	July 23, 2003	McKee Conference Center	6:30 – 8:30 PM	92

Notice of Intent

The formal scoping period began on September 8, 2003, with the publication of a Notice of Intent (NOI) in the Federal Register (Appendix A). The NOI describes Reclamation's intent to prepare an EIS for the proposed project, sets the dates for public scoping meetings, and solicits public comments. As stated in the NOI, Reclamation requested submission of scoping comments by November 7, 2003.

Scoping Announcements

Reclamation distributed two announcements via U.S. mail to inform the public of the information and scoping meetings. The first announcement was distributed to approximately 375 people in July 2003. This announcement provided information on the Firming Project, preliminary alternatives under consideration, and the public information meetings planned for July.

The second announcement, which was the official scoping announcement, was distributed to approximately 415 people in September 2003 and provided updated information on the Firming Project and planned scoping meetings to be held in late

September and early October 2003. Copies of the announcements are provided in Appendix B.

The distribution list for each of the announcements consisted of individuals, organizations, and agencies that had previously expressed an interest in the Firming Project. Others included residents known to be located in and around the alternative reservoir sites and local agencies and governments that may have jurisdiction or interest in the Firming Project. Scoping announcements also were made available at local post offices in Granby, Loveland, and Lyons, Colorado.

Press Release

A press release was sent to 26 local and regional media organizations announcing the public scoping meetings and soliciting participation in the scoping process (Appendix B). A number of local newspapers, as well as radio and television stations, ran stories about the Firming Project, meetings and alternatives.

- The Denver Post
- Rocky Mountain News
- Estes Park Trail Gazette
- Estes Park News
- Louisville/Lafayette Times
- Fort Collins Coloradoan
- Berthoud Recorder
- Middle Park Times
- Loveland Reporter-Herald
- Redstone Review
- Northern Colorado Business Report
- KCSU 90.5 FM
- CSU Campus Television
- High Country Radio
- KCOL 600 AM
- KIIX 1410 AM
- The Bear 107.9 FM
- KISS 96.1 FM
- KUNC 91.5 FM
- KEZ 1470 AM
- KMST radio
- North 40 News
- KUSA Channel 9 Mountain Bureau
- KCNC Channel 4 Mountain Bureau
- KMGH Channel 7
- WB Channel 2

Paid Advertisements

In September 2003, Reclamation placed paid advertisements in 14 newspapers to raise awareness of the Firming Project and invite interested parties to the scoping meetings. Table 2 lists each of the newspapers and the respective dates the advertisements ran. Advertisements were either 2 x 6 column inches or 3 x 5 column inches. Sample advertisements are included in Appendix B.

Table 2. Windy Gap Scoping Advertisements.

								Sat. 9/27
Redstone Review (m)	◆							
Denver Post		◆	◆					
Rocky Mountain News		◆	◆					
Fort Collins Coloradoan		◆	◆				◆	◆
Loveland Reporter-Herald		◆	◆					
Greeley Tribune		◆	◆					
Boulder Daily Camera		◆	◆					
Broomfield Enterprise (bi-w)					◆			
Erie Review (w)					◆			
Longmont Times-Call		◆	◆					
Old Lyons Recorder (w)						◆		
Granby Sky-Hi News (w)						◆		
Winter Park Manifest (w)					◆			
Middle Park Times (w)				◆				

(m) – Monthly distribution; (bi-w) – Bi-weekly distribution; (w) Weekly distribution

Project Web Site

Both Reclamation and the Subdistrict maintain web pages providing information on the FIRMING Project. Reclamation’s Great Plains Region web site (www.usbr.gov/gp/co/) posted a digital copy of the Scoping Announcement, which highlighted information on the project and meeting dates. Additional information on the FIRMING Project, maps, and a list of meeting dates were provided on the Subdistrict web site (www.ncwcd.org). Both web sites were available for public access beginning in July 2003.

Public Scoping Meetings

Reclamation held three public scoping meetings in Granby, Loveland, and Lyons Colorado in September and October 2003 (Table 3). As described below, the meetings included informational exhibits, a presentation of the proposed project and opportunities for questions and comment. Representatives of government agencies, businesses, interest groups, and individuals attended the public scoping meetings. Table 4 includes a list of the known organizations that were represented at each meeting.

Table 3. Public Scoping Meetings.

