
CHAPTER 1

1 INTRODUCTION

1
2 The Secretary of the Interior (Secretary) is authorized by the Wellton-Mohawk Transfer Act
3 of June 2000 (P.L 106-221, Appendix A) to transfer title to the facilities of the Wellton-
4 Mohawk Division of the Gila Project (Division) and lands in or adjacent to the Gila Project
5 to the Wellton-Mohawk Irrigation and Drainage District (District). This Final Environmental
6 Impact Statement (FEIS) has been prepared by the Department of the Interior (DOI), Bureau
7 of Reclamation (Reclamation) to evaluate the potential impacts of the proposed title transfer.

8 The Division, located in Yuma County, Arizona, is currently owned by the United States,
9 administered by Reclamation, and operated by the District. The Gila Project was originally
10 authorized under a finding of feasibility approved by the President on June 21, 1937. The
11 project was reauthorized by the Gila Project Act of July 30, 1947 (P.L 272) for the purpose
12 of reclaiming and irrigating lands in the State of Arizona and other beneficial uses.

13 Reclamation is an agency of the DOI established by Congress in 1902, whose mission is to
14 manage, develop, and protect water resources in 17 western states in the interest of the
15 American public. Reclamation is responsible for administration of the Gila Project for the
16 United States and for management of federal lands in Yuma County that were acquired or
17 withdrawn from the public domain for purposes of the Gila Project.

18 The District is a political subdivision of the State of Arizona constituted to own lands and
19 facilities and to contract with Reclamation for diversion of Colorado River water for
20 delivery to its landowners. Created in 1951 by action of the state legislature, the District
21 originates approximately 12 miles east of the City of Yuma and extends upstream along the
22 Gila River corridor for approximately 45 miles, as shown on Map 1-1.

23 Reclamation and the District signed a Memorandum of Agreement (MOA) in July 1998,
24 amended May 11, 2001; August 4, 2005; and February 6, 2006, regarding the title transfer
25 process (Appendix A). The MOA defines the method and principles by which title to the
26 Division works, facilities, and certain federally owned lands would be transferred from the
27 United States to the District.

28 1.1 LEAD AND COOPERATING AGENCIES

29 Pursuant to the President's Council on Environmental Quality (CEQ) regulations
30 implementing the National Environmental Policy Act (NEPA) (40 Code of Federal
31 Regulations (CFR) 1500 et seq.), Reclamation is the lead agency for this NEPA review of
32 the proposed title transfer. The District is a cooperating agency under NEPA for this FEIS.

1 1.2 PURPOSE AND NEED

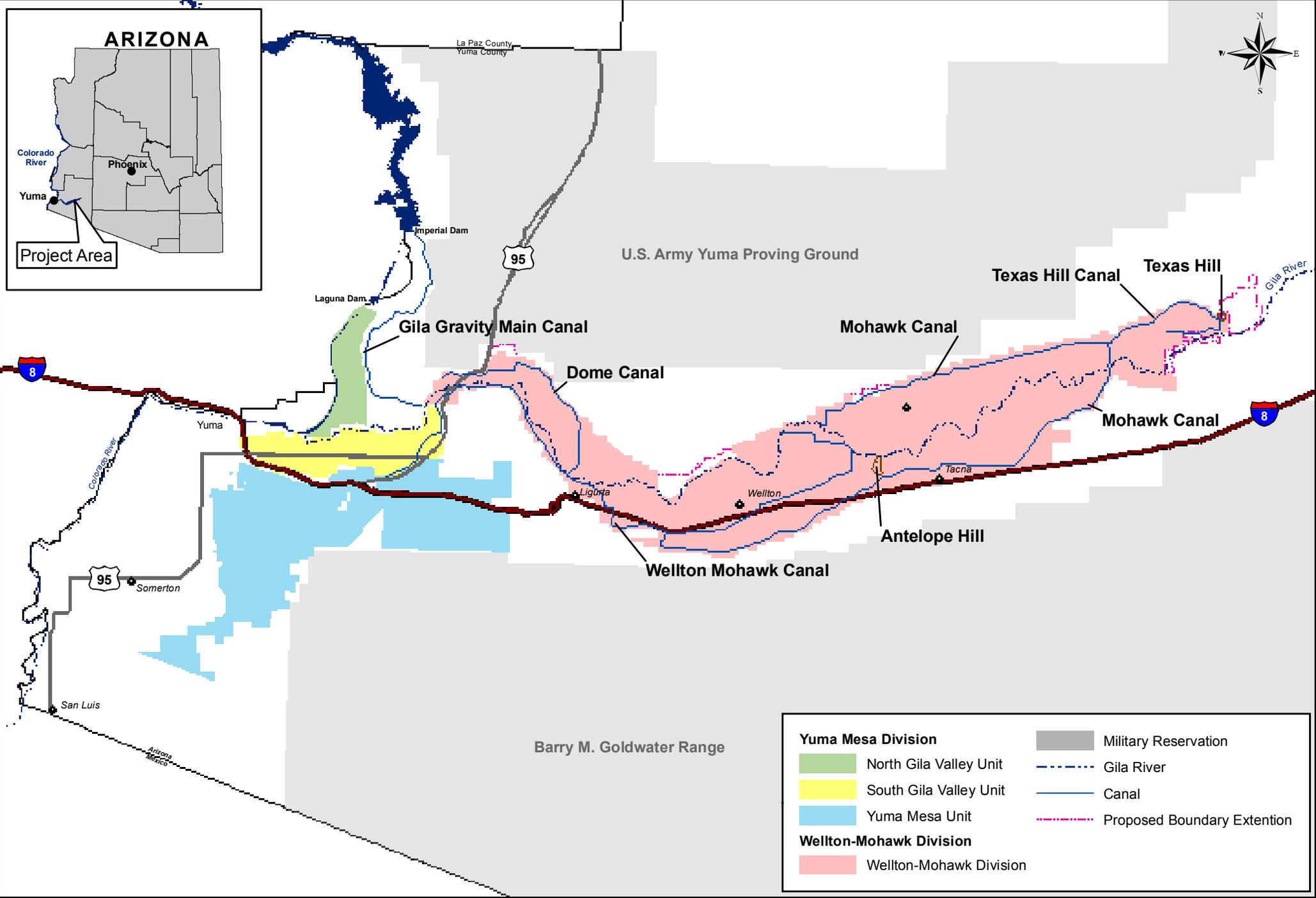
2 As part of the second phase of the National Performance Review (REGO II), Reclamation is
3 undertaking a program to transfer title of facilities with local or regional rather than national
4 importance that could be efficiently and effectively managed by non-federal entities. This
5 effort recognizes Reclamation's commitment to a federal government that works better and
6 costs less, in concert with the goals of the REGO II. The transfer of title will divest
7 Reclamation of the responsibility for the operation, maintenance, management, regulation
8 of, and liability for the project facilities and appurtenant lands to an entity that has
9 demonstrated its ability to best manage the project.

