



# United States Department of the Interior



BUREAU OF RECLAMATION  
Phoenix Area Office  
6150 West Thunderbird Road  
Glendale, AZ 85306-4001

IN REPLY REFER TO:  
PXA0-1500  
2.1.4.17

VIA ELECTRONIC MAIL AND U.S. MAIL

Subject: Notice of Availability – Final Environmental Assessment for the Proposed Eagle Creek Conservation Benefit Agreement and Fish Barrier Project and Finding of No Significant Impact – Graham and Greenlee Counties, Arizona

Dear Interested Party:

The United States (U.S.) Bureau of Reclamation (Reclamation), as the lead federal agency, and the U.S. Fish and Wildlife Service (USFWS) have prepared a final Environmental Assessment (EA) describing the potential environmental effects of two proposed actions: (1) USFWS proposes to issue an Enhancement of Survival Permit (EOS Permit) to Freeport Minerals Corporation and its affiliates, Freeport-McMoRan Morenci Inc. and the Morenci Water and Electric Company, contingent on approval of a Conservation Benefit Agreement (CBA), pursuant to section 10(a)(1)(A) of the Endangered Species Act (ESA) of 1973, as amended (16 United States Code § 1531 et seq.); and (2) Reclamation proposes to construct, operate, and maintain a fish barrier in Eagle Creek, Graham and Greenlee counties, Arizona.

Reclamation initially solicited input from the public on the proposed actions to assist in identifying key issues and defining the scope of the action and environmental analysis. On April 8, 2024, scoping letters were sent to 53 potentially interested parties, including Native American tribes, local, state, and federal agencies, and non-governmental organizations. Within the 15-day scoping period, Reclamation received four comment letters. These comments are summarized and addressed in Table 1 of the final EA.

A draft EA was released on January 3, 2025, initiating a 30-day public comment period, that presented the proposed project, existing conditions in the project area, and the environmental effects that would be reasonably expected from implementing the Proposed Actions and No Action alternative. Reclamation sent all entities on the scoping mailing list and any commenters from scoping, a Notice of Availability (NOA) of the draft EA and made the information available on its website. The USFWS also published a NOA in the Federal Register on January 3, 2025, requesting public comments on Freeport's permit application, the proposed CBA, and the draft EA (USFWS 2025). USFWS's comment period closed on February 3, 2025. Ten comment letters were received during the draft EA comment period, and the final EA was amended appropriately. Comments and responses to substantive comments can be found in Appendix A of the final EA.

---

INTERIOR REGION 8 • LOWER COLORADO BASIN

ARIZONA, CALIFORNIA\*, NEVADA\*


\* PARTIAL

Reclamation has determined that its proposed action does not constitute a major federal action significantly affecting the quality of the human environment, and therefore an Environmental Impact Statement is not required. This determination is recorded in a Finding of No Significant Impact (FONSI). The final EA and FONSI can be viewed at <https://www.usbr.gov/lc/phoenix/index.html>.

To obtain paper copies of the final EA and FONSI or for any additional information regarding this project, please contact Mr. Kent Mosher, Fish Biologist, Bureau of Reclamation Phoenix Area Office, at (623) 773-6256 or via email at [kmosher@usbr.gov](mailto:kmosher@usbr.gov). If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

SEAN  
HEATH

 Digitally signed by SEAN  
HEATH  
Date: 2025.09.03  
10:13:25 -07'00'

Acting  
For

Alexander B. Smith  
Area Manager