

COMMENT LETTER

RESPONSES

SEP. 8. 2000 3:38PM MWD

NO. 236 P. 2



September 8, 2000

Mr. Robert W. Johnson
 Regional Director
 Lower Colorado Region
 c/o Ms. Jayne Harkins, BC00-4600
 U.S. Bureau of Reclamation
 P.O. Box 61470
 Boulder City, Nevada 89006-1470

VIA FACSIMILE

Dear Mr. Johnson:

Comments on Colorado River Interim Surplus Criteria Draft Environmental Impact Statement

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity provided by the U.S. Bureau of Reclamation (Reclamation) to comment on the Colorado River Interim Surplus Criteria Draft Environmental Impact Statement (DEIS). Metropolitan has reviewed the DEIS in conjunction with the information submitted on the DEIS which was published in the Federal Register on August 8, 2000 on pages 48531 to 48538 (information), and the August 14, 2000 memorandum making available Attachment I for the DEIS.

Metropolitan notes that Reclamation has made a preliminary review of information submitted on the DEIS, entitled, "Interim Surplus Guidelines—Working Draft", which is the product of significant effort on the part of the representatives of the Governors of the Colorado River Basin States and has made a preliminary determination that such criteria are within the range of alternatives and impacts analyzed in the DEIS. Metropolitan encourages Reclamation to complete the final evaluation of the information, and supports the presentation of the results of that final evaluation in the Final Environmental Impact Statement (FEIS). Metropolitan supports the designation of the "Interim Surplus Guidelines—Working Draft" as the preferred alternative in the FEIS.

One of the comments made at the August 24 public hearing in Phoenix, Arizona indicated that Reclamation had ample authority to participate in a dialogue on the "Interim Surplus Guidelines—Working Draft" during the remainder of the NEPA process. As a potentially affected public agency, Metropolitan requests the opportunity to be invited to participate in any such dialogue.

- 1: The preferred alternative in this FEIS is derived from the Seven States Proposal. Reclamation did not structure the preferred alternative precisely as described in that draft proposal, but made some changes for consistency with Reclamation policy and operational procedures.
- 2: Reclamation appreciates the willingness of state and local agency representatives to participate in a dialogue on the interim surplus criteria during the NEPA process. This has been of assistance in compiling water demand projections and other operational aspects for the analysis.

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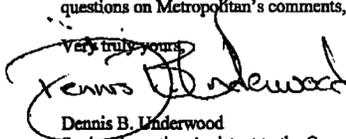
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THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

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Enclosed for your consideration are additional comments on the DEIS. Should you have any questions on Metropolitan's comments, I may be reached at (213) 217-6588.

Very truly yours,



Dennis B. Underwood
Senior Executive Assistant to the General Manager

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Enclosure

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**Additional Comments on
Colorado River Interim Surplus Criteria Draft Environmental Impact Statement**

The following comments are offered for consideration by the Bureau of Reclamation (Reclamation) for inclusion in the Final Environmental Impact Statement:

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|---|----|---|--|
| 3 | 1. | Insert the word "normal" before the word "apportionment" as California has not been diverting more than its normal and surplus apportionment combined. (Page 1-3, paragraph 4, line 1) | 3: Comment noted, the change has been made. |
| 4 | 2. | Insert the phrase "beneficial consumptive use of" before the word "water" as Article III of the Colorado River Compact apportioned the beneficial consumptive use of water between the Upper and Lower basins. (Page 1-8, point 1, line 1) | 4: The suggested edit was included in the FEIS. |
| 5 | 3. | Insert the phrase "authorized the Lower Division states to enter into an agreement apportioning the", and delete the word "apportioned" before the word "water" to more precisely state what was authorized by the Boulder Canyon Project Act. After the word "water" delete the phrase "among the Lower Division States". (Page 1-8, point 2, lines 2-3) | 5: The suggested edit was included in the FEIS. |
| 6 | 4. | Insert the word "Protection" after the word "Floodway" to more precisely reference the short title of Public Law 99-450, the Colorado River Floodway Protection Act. (Page 1-20, paragraph 5, line 1) Insert the phrase "from below Davis Dam to the Southerly International Boundary between the United States and Mexico" following the word "greater" to specify the location of the floodway. (Page 1-20, paragraph 5, line 3) | 6: Your comment is noted. This paragraph has been deleted. Section 3.6.4.1 has more information regarding Public Law 99-450. |
| 7 | 5. | Delete the sentence "The Colorado River Floodway Act requires that the minimum flood release from Hoover Dam can be no less than 40,000 cfs" as Metropolitan's review of Public Law 99-450 did not reveal this requirement. (Page 1-20, paragraph 5, lines 3-5) | 7: Your comment is noted. This paragraph has been deleted. |
| 8 | 6. | Is the Lower Basin apportionment referenced, the Lower Basin normal apportionment or the Lower Basin normal and surplus apportionment? (Page 1-20, paragraph 1, line 5) | 8: Reclamation assumes this comment is referring to page 1-22, paragraph 1, line 5 of the DEIS. The sentence has been changed. |
| 9 | 7. | It is stated that "Elevation 1083 feet msl is the minimum water level for power generation at the Hoover Powerplant based on its existing turbine configuration." (Page 3.3-10, Section 3.3.3.4, lines 6-8) In Reclamation, River Operations Team, Boulder City, Nevada's, "CRSSez Annual Colorado River System Simulation Model, Overview and Users Manual", Revised May 1998, it is stated that "If mavgelev is less than 1050 feet then Hoover energy is zero." where mavgelev is Mead average elevation for the year. (Page 13, paragraph 5, lines 8-9) In the Draft Environmental Impact Statement (DEIS), it is stated "The minimum water surface elevation for efficient power generation is 1083 feet." (Page 3.3-23, paragraph 1, lines 4-5) Please clarify whether the word | 9: The fifth sentence of the first paragraph in Section 3.3.3.4 has been changed to read as follows: "Elevation 1083 feet msl is the minimum water level for effective power generation at the Hoover Powerplant based on its existing turbine configuration." A quantitative definition for "effective" as it is used in connection with power generation has been added to Section 3.10.2.1. |