10 Under REGO II, Reclamation intends to transfer title and responsibility for certain facilities
11 to entities that are currently operating and maintaining the facilities and managing the lands.
12 The transfer of title would consolidate management responsibility with the District, and
13 thereby allow the District to have greater authority in the management of growth in the
14 Wellton-Mohawk Valley, protect against encroachment on agriculture, and consolidate
15 ownership of lands, facilities, and the Gila River Flood Channel. This consolidation of
16 management obligations with the District is consistent with the intent of REGO II, and
17 achieves the purposes of the federal action by transferring title to an entity best suited to
18 accepting such responsibilities (DOI 1996).

19 1.3 BACKGROUND

20 Congress approved the Gila Project, originally known as the Parker-Gila Project, on
21 December 21, 1928. The Gila Project is divided into two divisions: the Yuma Mesa Division
22 and the Wellton-Mohawk Division (Map 1-1). The Yuma Mesa Division is further
23 subdivided into three units: the Mesa Unit, the North Gila Valley Unit, and South Gila
24 Valley Unit. Construction in the Yuma Mesa Division was initiated during the late 1930s,
25 which included construction of the Gila Gravity Main Canal (GGMC) between 1936 and
26 1939. Congress passed the Gila Project Reauthorization Act in 1947, to provide funding for
27 the Wellton-Mohawk Division of the Gila Project. In 1952, water deliveries via the newly
28 constructed Wellton-Mohawk Canal arrived in the area. The remaining features of the
29 Wellton-Mohawk canal system were completed by 1957.

30 The Wellton-Mohawk Division of the Gila Project receives Colorado River water from a
31 turnout on the GGMC at the western end of the District. From this point, water is carried
32 approximately 18.5 miles eastward and parallel to the Gila River through the Wellton-
33 Mohawk Canal, from which it is diverted into the Dome, Wellton, and Mohawk canals.
34 From these three canals, the water is released to distribution laterals and disseminated to
35 farms and other water users. The irrigation system layout remains largely the same today as
36 its original construction. Neither the GGMC nor any portion of the Yuma Mesa Division
37 property and lands is proposed as part of the Wellton-Mohawk Title Transfer.



Wellton-Mohawk Title Transfer
Map 1-1 Location Map



Not to Scale. For illustrative purposes only.

1 1.3.1 Wellton-Mohawk Division Facilities

2 The federal facilities owned by Reclamation lie within the boundaries of the District, which
3 covers an area approximately 45 miles long by as much as seven miles wide, encompassing
4 an area of approximately 130,000 acres. The facilities include irrigation and drainage
5 systems, various administrative buildings, and flood control facilities. The irrigation and
6 drainage systems serve 62,875 acres of irrigable land. The flood control facilities consist of
7 the Gila River Flood Channel, which protects against river floods, and numerous dikes and
8 floodway channels that protect against overland runoff during rainstorms. Small portions of
9 the Gila River Flood Channel rights-of-way (ROWs) are located outside the current District
10 boundary at the eastern end of the project. These federal facilities, which the District
11 operates, are further described in Section 2.2.1.

12 1.3.2 Wellton-Mohawk Division Lands

13 The federally owned lands managed by Reclamation and considered in the proposed title
14 transfer include the ROWs and easements for the facilities, plus other lands and rights
15 secured by Reclamation for various purposes related to the Division. The federal ROWs and
16 easements for Division facilities comprise approximately 28,197 acres within the District
17 boundary. The other lands and rights comprise approximately 19,429 acres located both
18 within and outside the District boundary. These lands and associated rights, aggregating to
19 approximately 47,626 acres, are further described in Section 2.2.2.

20 1.3.3 Wellton-Mohawk Valley

21 The Wellton-Mohawk Valley contains a mixture of private lands, District-owned lands,
22 Arizona state lands, and federal lands under the jurisdiction of Reclamation and the Bureau
23 of Land Management (BLM). The entire Wellton-Mohawk Valley comprises approximately
24 260,000 acres between the Yuma Proving Ground to the north and the Barry M. Goldwater
25 Range to the south. Reclamation lands are dedicated to the Wellton-Mohawk Division of the
26 Gila Project. Table 1-1 summarizes the current land ownership for the project area (or
27 Wellton-Mohawk Valley).

28 Of the 130,000 acres within the District, 62,875 acres are classified as irrigable and eligible
29 to receive Colorado River water under contracts with Reclamation. The remaining acreage
30 consists of agriculture-related land, vacant land, community and scattered residential
31 development, transportation corridors, and ROWs for facilities of the Wellton-Mohawk
32 Division. Commercial and industrial uses each account for less than one percent of the total
33 District acreage. The vacant land is undeveloped land or retired farmland, and includes
34 Reclamation land to be transferred or purchased under the Proposed Action.