				Attendance
Granby, CO	September 30, 2003	Inn At Silver Creek	6:30 – 9:00 PM	42
Loveland, CO	October 1, 2003	McKee Conference Center	6:30 – 9:00 PM	71
Lyons, CO	October 2, 2003	Lyons Elementary School	6:30 – 9:00 PM	138

Table 4. Agencies, Businesses, and Interest Groups Represented at Public Scoping Meetings.

		Lyons
<ul style="list-style-type: none"> • Middle Park Water Conservancy District • Denver Water • Grand County Government • Northwest Council of Governments • City of Greeley • City of Broomfield • Colorado Division of Wildlife • Summit County • Town of Winter Park • Town of Fraser • Colorado River Water Conservation District • Grand County Water Forum • U.S. Forest Service • East Grand Water Quality Board • Estes Valley Park and Recreation District • Winter Park Water and Sanitation District 	<ul style="list-style-type: none"> • City of Loveland • GEI consultants • Platte River Power Authority • ECI • Larimer County • Water Colorado • City of Greeley • Office of Archaeology and Historic Preservation • City of Broomfield • Colorado Trout Unlimited • Colorado Water Quality Control Division • Big Thompson Watershed Forum • Colorado River Water Conservation District • Boulder County 	<ul style="list-style-type: none"> • Little Thompson River Watershed Stakeholders • Weatherwax Farms • Sierra Club • City of Loveland • Boulder County • University of Colorado • Longmont Water Board • City of Greeley • Johnson & Repucci • Colorado Water Quality Control Division • Perpetua Gardens • Circle Bar Diamond Ranch

Scoping Meeting Format

Reclamation conducted the scoping meetings in both an open house and formal presentation format. The first half hour of the meetings provided an opportunity for the public to view exhibits and gather information on the Firming Project, review maps of preliminary alternative locations, read information on the EIS and scoping process, enjoy refreshments, and speak with Reclamation, Subdistrict, and ERO Resources, the third-party consultant assisting Reclamation with preparation of the EIS.

Following the open house session, Reclamation and Subdistrict staff made a presentation highlighting the background of the existing Windy Gap Project completed in 1985, the need for the proposed project to firm the yield from the Windy Gap Project, proposed project schedule, and information on the NEPA process. At the conclusion of the presentation, Reclamation and Subdistrict staff responded to audience questions for about one-half hour. Following the question and answer session, audience members that requested an opportunity to make formal comments addressed Reclamation and Subdistrict staff. The formal public comment segment lasted between one-half hour to one hour, depending on the number of people that wished to speak. While Reclamation

and Subdistrict staff took notes on oral comments, commenters were encouraged to submit written comments on a *Scoping Comment Sheet* (Appendix C) that was distributed at the meeting or in other written format to assure an accurate record of their comments. Reclamation and Subdistrict staff explained that written comments would be summarized in a *Scoping Report* and used to determine issues of concern, studies and evaluations needed, and alternatives to be considered in the draft EIS.

During the final 30 minutes of the open house, members of the public had another opportunity to talk individually with Reclamation, Subdistrict, and consulting staff, and circulate around the room to review informational exhibits.

Meeting Summaries

The following section provides a brief summary of each scoping meeting. A more detailed description of the written comments received is included in Section 4 of this report.

Granby, September 30, 2003 — Forty-two members of the public, including approximately 16 individuals representing agencies or businesses, attended the Granby scoping meeting. The public's questions and comments related primarily to impacts on the West Slope. Issues and concerns mentioned during oral comments made by eight individuals included the following topics:

- Water quality impacts to lakes and streams
- Cumulative impacts of the Denver Water Project and the Firming Project on Grand County
- Spread of whirling disease
- Reductions in streamflow
- Impacts on wastewater treatment discharge requirements
- Threatened and endangered species impacts

Loveland, October 1, 2003 — 71 members of the public, including approximately 14 individuals representing agencies or businesses, attended the Loveland scoping meeting. Members of the public asked a wide variety of questions, some of which related to the project schedule, NEPA process, and what other public involvement is planned. Comments included concerns about water conservation, re-examining the purpose and need and alternative selection, potential impacts to landowners, and ecological impacts. The loss of water to farmers from the conversion of agricultural water rights to municipal use was mentioned as a concern if the proposed project is not built. Oral comments were made by 14 individuals and included a range of issues. Common issues and concerns mentioned during oral comments included:

- Recreation impacts at reservoir sites
- Decreases in property values
- Loss of private property
- Wildlife impacts
- Noise impacts
- Spread of whirling disease
- Additional water needs for continued agriculture and electricity production
- Impacts to cultural resources
- Threatened and endangered species impacts

Lyons, October 2, 2003 — The Lyons scoping meeting had the largest attendance of all the meetings. The meeting was attended by approximately 117 members of the public and about 12 individuals representing agencies, businesses, or interest groups.