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cont'd

"efficient" should be inserted before "generation" in the sentence quoted above which is on Page 3.3-10. Please provide a quantitative definition for "efficient" as it is used in connection with generation on pages 3.3-10, 3.3-23, and Figure 3.3-10.

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8. Insert the phrase "the Yuma Project," before the phrase "the IID" as the All American Canal delivers water to the Yuma Project as well as IID and CVWD according to <http://dataweb.usbr.gov/html/allamcanal.html#general>. (Page 3.4-6, paragraph 4, line 8)

10: The suggested edit was made.

11

9. Revise the phrase "Since 1996" to "In 1996 and 1997"; and insert the phrase "normal apportionment" and delete the word "entitlement" before the phrase "due to determinations by the Secretary" to be more precise. Reclamation's annual report entitled, "Compilation of Records in Accordance With Article V of the Decree of the Supreme Court of the United States in Arizona v. California Dated March 9, 1964" indicates that California's net diversions of Colorado River water totaled about 100,000 to 200,000 acre-feet less in 1998 and 1999 than that indicated in the DEIS. (Page 3.4-7, paragraph 1, line 3)

11: The last sentence of the fifth paragraph in Section 3.4.3.3 has been changed to read as follows - Since 1996, California has received as much as 800,000 af above its annual 4.4 maf normal apportionment due to determinations by the Secretary of surplus conditions on the Colorado River through the AOP process.

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10. Insert the word "normal" before the word "apportionment" to be more precise. (Page 3.4-7, paragraph 3, line 1).

12: The suggested edit was made.

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11. Revise the word "entitlement" to the phrase "normal apportionment" to be more precise. (Page 3.4-7, paragraph 3, line 3).

13: The suggested edit was made.

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12. The DEIS includes the phrase "for about 700,000 acre-feet of the approximate 2 million af of water that MWD currently delivers." (Page 3.4-7, paragraph 3, lines 6-7) In calendar year 2000 with the initial filling of Diamond Valley Lake, Metropolitan forecasts total deliveries of 2.7 million acre-feet to its service area, the Hayfield groundwater basin, and to Desert Water Agency and Coachella Valley Water District for recharge of the Upper Coachella groundwater basin under agreements with those two agencies, with 1.4 million acre-feet of the total being delivered from the State Water Project. Over the calendar year period 1990-99, Metropolitan delivered between 1.5 and 2.6 million acre-feet.

14: The last part of the last sentence of the seventh paragraph in Section 3.4.3.3 has been revised to reflect the information provided.

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13. Revise the word "legal" to the word "normal" to be more precise. (Page 3.4-8, paragraph 2, line 2).

15: The suggested edit was made.

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14. Revise the number "5.3" to "5.2". (Page 3.4-8, paragraph 3, line 2) Reclamation's annual report entitled, "Compilation of Records in Accordance With Article V of the Decree of the Supreme Court of the United States in Arizona v. California Dated March 9, 1964" indicates that California's net diversions have not reached 5.3 million acre-feet in the last 10 years after accounting for unmeasured return flows.

16: The suggested change was made.