1 **TABLE 1-1 CURRENT LANDOWNERSHIP IN THE WELLTON-MOHAWK VALLEY**
 2 **(Rounded to Nearest 1,000 Acres)**

Land Owner	Total Acres	Acres within District	Acres Outside District	Land Uses
District	5,000	5,000	0	Primarily ROWs for Gila River Flood Channel and adjacent wetlands
Bureau of Reclamation	48,000	48,000	0	28,000 acres of ROW for facilities; 20,000 acres of vacant land
Bureau of Land Management	86,000	2,000	84,000	Primarily vacant mesa land
State of Arizona	32,000	4,000	28,000	Leased state trust lands, wildlife habitat, and vacant land.
Privately owned	89,000	71,000	18,000	Irrigated farms, community development, rural residential, and vacant land
Total	260,000	130,000	130,000	

3 **1.4 TITLE TRANSFER PROCESS**

4 Reclamation policy requires title transfers to be carried out in an open and public manner. In
 5 addition to satisfying NEPA requirements, this FEIS evaluates the proposed title transfer
 6 using the following six broad public interest criteria, as defined by Reclamation (1995):

- 7 1. The Federal Treasury, and thereby the taxpayer's financial interest, must be
 8 protected.
- 9 2. The title transfer must comply with all applicable state and federal laws.
- 10 3. Interstate compacts and agreements must be protected.
- 11 4. The Secretary of the Interior's Native American trust responsibilities must be met.
- 12 5. Treaty obligation and international agreements must be fulfilled.
- 13 6. The public aspects of the project must be protected.

14 The title transfer program is being implemented throughout western states where
 15 Reclamation developed water and power projects. To date, Reclamation has completed title
 16 transfers for lands, facilities, and other assets associated with a number of federal projects,
 17 such as the Robert B. Griffith Water Project in Nevada, the Carlsbad Project in New
 18 Mexico, and the Palmetto Bend Project in Texas, among others.

19 **1.5 SCOPE OF THIS FEIS**

20 The proposed title transfer is limited to the change in ownership of federal facilities and
 21 lands from Reclamation to the District. Because the District plans to make no significant
 22 changes in the structure or operation of the irrigation, drainage, and flood control facilities
 23 following the title transfer, an evaluation of these activities is not within the scope of this

1 FEIS. The transfer of title to lands currently in federal ownership is an administrative action;
2 however, changes in ownership could result in changes in land use. Consequently, the focus
3 of this FEIS is on the effects of future District activities on lands within the District and
4 within two or three miles of District boundaries.

5 Independent of, but related to the Proposed Action is the proposed transfer of title of a 96-
6 acre Reclamation parcel adjacent to the Ligurta Substation (see Map 1-2). This site had been
7 considered for the development of a natural gas-fired combined cycle electric generating
8 facility. This proposal and the corresponding separate NEPA review that was started by the
9 Western Area Power Administration (Western) is no longer viable, as the previously
10 proposed generating facility is not proceeding. Reclamation had been participating in
11 Western's NEPA review as a cooperating agency (see Section 1.6.5) but this process is no
12 longer active. However, the proposed title transfer of these 96 acres to the District still is
13 proposed, regardless of the status of the electric generating facility.

14 Additionally, an approximately 1,450-acre parcel has been identified as a potential location
15 for the proposed Arizona Clean Fuels petroleum refinery. The proposed refinery would have
16 the capacity to refine approximately 150,000 barrels per day (BPD) [6.3 million gallons per
17 day (MGD)] of crude oil and natural gasoline. The primary products of the refinery as
18 proposed would be gasoline, jet fuel, propane, and diesel fuel. This proposal is subject to a
19 separate NEPA review and approval by the BLM and other state and federal agencies (see
20 Section 1.6.6). This action is also independent of, but related to the scope of this FEIS. The
21 title transfer is proposed to proceed in advance of the BLM decision on the refinery, and is
22 not dependent on the BLM decision to go forward.

23 Section 3.1 describes the approach used in this FEIS to define changes in land use that may
24 occur within the District following title transfer and to analyze potential impacts to natural
25 and cultural resources. A comprehensive analysis of the impacts of the petroleum refinery
26 proposed for siting partly on transferred Reclamation land will be evaluated in a separate
27 EIS being prepared by the BLM.

28 **1.5.1 Scoping Process**

29 In accordance with CEQ requirements and DOI NEPA guidelines, public meetings were
30 held for the Wellton-Mohawk Title Transfer in the summer of 2001. Scoping activities were
31 conducted to obtain information on significant issues related to the title transfer, to inform
32 the public about the proposed title transfer, and to invite public comment on the scope and
33 content of the environmental review (see Chapter 5 for further details).

34 Four comment letters were received during the scoping period. The letters were from the
35 U.S. Environmental Protection Agency (EPA), the Land and Water Fund of the Rockies (on
36 behalf of itself, the Center for Biological Diversity, Defenders of Wildlife, Environmental

1 Defense, Friends of Arizona Rivers, Sierra Club, and Southwest Rivers), the Yuma Valley
2 Rod and Gun Club, and a private individual. Copies of the comment letters are included in
3 Appendix B.