Members of the public asked a wide range of questions following the presentation. Oral comments were taken from about 14 individuals. Members of the Little Thompson River Watershed Stakeholders Group and their legal council provided an overview of their concerns. Most comments focused on whether the Little Thompson reservoir site should be dropped from consideration and the adverse environmental and socioeconomic effects associated with this location.

Issues mentioned during oral comments included:

- The Little Thompson (LT) alternative meets numerous exclusionary criteria that should have eliminated it from consideration in the original alternative screening (i.e., number of homes, geologic faults, wildlife, significant cultural and archeological sites, rare species)
- Decreases in property values
- Concern over the condemnation of property and loss of homes
- Possible seismic activity in the vicinity of LT
- Recreation development may affect local residents
- Wildlife and vegetation impacts
- Wetland impacts
- LT reservoir could increase potential for West Nile outbreaks in the area
- Surface and ground water quality impacts
- Additional water storage is needed to sustain agriculture and prevent transfer of irrigation water to municipal use

3. Agency Consultation

In addition to public scoping activities, Reclamation held separate meetings to gather input from local, state, and agencies having regulatory authority or an interest in the Firming Project. Agency consultation included an agency scoping meeting, outreach to Native American tribes, and informal meetings and presentations. Agency consultations that took place are briefly discussed below.

Agency Scoping Meeting Summary

On September 17, 2003, Reclamation hosted a meeting for representatives from various local, state, and federal agencies interested in the Firming Project. Of the 28 agencies or individuals that were invited to the agency scoping meeting, seven persons attended. Represented agencies included the Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Colorado Department of Public Health and Environment, and Grand County.

The meeting included a presentation by Reclamation and the Subdistrict on the background of the original Windy Gap Project, the purpose and need of the proposed project, a description of Firming Project participants and their needs, preliminary alternatives and planned studies. Some of the comments and issues raised during the meeting included:

- The need to document participant needs and how the needs were developed

- Whether the Firming Project is interrelated or interdependent with any of the other water projects currently being studied by other entities
- The EIS should include a cumulative effects analysis, including effects that may be interrelated with other projects
- A 404(b)(1) alternative analysis should be integrated with the NEPA alternative analysis
- Evaluate water quality impacts to storage reservoirs
- Evaluate hydrologic and physical impacts to the Colorado River
- Evaluate potential long-term changes in Colorado River aquatic habitat and fisheries
- Consider impacts to threatened and endangered species
- Evaluate the potential impacts to wetlands and fens
- The EIS should consider previously completed studies in the analysis of impacts

Agency Cooperation

The Corps of Engineers indicated its desire to be a cooperating agency. Grand County also stated its interest in participating as a cooperating agency and encouraged coordination between Denver's Moffat Collection System Project and the Firming Project to minimize impacts in Grand County. Each agency indicated it would submit scoping comments.

Native American Tribes

Representatives from 21 tribal groups were contacted by Reclamation to solicit their input for the scoping process. Reclamation received responses from several tribes, including the Cheyenne River Sioux, Southern Ute Indian Tribe, and will keep all tribal groups informed during the planning process.

Briefings and Presentations

Subdistrict staff met with representatives from various public agencies, counties, and other stakeholder organizations throughout the public scoping process. These meetings were intended to further inform stakeholders about the Firming Project and gather information on issues or concerns.

4. Scoping Results

Methods for Comment Collection and Analysis

The objective of the scoping process was to gather comments, questions, and concerns from the public regarding the Firming Project. Reclamation collected comments in the form of written submissions sent via U.S. mail, email, facsimile, and the *Scoping Comment Sheets* distributed at the public scoping meetings.

During the course of the public scoping process, Reclamation received 161 written submissions, which reflected concerns about approximately 900 separate issues. Each submission was read and comments were consolidated and grouped by topic area.