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15. Insert the phrase "those in place by" before the number "2015" (Page 3.5-7, paragraph 2, line 3) as the sixth paragraph on this page includes this language.

17: The referenced paragraph has been removed from the document.

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- 18 16. Considering the data presented in Table 3.5-7, revise the word "almost" to "about" and revise the phrase "California Alternatives" to "Alternative". (Page 3.5-24, paragraph 4, lines 4-5)
- 19 17. Revise the sentences, "The Tribe maintains a claim to additional lands and reserved water rights in California, which will likely be settled soon recognizing the Tribe's right to additional reserved water rights from the Colorado River in the amount of 3,022 acre-feet. The Tribe and State of California have agreed upon a settlement of that claim which is presently before the US Supreme Court for settlement." to "In its June 19, 2000 Opinion, the US Supreme Court accepted the Special Master's uncontested recommendation and approved the proposed settlement of the dispute respecting the Fort Mojave Indian Reservation. Under the settlement the Tribe is awarded the lesser of an additional 3,022 acre-feet of water or enough water to supply the needs of 468 acres." (Page 3.14-7, paragraph 3, lines 18-23) Revise the phrase, "The attached tables incorporate the proposed" to "The above tables incorporate the". (Page 3.14-7, paragraph 3, line 23)
- 20 18. In Table 3.14-1, in row 11 labeled "M&I Priority" please review the phrase "(should be 18,135)" with the values "18,145" in the columns "Likely Future without GRIC" and "With GRIC Settlement" for that row. In row 12 labeled "Indian Allocation (AkChin)(minus losses)" please review the "1" found in the "With GRIC Settlement" column. (Page 3.14-12)
- 21 19. In Table 3.14-2 in the row labeled "Colorado River -- Yuma Mesa and Wellton Mohawk", the columns from left to right "Likely Future without GRIC", "Total Water", and "With GRIC Settlement" show the value of "68,400". However, the next column to the right, "Total Water" shows a value of "64,800". It appears that this value should be "68,400" as it is the 68,400 value which when added to the second row value of "801,574" in the "With GRIC Settlement" column sums to "869,974" in the column to the right labeled "Total Water" in the second row. Should "GAGRD" in the fifth row label be "CAGRD", the acronym for the Central Arizona Groundwater Replenishment District? (Page 3.14-2)
- 22 20. It is stated that "At that elevation Lake Mead has a nominal 'live capacity' of 27,377,000 acre-feet and an active capacity of 17,353,000 acre-feet above elevation 1083 feet msl, the minimum elevation for power generation." (Attachment A, page 1, paragraph 3, line 8) It is also stated that "The minimum water surface elevation for efficient power generation is 1083 feet." (Page 3.3-23, paragraph 1, lines 4-5) Please clarify whether the word "efficient" should be inserted before "generation" in the sentence quoted above in Attachment A.
- 23 21. Revise the word "Protection" to "Policy". (Attachment H, Six States Alternative, page 2, paragraph 5, line 2) The same comment applies for the California Alternative, and the Shortage Protection Alternative.

18: Comment noted. This section has been revised to incorporate information resulting from modeling conducted for the FEIS.

19: We agree the second subparagraph under paragraph 3.14.2.6 needs to be revised to recognize the Supreme Court's recent opinion. However, in revising the paragraph, we relied primarily on the suggested rewording from the Ten Tribes Partnership. See response comment 53-14.

20: In Table 3.14-1, San Carlos Apache, M&I Priority, 18,145 acre-feet per year is listed as the M&I allocation under both the future with the GRIC settlement and the future without the GRIC settlement. This volume of water is based on the CAP Simulation Study and the draft EIS for the CAP Reallocation, dated June 2000. A note is provided in Table 3.14-1 stating that 18,135 AF per year is the volume of water which should be listed because that volume was allocated in the legislation. A footnote was written in the FEIS to explain the two numbers. The "1" in Table 3.14-1, San Carlos Apache, Indian Reallocation (Ak Chin) (minus losses), will be corrected to read "30,800".

21: The quantity and acronym have been corrected.

22: The sentence referred to is in Attachment C of the FEIS. It has been modified as suggested.

23: The correction will be made.

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- 24 | 22. Revise "August-July" to "July-July". (Attachment I, Draft: Last Revision, August 28, 2000, page I-11, first table, row 7)
- 25 | 23. Please expand Table 6, "Hoover Dam Elevation and Output", Attachment N, to include elevations 1083 and 1050 feet.

24: This correction has been made.

25: Median reservoir elevations, which were used for the power analysis, remain above 1083 feet throughout the period of analysis. Therefore, elevations 1083 and 1050 feet were not included in the table.