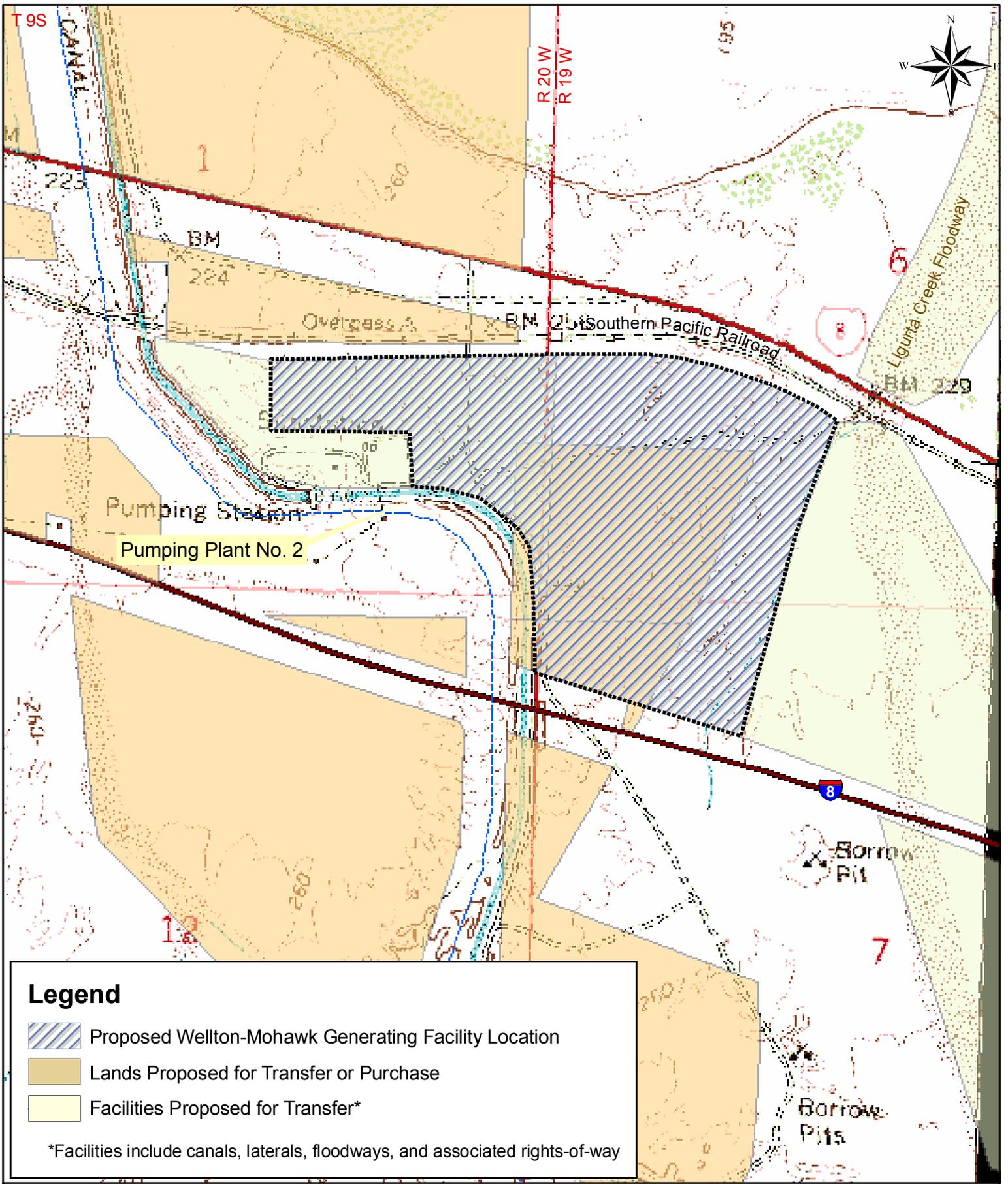
4 Table 1-2 summarizes the issues raised during the scoping process and a determination of
5 their relevance to this NEPA review. The issues raised included various aspects of water
6 supply and drainage in the Yuma-Transboundary area of the Colorado River system,
7 including future water supply for the Cienega de Santa Clara in the Colorado River Delta
8 area of Mexico. Some comments suggested the FEIS should address water resources
9 management within the District and in the Yuma area and that the project should include
10 some planning for future water supply contingencies. A review of the federal financial
11 program under which the facilities of the Division were constructed and repaid was also
12 requested. After reviewing the public scoping comments, Reclamation determined that water
13 supply and wildlife issues whose focus was external to the District were not relevant to the
14 title transfer project or the analyses required in the FEIS. Issues raised during the scoping
15 process applicable to the title transfer project are addressed within this FEIS. In addition,
16 some of the physical, contractual, and other institutional relationships discussed in this
17 document may serve to clarify issues of concern that were not within the scope of the
18 proposed title transfer.

19 **1.5.2 Public Review and Comment**

20 Reclamation, acting on behalf of the Secretary, published a Notice of Availability (NOA) of
21 a DEIS for the Transfer of Title to Facilities, Works, and Lands of the Gila Project, Wellton-
22 Mohawk Division to the Wellton-Mohawk Irrigation and Drainage District, Yuma County,
23 Arizona (Wellton-Mohawk Title Transfer) and a schedule of public hearings in the *Federal*
24 *Register* (FR) (Vol. 68, No. 171) on September 4, 2003. Approximately 170 copies of the
25 DEIS were distributed to interested federal, tribal, state, and local entities and members of
26 the general public for review, along with nearly 300 individual letters to persons notifying
27 them of the availability of the document. The DEIS was also posted on Reclamation's Yuma
28 Area Office website for public review.

29 Reclamation facilitated two public hearings to receive oral and written comments on the
30 DEIS. Public hearings were held at:

- 31 ▪ Antelope Union High School in Wellton, Arizona, on October 1, 2003, and
- 32 ▪ Ramada Inn Chilton and Conference Center in Yuma, Arizona, on October 2, 2003.



Wellton-Mohawk Title Transfer
Map 1-2 Proposed Location of the Wellton-Mohawk
Generating Facility



1 **TABLE 1-2 SUMMARY OF ISSUES RAISED DURING THE PUBLIC SCOPING PROCESS**

Issue/Suggestion	Relevance to the Title Transfer Project
Identify the facilities and lands proposed for transfer	This issue is relevant to the Proposed Action. The facilities and lands have been identified in Chapter 2.
Analyze future land use in the District	As a relevant issue, land use projections under the No Action and Proposed Action alternatives are presented in Section 3.1.
Analyze the effect on Colorado River water supply and water quality	This issue is not relevant because the Proposed Action would not change the water supply or drainage regime of the District Section 3.5 discusses water supply issues.
Analyze the effect on Yuma Desalting Plant (YDP) operation	This issue is not relevant because the Proposed Action does not change the agricultural return flows (ARFs) from the District nor alter Reclamation's obligations pursuant to the U.S.-Mexico Water Treaty of 1944, Minute 242, and P.L 93-320, and other options regarding the future operation of the YDP.
Analyze the effect on water supply for the Colorado River Delta in Mexico	This issue is not relevant because the Proposed Action would not change the ARFs from the District or affect Reclamation's national obligations and handling of drainage water in the Yuma-Transboundary area.
Analyze the establishment of additional controls on ARFs from the District	This issue is not relevant because the Proposed Action would not change the operations of the District Current agreements between the District and Reclamation provide sufficient goals regarding the ARFs delivered to Reclamation's Main Outlet Drain at Station 0+00.
Analyze the effect on power contracts and the Western Area Power Administration system	This issue is not relevant because the Proposed Action would not change the provisions of the District's power contracts.
Evaluate the effect on the Colorado River Multi-Species Conservation Plan (MSCP)	This issue is not relevant because the Proposed Action would not affect the relationship between the MSCP planning effort and the Gila River corridor in the District. Lands in the District are included in the MSCP analyses and the District is a member of the MSCP Steering Committee.
Analyze the future maintenance of habitat along the Gila River corridor in the District	This issue is relevant to the Proposed Action. The Gila River Flood Channel and adjacent mitigation areas are managed by the District under the terms of its Section 404 permit issued by the United States Army Corps of Engineers (USACE) for the Gila River Flood Channel. The Proposed Action would not change the USACE habitat management program as described in Section 3.6.
Analyze the application of the Endangered Species Act (ESA) after the proposed title transfer	This issue is relevant to Proposed Action lands outside of the Gila River Flood Channel. The flood channel lands require compliance with the ESA for the life of the Gila River Flood Channel Restoration Project as discussed in Section 3.6.
Present the current value of the facilities and lands to be transferred	This issue is not relevant. The construction of the Wellton-Mohawk Division involved a financial commitment by the District when it executed its repayment contract with Reclamation. The repayment obligation has been discharged, and the current value of the facilities and lands to be transferred to the District has no bearing on the Proposed Action.
Present the current value of the lands to be purchased	This issue is relevant to the Proposed Action. A proprietary appraisal is being prepared to establish the fair market value of the lands to be purchased.