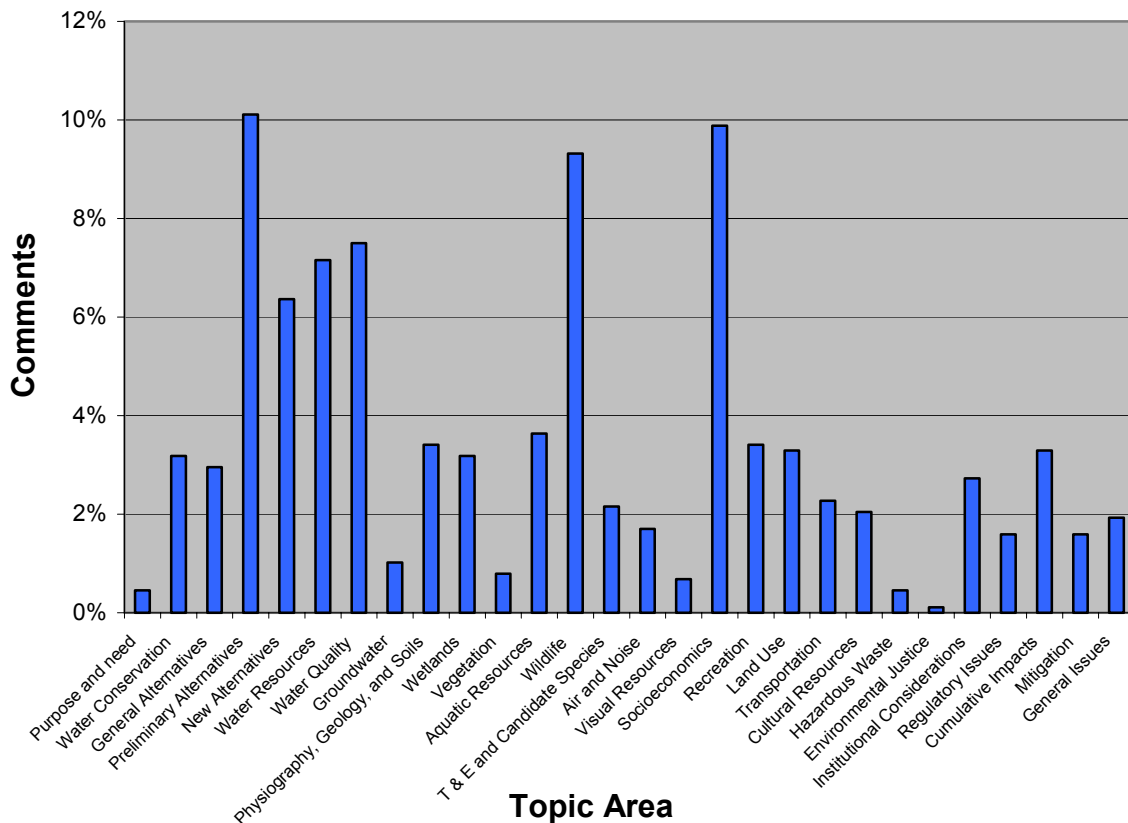
Appendix D includes a summary of all comments received, organized by resource or issue.

It should be noted that public scoping was not a “voting process”; duplicate or similar comments were consolidated. In addition, written statements favoring or opposing an alternative without raising a specific issue were noted, but were not considered an issue. However, specific statements requesting the addition or removal of an alternative were documented. In addition to written comments on specific issues, the Little Thompson River Watershed Stakeholders Group submitted a petition with 431 signatures opposing the Little Thompson reservoir site.

Of the written comments received, 122 were from individuals, 19 were from governments or public agencies, 20 were from organizations, private businesses, or homeowners associations. Appendix E includes a list of agencies, organizations, and individuals that provided written comments.

Summary of Scoping Comments

The following section provides a brief description of the issues, concerns, and recommendations associated with each topic area. Many of these issues were mentioned more than once during the scoping process. This section does not summarize every issue raised during the scoping process, nor does it list every individual comment that was received. A more detailed list of the comments is provided in Appendix D. The graph below illustrates the percent of comments received by topic area.



Purpose and Need

Issues raised about the purpose and need for the Firming Project included clearly identifying and substantiating participant water demands and the methodology by which water demand was projected. Several commenters recommended that water demand forecasts be based on recognized geographic and economic forecasts, not land use or buildout projections. Other issues included firming 3,000 acre-feet of Middle Park Conservancy Water District (MPCWD) water rights, clearly defining water supply “reliability,” providing a purpose and need for each participant that is supported by facts and by legitimate public needs, providing consistent measurements for comparing water use for each participant, and including maintenance of the health of affected river basins and wildlife habitat in the purpose and need.

Water Conservation

Many commenters raised issues related to water conservation, including reducing the need for the Firming Project through conservation, quantifying participant water conservation measures already in place, describing water conservation measures that will be implemented, re-using Windy Gap water to reduce the need for the Firming Project, and upgrading conveyance infrastructure to reduce water loss. Additional commenters requested information on per capita water use by participants and a comparison of the cost/acre-foot of new storage versus the cost/acre-foot of additional conservation. It also was mentioned that conservation does not constitute a reasonable no action alternative.

