



IN REPLY REFER TO:

# United States Department of the Interior

## BUREAU OF RECLAMATION

Phoenix Area Office  
6150 West Thunderbird Road  
Glendale, Arizona 85306-4001



PXAO-1500  
ENV-6.00

OCT 18 2011

### MEMORANDUM

To: All Interested Parties, Organizations and Agencies

From: Randy N. Chandler  
Area Manager

Subject: Notice of Public Scoping for Preparation of an Environmental Assessment (EA) on the Proposed Fort McDowell Yavapai Nation Exchange Agreement with Salt River Project for Central Arizona Project Water (Action by November 4, 2011)

The Bureau of Reclamation must approve the proposed Exchange Agreement described below between the Fort McDowell Yavapai Nation (FMYN) and the Salt River Project Agricultural Improvement and Power District/Salt River Valley Water Users' Association (collectively SRP). Pursuant to the National Environmental Policy Act, Reclamation is requiring preparation of an EA to describe the existing environment and environmental impacts, if any, from the proposed Exchange Agreement. Reclamation is inviting the public to provide input regarding issues and concerns that should be addressed in the EA.

### BACKGROUND

The Fort McDowell Indian Community Water Rights Settlement Act (Settlement Act) was signed into law on November 28, 1990 (Public Law 101-628, Title IV; 104 Stat. 4480). The Settlement Act provides for settlement of FMYN's water rights claims against Federal, state, and local entities, for the annual diversion of up to 36,350 acre-feet per year to FMYN. On January 15, 1993, the following entities entered into the Fort McDowell Indian Community Water Settlement Agreement, (Settlement Agreement): FMYN; the United States of America; the State of Arizona; SRP; the Roosevelt Water Conservation District; the Central Arizona Water Conservation District (CAWCD); the Arizona cities of Phoenix, Scottsdale, Glendale, Mesa, Tempe, and Chandler; and the Town of Gilbert. The Settlement Agreement became effective on February 7, 1994.

The Settlement Agreement, among other things, provides for FMYN's use of "Other Water" through an exchange with SRP, subject to additional agreements. The proposed Exchange Agreement between FMYN and SRP will provide the means for FMYN to take and use this "Other Water," which consists of CAP water up to the entitled amount of up to 13,933 acre-feet annually (afa).

FMYN cannot take delivery of the CAP water because of Fort McDowell Reservation's location upstream from the CAP canal, but can divert water directly from the Verde River or indirectly through wells along the river. SRP can take delivery of CAP water at its CAP/SRP Interconnection Facility. The proposed Exchange Agreement would allow up to 13,933 afa of FMYN's CAP water to be delivered to SRP and, in exchange, the FMYN could divert up to 14,666 afa (including return flow credits) of Verde River water, subject to limitations established in the Settlement Agreement.

Note: The information contained in the EA regarding FMYN water use and related resources will be presented for background and descriptive purposes only. The terms of the FMYN's water entitlement and use are established under Federal law through the Settlement, and nothing in the EA is intended to suggest that any of those provisions are subject to reconsideration, limitation, or alteration through the EA or review of the proposed Exchange Agreement.

## PUBLIC SCOPING COMMENTS

Reclamation is preparing an EA to describe project alternatives and anticipated environmental impacts. Attached is a map of the Fort McDowell Reservation and pertinent features of the surrounding area. The potential impacts, if any, addressed in the EA include, but are not limited to: water resources, biological resources, recreation, air quality, land use, cultural resources, and socioeconomic resources.

Reclamation is interested in receiving your input regarding potential impacts of the proposed action and/or other concerns and issues that should be addressed in the EA. To be most helpful, comments should be as specific as possible and sent to Reclamation by November 4, 2011, at the above address, Attention: PXAO-1500 (Ms. Sandra Eto). Before including your name, address, phone number, email address, or other personal identifying information in your comment, please be aware that your entire comment--including your personal identifying information--may be made publicly available at any time. While you may request that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

If you have any questions, please contact Ms. Eto at Reclamation's Phoenix Area Office, 623-773-6254, write to her at the above address, Attention: PXAO-1500, or email her at [seto@usbr.gov](mailto:seto@usbr.gov).

Thank you for your interest in this project.