1 In addition to one oral comment made at these hearings, Reclamation received 8 letters with
2 comments pertaining to the DEIS including letters from Congressman Ed Pastor, El Paso
3 Natural Gas, Arizona Clean Fuels, Arizona State Historic Preservation Office (SHPO),
4 BLM, EPA, and a joint letter from Defenders of Wildlife, Environmental Defense, National
5 Wildlife Federation, Pacific Institute, Sierra Club, Western Resource Advocates, and Yuma
6 Audubon Society.

7 Reclamation has reviewed the transcripts of oral testimony and the written comments
8 received during the public comment period. Copies of comment letters are included in
9 Appendix I of this FEIS along with responses to the comments.

10 **1.6 ONGOING ACTIVITIES AND RELATED ACTIONS**

11 This section describes other activities that are ongoing in or near the Division, or that are
12 reasonably anticipated to occur in the future. Their relationships to the ownership of the
13 facilities and lands proposed for transfer establishes a context for analyzing future
14 conditions under the proposed title transfer and No Action Alternatives.

15 **1.6.1 Operation and Maintenance of the Irrigation System**

16 The District has operated and maintained the irrigation and drainage systems of the Division
17 since the first water delivery in 1952. It currently has a consumptive use entitlement
18 (diversion minus return flow) to Colorado River water for 278,000 acre-feet per year,
19 diverted at Imperial Dam and conveyed to the District through the GGMC. Up to 5,000 acre-
20 feet of the District's entitlement are designated for domestic use for communities and other
21 commercial and residential areas of the District. The District has submitted a formal request
22 to amend its water supply contract with Reclamation to increase its domestic allotment to
23 12,000 acre-feet per year within its consumptive use entitlement. Under its water delivery
24 contract with Reclamation, as amended, the District is permitted to provide irrigation water
25 to a maximum of 62,875 acres of irrigable land.

26 Operation of the irrigation system involves pumping water at three pumping plants on the
27 Wellton-Mohawk Canal with a combined lift of 170 feet. Additional pump lifts necessary to
28 reach lands at higher elevations result in a maximum pump lift of approximately 250 feet.
29 Maintenance activities include repairs to canals and other structures, cleanup of flood
30 damage, and servicing pumps, motors, and other mechanical equipment.

31 The District also operates and maintains the drainage system for the management of
32 groundwater. The drainage system includes groundwater wells and various open and closed
33 drains, and the Main Conveyance Channel. The Main Conveyance Channel is a collector
34 drain that delivers agricultural return flows (ARFs) to Reclamation's Main Outlet Drain
35 (MOD) at Station 0+00 located at the western end of the District. Drainage wells are

1 operated as needed to control groundwater depth and meet Reclamation goals on the annual
2 amount of ARFs delivered to MOD by the District.

3 The District has also submitted a request for a boundary extension to include the eastern end
4 of the Gila River Flood Channel within the District boundary and to encompass District
5 facilities and operational areas (e.g., protective dikes and adjacent flowage easements along
6 the northern perimeter of the District). The proposed boundary extension is depicted on
7 maps in this FEIS for informational purposes only. A NEPA process was completed by
8 Reclamation for its action of granting the boundary extension (Reclamation 2002).

9 **1.6.2 Operation and Maintenance of the Gila River Flood Channel**

10 The District operates and maintains the 56.3-mile Gila River Flood Channel as prescribed by
11 a mitigation plan developed with the U.S. Army Corps of Engineers (USACE) as part of the
12 Clean Water Act (CWA), Section 404 Permit for the flood channel.

13 The present flood channel is the result of a major rehabilitation project during the mid-1990s
14 to correct the damage caused by Gila River flooding that occurred in 1993. This flooding
15 destroyed the previous flood channel and drastically altered the alignment of the river. The
16 new flood channel was constructed to be 50 percent wider than the previous channel to
17 better control flood flows. To compensate for habitat disturbances during construction and to
18 contribute to the general conservation of habitat along the river, numerous mitigation
19 measures were included in the project. The armored slopes of the levees and the rock grade
20 control structures were covered with soil, and a low flow channel was formed to promote the
21 growth of marsh vegetation. Also, seven marshes, referred to as “oxbow ponds”, were
22 developed from remnants of the old river channel that were severed by the flood flows.

23 The operation and maintenance (O&M) of the flood control project includes furnishing
24 water to the marshes from drainage wells and diversion structures. The flood control project
25 also required the District to purchase approximately 2,000 acres of land in and adjacent to
26 the river channel. These lands were dedicated to the development of the floodway and
27 adjacent wildlife habitat. The 404 Permit requires the District to operate and maintain this
28 habitat for the life of the project.