General Alternatives

A number of issues were not directed toward a specific action alternative, but were broadly related to any potential future action. Some of these issues centered on the need to identify methods for funding and financing the Firming Project, maintenance and operational requirements of Firming Project facilities, the construction timeline, and the lifespan of the selected alternative. Other issues included use of sustainable water management, and consideration of long-range relationship between Colorado Front Range land use policies and water availability. Some commenters requested that Reclamation incorporate the 404(b)(1) Guidelines on alternative analysis during the NEPA process. Others requested that Reclamation select the least expensive, least environmentally damaging, and least socially harmful alternative.

Preliminary Alternatives

Numerous commenters raised the issue of the appropriateness of the preliminary alternatives presented in scoping meetings and announcements. Many commenters requested that the Little Thompson alternative be withdrawn from further consideration and that the Subdistrict’s exclusion criteria should have disqualified the Little Thompson reservoir site during the initial alternative screening process. Other commenters recommended that Reclamation consider the Chimney Hollow alternative and a scaled down Little Thompson reservoir.

Additional recommendations related to alternatives included removing the Jasper reservoir alternative from consideration, discussing the cost savings and benefits of

implementing the no action alternative, and clarifying if prepositioning, which involves the storage of Colorado-Big Thompson Project water in a Firming Project facility, is part of the proposed action.

New Alternatives

Many commenters offered suggestions for new alternatives during the scoping process. Several suggested that Reclamation consider a combination of non-structural measures, conservation, and development of smaller storage facilities. Others suggested enlargement of existing reservoirs or use of excess storage capacity in existing Front Range reservoirs. Some commenters recommended coordination of water supplies on a regional basis. Some of the additional alternatives mentioned during public scoping included:

- Locating reservoirs within the communities that demand the water
- Expanding storage capacity of existing reservoirs prior to development of new water storage facilities
- Considering interruptible supply contracts, possibly in conjunction with a Platte River water bank
- Delivering Denver Water’s Moffat Collection System water to Broomfield via the Windy Gap/C-BT system to improve streamflow in the Fraser River
- Pumping Windy Gap water through snowmaking equipment to areas high on the eastern slopes of the Continental Divide in fall, winter, and spring
- Including other viable sites in the alternatives analysis, including some that may have been previously eliminated, including the original Jasper reservoir site and a reservoir in Broomfield
- Borrowing C-BT water, modifying the delivery schedule, and reallocating tunnel capacity to firm the yield of Windy Gap

Water Resources

A wide variety of issues related to water resources were identified during the scoping process. Many of the general water resource issues related to impacts to the Colorado, Fraser, and South Platte River basins, such as alterations in the timing, quantity and quality of flows in affected streams, impacts to in-stream flow and by-pass flow requirements, effects to water rights, and impacts to water and wastewater facilities. Several commenters were concerned with the amount of water that would remain available for West Slope needs in the Fraser River basin and the communities of Hot Sulphur Springs and Kremmling on the Colorado River.

Numerous commenters expressed concern about water resources associated with the Little Thompson alternative, including fluctuations in water levels, exposure of mud flats, and changes to Little Thompson River streamflows. Other water resource issues raised included whether the proposed project would meet projected yields under normal and drought conditions, how flooding during spring runoff in the Colorado River basin would be affected, and if changes to the operational regime of Wolford Mountain Reservoir are

anticipated. Other commenters requested an examination of the existing water rights of participants in relation to downstream rights, ecological needs, and over-appropriation issues.

Water Quality

Water quality issues highlighted concerns about West Slope streams and reservoirs including the Fraser and Colorado Rivers, and Lake Granby, Shadow Mountain, and Grand Lake (collectively referred to as the Three Lakes). Concerns were expressed about potential impacts to Colorado River water quality including nutrient loadings, changes in selenium and salinity, changes in temperature, and potential increases in sedimentation. The transport of additional water through the Three Lakes system is a concern because water from the Fraser River includes discharges from several wastewater treatment facilities. Additional concerns questioned the potential for increasing the existing weed problem in Shadow Mountain Reservoir. Some commenters suggested using the results of the Upper Colorado River Study (UPCO) and Three Lakes Clean Lakes Study to assess potential water quality issues. Concern also was expressed about degradation of water quality in the Fraser River.

Nutrient loadings and water quality in new East Slope reservoirs was mentioned as an issue. Water pollution from motorized vehicles on and around new reservoirs was identified as an issue of concern.

Groundwater

Comments related to groundwater included concern about potential impacts to ground water wells and recharge near the Little Thompson reservoir and impacts on ground water recharge in Grand County.

Physiography, Geology and Soils

Physiography, geology, and soils issues identified in scoping were related primarily to the Little Thompson reservoir site and included, absorption of water into bedrock, the presence of unique geologic formations, geologic faults, and unstable soils. Impact to stream morphology was listed as an issue. The potential for landslides was listed as an issue for reservoir sites including changes in the operation of Green Mountain Reservoir that could increase the potential for landslides.

Wetlands

Issues related to wetlands centered on impacts to riparian and wetland habitat at alternative reservoir sites and impacts that could occur along affected rivers and streams from changes in flow. Other issues included potential impacts to fens at the Jasper reservoir site as well as flow conditions needed to enhance riparian and wetland communities along the Colorado River.

Vegetation

Vegetation issues included concerns about impacts to sensitive vegetation species potentially occurring at the Little Thompson reservoir site, such as Bell's twinpod and Ute ladies'-tresses orchid. Additional recommendations included evaluating impacts to vegetation from construction, presence, and operation of any reservoir and evaluating impacts to upland species that may be caused by changes in streamflow. The prevention of the spread of noxious weeds during project construction was listed as an issue.

Aquatic Resources

Aquatic resource issues focused on how changes in streamflow, water quality, and water temperature would directly impact aquatic resources. Other issues related to potential increases in whirling disease on both the East and West Slope, impacts to Colorado River endangered fish species, impacts to aquatic invertebrates, and impacts to aquatic resources in affected waters that may result from other reasonably foreseeable projects on the East and West Slopes. Concern over the spread of the West Nile virus as a result of the Firming Project also was mentioned.

Wildlife

Wildlife issues and concerns included potential impacts from the loss of habitat or fragmentation of habitat from construction of reservoirs and facilities. Commenters listed a number of species of concern at the Jasper and Little Thompson reservoir sites and the need to evaluate impacts to species such as raptors, other avian species, mountain lion, bighorn sheep, black bear, elk, mule deer, sage grouse, osprey, bald eagle, lynx, and wood frog.

Other comments highlighted concerns about impacts to migratory species from changes in streamflow on the Colorado River and impacts to wildlife habitat from construction, presence, and operation of any reservoir. Other commenters recommended conducting surveys for sensitive species and involving the U.S. Fish and Wildlife Service as early as possible in the EIS process.

Threatened, Endangered, and Candidate Species

Commenters expressed general concern about impacts to threatened, endangered, and candidate species including Preble's meadow jumping mouse, boreal toad, and Colorado River endangered fish species. Concerns were associated with changes in streamflow as well as direct impacts from reservoir construction and operation. It was suggested that critical habitat for listed and sensitive species be determined.

Air and Noise

Issues associated with air and noise resources included concern about impacts during and after construction, air pollution from motorized vehicles on and surrounding reservoirs, and potential traffic noise near the Little Thompson reservoir site. Dust associated with reservoir drawdown also was mentioned as a concern at Little Thompson. Analyzing effects to air quality from population growth in the Front Range that the project might

generate was mentioned. The pollutants from the Platte River Power Authority's increased production of electricity from coal-powered generators was an air quality issue of concern.

Visual Resources

Visual resource issues included concerns about changes to scenic resources at alternative reservoir sites and along affected streams. Another possible visual resource issue included impacts associated with the relocation of transmission lines at Chimney Hollow.

Socioeconomics

A number of the socioeconomic issues specifically related to the Little Thompson reservoir site included concerns about the purchase or condemnation of homes and property, reduced property values if recreation is developed, homeowner expenses if property is sold, the potential for vandalism and trespassing on private property by users of the new reservoir, increased costs of public services to remaining residents, the inability to sell property until a decision is made on including this reservoir site in the EIS, and the loss of property tax revenues to Larimer County.

West Slope socioeconomic issues included potential impacts to tourism and recreation industries in Grand County, including effects on rafting on the Colorado River. There is concern over the additional cost associated with the potential need to upgrade wastewater treatment plants in the Fraser River and Colorado River basins. Also mentioned were concerns regarding economic impacts to the communities of Grand Lake, Kremmling, and Hot Sulphur Springs and how each alternative would affect future growth and real estate values.