29 **1.6.3 Power Supply and Distribution**

30 In addition to its other functions, the District serves as an electric power utility for the
31 irrigation facilities and to agricultural, commercial, and residential customers in the Wellton-
32 Mohawk Valley, the Yuma Proving Ground, and in the Martinez Lake area near the
33 Colorado River. Power is obtained from hydroelectric generation at the Parker and Davis
34 dams through the Parker Davis Project and from other sources.

1 Power from the existing sources is supplied to the District through Western's power
2 transmission and distribution system and delivered to the District at the Ligurta Substation
3 adjacent to Wellton-Mohawk Canal Pumping Plant No. 2. The District's existing federal
4 power contracts will be unaffected by the title transfer. Western would retain ownership of
5 the three substations that are adjacent to the three main pumping plants. In addition to these
6 facilities, Western would retain ownership of the 34.5-kV transmission lines between the
7 three pumping plants and the 161-kV transmission lines into and out of Ligurta Substation.
8 The District currently owns other ancillary electrical transmission facilities.

9 **1.6.4 Agency Land Management Activities**

10 Federal lands administered for different purposes by other federal agencies surround the
11 District. Two large military reservations border the Wellton-Mohawk Valley on the north
12 and south. The Yuma Proving Ground is managed by the U.S. Army and occupies a block of
13 land extending northward from the Wellton-Mohawk Valley for more than 20 miles. The
14 Barry M. Goldwater Range is co-managed by the Department of the Navy and the U.S. Air
15 Force and occupies a block of land extending from the south side of the Wellton-Mohawk
16 Valley to the international boundary with Mexico. The lands in these reservations are
17 managed to provide ordnance testing and training exercises and have restricted public
18 access.

19 There are approximately 86,000 acres of BLM land in the project area. A large tract of BLM
20 land north of the District contains the Muggins Mountains Wilderness Area. Another large
21 BLM tract of land blankets the Gila Mountains near the west end of the District. An area of
22 BLM land along the Gila River at the eastern end of the District is designated as the Fred J.
23 Weiler Greenbelt (BLM 2002). Parts of this area contain sections of the Gila River Flood
24 Channel, for which Reclamation has easements covering approximately 2,000 acres for the
25 operation and maintenance of the flood channel. These Reclamation easements are included
26 in the proposed title transfer. Generally, BLM lands are managed for multiple use purposes
27 in accord with the Yuma District Resource Management Plan and its Record of Decision
28 (ROD) as amended (BLM 1985). The Yuma District Resource Management Plan is
29 currently being revised. Portions of the Juan Bautista de Anza National Historic Trail,
30 designated by Congress in 1990, extend through BLM administered lands and other
31 locations in the project area. The National Park Service (NPS) has developed the
32 Comprehensive Management and Use Plan and a Long Range Interpretive Plan, which
33 coordinates activities associated with the interpretation of this historic trail and the
34 establishment of recreational routes and facilities along the trail.

35 Approximately 32,000 acres of Arizona State Trust lands lie in the valley, within and
36 outside the District boundary. State Trust lands are administered by the Arizona State Land
37 Department. Over a third of the acreage is currently being leased for agricultural purposes.
38 The Arizona Game and Fish Department (AGFD) administers other state lands for wildlife

1 habitat purposes. The District's current water and land operations are coordinated with the
2 programs of these agencies.

3 **1.6.5 Dome Valley Partners Wellton-Mohawk Generating Facility**

4 On May 19, 2003, Western published a Notice of Intent (NOI) in the *Federal Register*
5 announcing its plans to prepare an EIS for multiple federal agency actions related to a
6 proposal by Dome Valley Energy Partners, LLC, to construct and operate the Wellton-
7 Mohawk Generating Facility (WMGF) east of Yuma, Arizona. The power project partners,
8 collectively referred to as Dome Valley, included the District, Dome Valley Energy Partners
9 LLC, and the Yuma County Water Users' Association. Western was the lead agency
10 preparing the DEIS and both Reclamation and BLM were cooperating agencies in Western's
11 NEPA review of the Dome Valley project.

12 The WMGF was proposed for location on approximately 96 acres of Reclamation land and
13 24 acres of private land adjacent to Western's existing Ligurta Substation, approximately 25
14 miles east of Yuma, Arizona, nine miles west of Wellton, Arizona, and north of Interstate 8
15 (see Map 1-2). In addition to the proposed land transfer, Western's EIS would have
16 addressed the construction of a new natural gas pipeline, high-voltage transmission line
17 upgrades, additions needed to support the WMGF, a no-action alternative, and any other
18 action alternatives defined as a result of the EIS scoping process. Recently, the WMGF
19 project has withdrawn its application to Western, and no elements of the WMGF project are
20 proceeding. However, the transfer of these 96 acres of Reclamation land to the District is
21 still part of the proposed action.

22 **1.6.6 Arizona Clean Fuels Project**

23 In a comment received from Arizona Clean Fuels during the public review period for the
24 title transfer, Reclamation was notified of potential plans to build and operate an oil refinery
25 project in Yuma County. Two sites are under consideration. One site is located on parcels
26 proposed for transfer to the District under this action. The second site is located on private
27 land in eastern Yuma County.

28 The proposed refinery would have a refining capacity of approximately 150,000 BPD (6.3
29 MGD) of crude oil and natural gasoline. Raw materials used in the refining process may
30 include natural gas, propane, butane, and products such as alkylate and oxygenates, for
31 blending into the gasoline produced at the refinery (ACF 2005).

32 Once in operation, the proposed refinery would supply cleaner-burning gasolines and other
33 fuels to the Arizona market. The product slate of the proposed refinery consists of regular
34 and premium reformulated gasolines, regular and premium gasolines meeting the stringent
35 specifications of the California Air Resource Board, liquefied petroleum gas, aviation jet
36 fuel, and diesel fuel. A sulfur recovery plant would capture sulfur contained in the crude oil

1 feedstock and produce a liquid sulfur by-product. In addition, the proposed refinery
 2 configuration includes a Delayed Coker Unit for the production of petroleum coke, a solid
 3 by-product that can be sold as a fuel (ACF 2005).