Other socioeconomic issues included indirect impacts (such as growth in the Front Range) from additional water deliveries, effects to irrigation lands and rights downstream of the project, and economic impacts if agricultural lands are retired and the water is transferred to suburban use instead of developing the Firming Project.

Recreation

Recreation issues identified during scoping were related to impacts at each reservoir site and adjacent lands and effects on recreation from changes in stream flow. Many commenters were interested in whether recreation would be allowed at new reservoirs and the types of recreation that would occur. Concern also was expressed regarding potential impacts to recreation use from changes in flow in the Colorado River and changes in reservoir elevations in Grand Lake and Lake Granby. At the Little Thompson reservoir site, comments revealed concerns about increased pollution, vandalism, and trespassing on private property resulting from recreation. Other recreation issues included concern over which entities would be responsible for managing recreation at each reservoir, boat size or boat use on Chimney Hollow reservoir, and whether recreation would be excluded from any of the reservoir sites.

Land Use

Several commenters indicated land use concerns associated with impacts to private property and protected lands including private lands under conservation easement and Larimer and Boulder County open space properties. Also, at Little Thompson, some commenters expressed concern about impacts to private property, inundation of homes and businesses, impacts to agriculture, condemnation of property, and impacts to the Indian Gap community. An issue at Chimney Hollow included the impact of moving existing powerlines in the area. Some of the comments specific to Grand County requested consideration of impacts to landowner development plans at Jasper and determining whether there are impacts to future development opportunities in Grand County due to proposed water diversions.

Some of the comments related to land use included the following: impacts to the Grand Lake shoreline and property rights from an alluvial buildup on the Grand Lake side of the outlet canal, direct and indirect effects to existing land use from new water and/or power transmission and conveyance facilities, indirect impacts from recreation development at reservoir sites such as nearby commercial, residential, and retail development, and the need to consider how population growth from additional water supplies could affect land use outside of existing development boundaries.

Transportation

Transportation issues centered on property access, changes in traffic flows, and new roads associated with the Little Thompson and Chimney Hollow alternatives. At Little Thompson, commenters cited concerns related to increased traffic on Blue Mountain Road, County Road 71 North, Highway 36, and funding for road improvements. At Chimney Hollow, one comment indicated concern about increased levels of traffic accessing Chimney Hollow via Highway 56 and County Road 8. Some of the other transportation issues included impacts to existing property access routes from new reservoirs and whether an additional road would be built outside Spring Gulch Ranch Estates to provide access near Little Thompson reservoir.

Cultural Resources

Issues of concern included impacts to cultural resources at the Little Thompson reservoir site and the need for intensive cultural resource studies. Other recommendations included consulting with Native Americans about cultural resources and preserving artifacts from Little Thompson in a museum or returning them to appropriate tribes.

Hazardous Waste

Hazardous waste issues were primarily focused on concerns specific to the Little Thompson alternative including concerns about the impact of the Little Thompson reservoir on the Syntax waste site near Rabbit Mountain, old uranium mine tailings above Church's Place leaching into Little Thompson, and contamination from uranium, sulfur, and high concentrations of salts. Another issue raised was the potential for hazardous materials to infiltrate the Colorado River due to a spill incident on U.S. 40 or the railroad tracks.

Environmental Justice

One comment mentioned the need to impartially consider impacts to Town of Fraser residents.

Institutional Considerations

Institutional considerations included issues, concerns, and recommendations specific to topics such as Reclamation's authority to store C-BT water in a Firming Project facility and whether such repositioning would require an amendment to the Carriage Contract. Questions were raised on institutional limitations of the proposed actions which may be contained in Senate Document 80, the Blue River Decree, and C.R.S. 37-45-118(2)(II). Additional issues included whether a new exchange right would be required and how diversions, storage, and refills involving multiple facilities would be accounted for. Other issues included whether modifying the Carriage Contract is needed to carry third party water, the inclusion of the Middle Park Water Conservancy District as a Firming Project participant, the relationship between the existing Windy Gap Project and the C-BT Project, whether the Firming Project violates the purpose of the C-BT project, and the need for coordination between Denver and Grand County throughout the EIS process.

Regulatory Issues

A broad range of regulatory issues were raised including topics such as regulatory agency oversight, cooperating agencies involved in the EIS process, and permits and approvals. The relationship between permits and approvals for the original Windy Gap Project and the Firming Project and whether these permits and approvals need to be updated was raised as an issue. Another concern was the need for increased coordination between the Subdistrict, Denver Water, the Corps, and Reclamation surrounding the Denver Water Moffat Collection System and the Firming Project and whether a joint EIS should be prepared. Reclamation's role as the appropriate lead agency for the Firming Project was also questioned.