4 The refinery site may include refinery production equipment and numerous processing units.
 5 Major process units would include a Crude Distillation Unit, a Delayed Coking Unit, a
 6 Hydrocracker Unit, a Naphtha Hydrotreater Unit, a Distillate Hydrotreater Unit, a Catalytic
 7 Reforming Unit, a Butane Conversion Unit, a Benzene Reduction Unit, and an Isomerization
 8 Unit. Support process units would include a Gas Concentration Plant, a Hydrogen Plant, a
 9 Sulfur Recovery Plant, an Amine Regeneration Unit, a Sour Water Stripper, and a
 10 Wastewater Treatment Plant (ACF 2005).

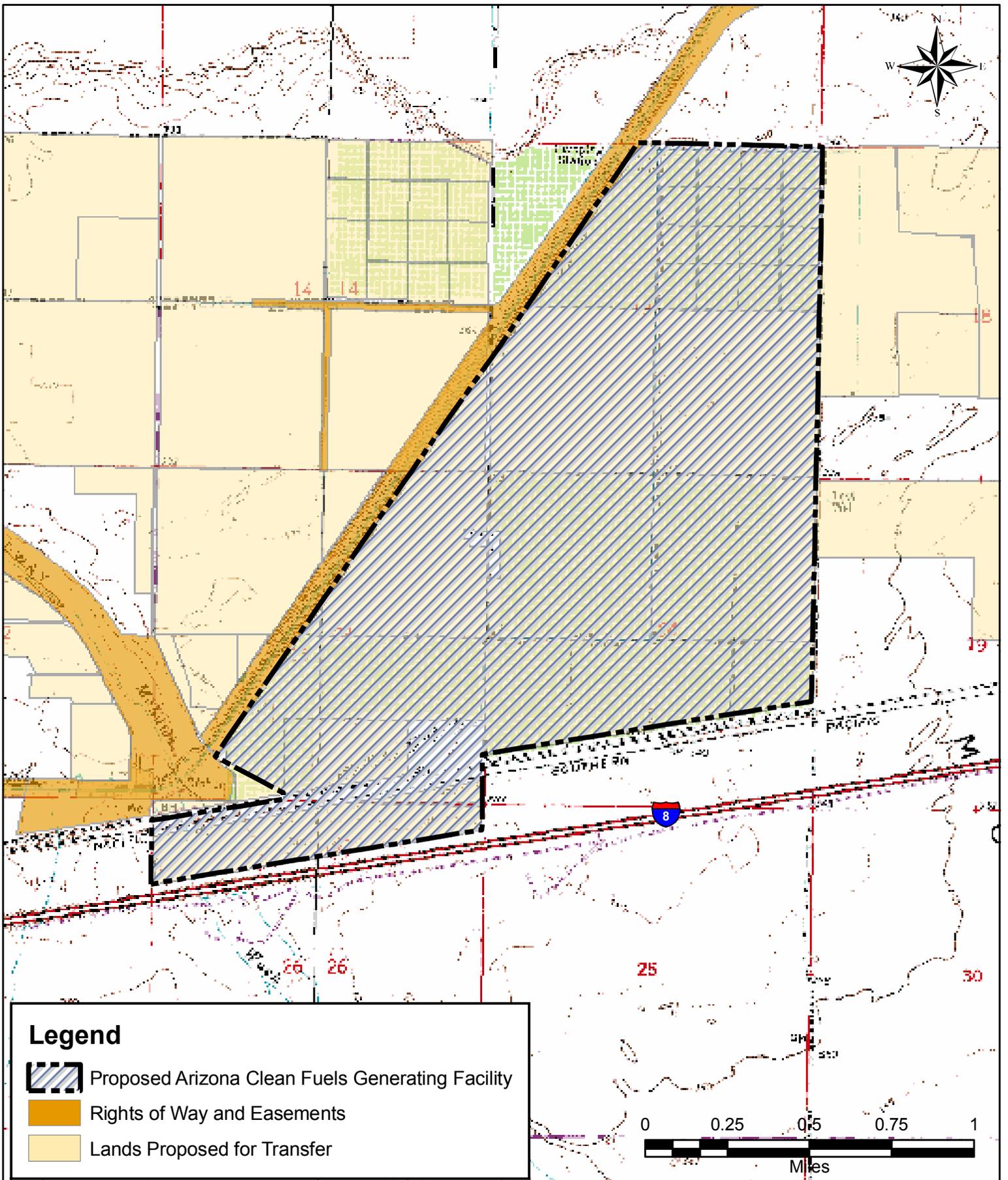
11 The Arizona Clean Fuels project anticipates a significant degree of federal, state, and local
 12 government interaction, coordination, and approvals. A preliminary list of permits that
 13 would be required for this project and the corresponding lead agency is provided in Table 1-
 14 3.

15 The proposed refinery site on title transfer lands encompasses approximately 1,450 acres
 16 and is located about 5 miles east of Tacna at the eastern end of the District (see Map 1-3).
 17 The EIS for the Arizona Clean Fuels project would address the construction of the refinery,
 18 required ancillary equipment and/or pipelines, and transmission lines.

19 **TABLE 1-3 PERMITS FOR THE POTENTIAL ARIZONA CLEAN FUELS PROJECT**

Permit	Lead Agency
NEPA - EIS	Bureau of Land Management
Section 404/401 Permits	US Army Corps of Engineers
Presidential Permit	State Department
Section 7 Compliance	US Fish and Wildlife Service
Various ROWs	USMC, State Land Department, local coordination
Arizona Pollution Discharge Elimination System Permit	Arizona Department of Environmental Quality
Air Quality Permit (received)	Arizona Department of Environmental Quality
Section 106	Bureau of Land Management
Major Plan Amendment	Yuma County
Site Variance	Yuma County

20 If this Title Transfer FEIS is completed and a ROD is issued supporting the transfer, title to
 21 the land would be transferred to the District prior to the completion of an EIS for the
 22 refinery. If this occurs, construction of the refinery could not occur until the NEPA review
 23 of the Arizona Clean Fuels proposal is completed and a favorable ROD was issued. Arizona
 24 Clean Fuels would only be able to construct the project pending the outcome of the NEPA
 25 review by BLM.



Wellton-Mohawk Title Transfer
Map 1-3 Proposed Location of the Arizona
Clean Fuels Generating Facility



1 If the title transfer does not occur, Arizona Clean Fuels would need to work with
2 Reclamation to obtain use of the site. At that point, Reclamation would participate in the
3 NEPA review process with BLM regarding the project.

4 **1.7 DOCUMENTS INCORPORATED BY REFERENCE**

5 Since the inception of the Gila Project, several environmental reports and contractual
6 documents have been developed related to the proposed action. Much of the information
7 contained in the various documents was previously distributed to interested agencies and
8 private parties. To avoid duplication and undue paperwork, this FEIS incorporates several
9 documents in part or in whole by reference.

10 **1.7.1 Environmental Documents**

- 11 ▪ *Wellton-Mohawk Gila River Flood Channel Restoration Project, Final*
12 *Environmental Assessment*, U. S. Army Corps of Engineers, March 1995.
- 13 ▪ *Final Yuma District Resource Management Plan and Environmental Impact*
14 *Statement*, as amended. Department of the Interior, Bureau of Land Management,
15 August 1985.
- 16 ▪ *Yuma County 2010 Comprehensive Plan*, Yuma County Department of Development
17 Services, 2001.
- 18 ▪ *Comprehensive Management and Use Plan, Final Environmental Impact Statement*
19 *Juan Bautista de Anza, National Historical Trail*, U. S. Department of the Interior,
20 National Park Service, 1996.

21 **1.7.2 Contracts**

22 In 1952, the District entered into a contract with Reclamation (acting on behalf of the
23 Secretary) addressing the construction of Division facilities, repayment of costs, delivery of
24 water, and power supply. In 1988, the District's annual payments on its construction debt to
25 the Federal Treasury ended, and on November 27, 1991, Reclamation issued the District a
26 repayment certificate. The contracts and amendments most closely associated with the
27 proposed title transfer include:

- 28 ▪ Contract No. 1-07-30-W0021, July 17, 1981. Amendatory and Supplemental
29 Consolidated Contract with the Wellton-Mohawk Irrigation and Drainage District for
30 Delivery of Water, Construction of Works, Repayment, and Project Power Supply.
31 This contract consolidates all prior contracts between Reclamation and the District. It
32 addresses the entire range of construction, operation and maintenance, power supply,

1 and repayment aspects of the Division, and recites the irrigable acreage changes
2 authorized by P.L. 93-320.

- 3 ▪ Contract No. 6-07-30-W0117, January 3, 1986. Supplemental and Amendatory
4 Contract for the Construction of Drainage Facilities and Minor Construction
5 Pursuant to the Amendatory and Supplemental Consolidated Contract with the
6 Wellton-Mohawk Irrigation and Drainage District for Delivery of Water,
7 Construction of Works, Repayment, and Project Power Supply [Contract No. 1-07-
8 30-W0021, cited above]. This contract addresses the construction of the Gila River
9 Flood Channel and drainage system improvements.

- 10 ▪ Amendment No. 1 to Contract No. 1-07-30-W0021, February 9, 1990. Supplemental
11 and Amendatory Contract between the United States and the Wellton-Mohawk
12 Irrigation and Drainage District. This contract amendment addresses the federal
13 purchase of farmland to be retired from agricultural production from willing sellers
14 in the District and changes in the District's irrigable acreage and Colorado River
15 water entitlement. This was implemented as a part of the Salt River Pima-Maricopa
16 Indian Water Rights Settlement.

- 17 ▪ Repayment Certificate, November 27, 1991. Certificate of Discharge of Repayment
18 Obligation and Exemption from Acreage Limitation and Full Cost Pricing Provisions
19 of Federal Reclamation Law. This document certifies that the District's contractual
20 repayment obligation for the Wellton-Mohawk Division irrigation and drainage
21 facilities has been met. It also relieves the District of requirements to limit the
22 amount of land irrigated by a single landowner and applicable pricing provisions.

- 23 ▪ Contemporaneous Power Contracts. Power Management Agreement (Reclamation's
24 and Western's Contract Numbers 6-CU-30-P1136, 6-CU-30-P1137, and 6-CU-30-
25 P1138) including any amendments, supplements, or extensions thereof.

26 1.7.3 Public Laws

- 27 ▪ Salinity Control Act of 1974 (P.L. 93-320). This act of Congress authorized the
28 Secretary to reduce the irrigable acreage of the District to facilitate reduction of
29 return flows from the District. Reclamation achieved the acreage reduction in two
30 ways. Land was acquired from private landowners that had developed or were in the
31 process of developing farm units. Additionally, the "irrigable" designation of parcels
32 of withdrawn land that had not yet been developed into farm units was rescinded.
33 The return flow reduction was an economic factor in determining the capacity of the
34 Yuma Desalting Plant (YDP), whose construction was authorized under this Act.
35 The acquired lands were selected based on willing sellers whose irrigation water
36 requirement was relatively high, as was their potential contribution to the amount of

1 saline return flow from the District that the YDP was designed to treat. In total,
2 approximately 6,814 acres of lands acquired under the Salinity Control Act are
3 included as part of the proposed title transfer.

4 ▪ Salt River Pima-Maricopa Indian Community Water Rights Settlement Act of 1988
5 (P.L 100-512). This act of Congress authorized the Secretary to reduce the irrigable
6 acreage of the District in order to reallocate a portion of the District's Colorado
7 River water entitlement for use in the Salt River Pima-Maricopa Indian Community
8 water rights settlement. The reduction in the District's consumptive use entitlement
9 was 22,000 acre-feet. The action was concluded with the acquisition of
10 approximately 2,311 acres of irrigable land from private landowners, which are
11 included as part of the proposed title transfer.

12 **1.8 OTHER AGENCIES WHO MAY USE THIS DOCUMENT**

13 This FEIS may be used by other federal, state, and local agencies in conjunction with
14 ongoing or future activities in the project area. At present, BLM may use this document to
15 support their environmental compliance efforts with regard to the proposed refinery. In
16 addition, the NPS may use this document to support their Comprehensive Management and
17 Use Plan for portions of the proposed Juan Bautista de Anza trail that extend through lands
18 within the District boundary. Additional agencies may also use this document in support of
19 their specific needs.

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