Additional regulatory issues included identification of all permits and approvals that will be required, Grand County participation as a cooperating agency, the need to consider 1041 Regulations for Boulder County, addressing changes to the principal conclusions of the original Windy Gap EIS regarding the total diversion amount, Lake Granby water levels, and availability of East Slope storage to meet future firming needs.

Cumulative Impacts

Cumulative impact issues include any direct or indirect effects from a proposed action that adds to or detracts from the possible effects of other past, present, or reasonably foreseeable actions. Several commenters suggested addressing the cumulative impacts of the Denver Water Moffat Collection System Project and the Firming Project.

Other issues included cumulative impacts in the Upper Colorado River Basin and impacts associated with C-BT operations. Additional cumulative impact issues included the sharing of information and analyses with Denver Water, the impact of the Firming Project on identified upper Fraser River Basin needs, cumulative impacts to aquatic resources and streamflows of the South Platte River system, and effects of reasonably

foreseeable growth on the West Slope and East Slope and its effects on hydrology and aquatic resources.

Mitigation

Some of the more broad-based mitigation issues included costs for any mitigation measures, identification of appropriate mitigation for each alternative, and mitigation measures for potential adverse impacts to stream systems.

More specific mitigation recommendations included joint mitigation between the Denver Water Project and the Firming Project, mitigation in the form of water storage directly benefiting water users in the Fraser River headwaters, mitigation measures for lake eutrophication at any of the Three Lakes, and mitigating impacts of Little Thompson reservoir by procuring and protecting a similar riparian corridor in the region with similar biological and geological characteristics. Some commenters suggested that Reclamation refer to the GEI Upper Colorado River Report to assist with developing mitigation for West Slope impacts.

General Issues

General issues not falling under any of the aforementioned topic areas included fire, terrorism, public meetings, and overall environmental impacts. Some of the general recommendations included conducting resource studies over each of the four seasons at Little Thompson, and evaluating impacts of the Poudre Project on the Firming Project.

5. Issues to be Considered in the EIS Process

Reclamation will consider comments received during the public scoping process in the preparation of the EIS. This includes possible changes or refinements in the alternatives that will be included in the EIS and an evaluation of potential resource impacts that were identified during scoping. The following broad range of resource topics will be evaluated in the EIS. Substantive issues and concerns identified during scoping for each of these topics will be addressed. Specific resource issues to be considered will be further refined as alternatives for inclusion in the EIS are finalized.

- Physiography, geology, and soils
- Aquatic and wildlife resources
- Visual resources
- Recreation
- Transportation
- Air and noise
- Cumulative impacts
- Water resources and water quality
- Vegetation and wetlands
- Threatened, endangered, and candidate species
- Socioeconomics and environmental justice
- Land use
- Cultural resources
- Hazardous waste
- Mitigation

6. Summary of Future Actions

Information collected during the scoping process will assist Reclamation and the Subdistrict in the development of alternatives for the Draft EIS. Alternatives to be carried through the Draft EIS may be identical to the preliminary alternatives described during scoping, or alternatives may be altered or deleted from further consideration. Similarly, Reclamation and the Subdistrict may introduce new alternatives or project configurations in the Draft EIS to meet the Firming Project purpose and need. Reclamation anticipates a decision on which alternatives to include in the EIS by February 2004 and will distribute a newsletter notifying the public of its determination.

Reclamation will continue to provide involved agencies and the public with periodic updates of the progress of the Draft EIS throughout its development. Although the formal scoping period has passed, there will be an additional opportunity for public involvement when the Draft EIS is released. Table 5 reflects the public involvement opportunities known at this time. Additional meetings, updates, etc. may be conducted as needed or requested.

Table 5. Windy Gap Firming Project EIS Schedule.

		Public Information or Involvement
1. Initiate EIS Process	Completed	Notice of Intent – September 8, 2003
2. Hold Agency and Public Scoping Meetings	Completed	Agency and public scoping meetings – September and October 2003
3. Identify Alternatives to be Studied	Winter 2004	Newsletter
4. Prepare Preliminary Draft EIS	Winter 2004 – January 2005	—
5. Release Draft EIS	January 2005 – Spring 2005	Public meetings – Spring 2005
6. Final EIS and Record of Decision	Summer 2005	To Be Determined

A copy of this report may be found at <http://www.usbr.gov/gp/pubinv1.cfm>. Additional comments, questions or concerns, at any time during the planning process, can be directed to:

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