

COMMENT LETTER

RESPONSES

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THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

2221 WEST GREENWAY ROAD, PHOENIX, AZ 85023-4399  
(602) 942-3000 • WWW.AZGFD.COM

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| Project            |         |      |
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August 31, 2000

Mr. Robert W. Johnson  
Regional Director  
ATTN: Jayne Harkins (LC-4600)  
U.S. Bureau of Reclamation  
P.O. Box 61470  
Boulder City, NV 89006-1470

Re: Draft Environmental Impact Statement for the Colorado River Interim Surplus Criteria

Dear Mr. Johnson:

The Arizona Game and Fish Department (Department) has reviewed the "Draft Environmental Impact Statement, Colorado River interim Surplus Criteria," dated July 2000. Comments of the Arizona Game and Fish Department are based on the following provisions of Arizona law:

"Wildlife, both resident and migratory, native or introduced, found in this state except fish and bullfrogs impounded in private ponds or tanks or wildlife and birds reared or held in captivity under permit from the commission [Arizona Game and Fish Commission], are property of the state and may be taken at such times, in such manner, and with such devices as provided by law or rule of the commission."  
(Arizona Revised Statutes § 17-102)

"The laws of the state relating to wildlife shall be administered by the game and fish department. Control of the game and fish department is vested in the game and fish commission."  
(Arizona Revised Statutes § 17-201)

"The [Arizona Game and Fish] Commission shall:"  
"2. Establish broad policies and long range programs for the management, preservation and harvest of wildlife."  
(Arizona Revised Statutes § 17-231)

The Arizona Game and Fish Department, therefore, has a trust responsibility for all fish and wildlife within the territorial jurisdiction of the State of Arizona.

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Mr. Robert W. Johnson  
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Further, on October 16, 1987 the Arizona Game and Fish Commission formally adopted the following policy, titled "Riparian Habitat", in open public session:

"It is the policy of the Arizona Game and Fish Commission that the Department shall recognize riparian habitats as areas of critical environmental importance to wildlife and fisheries. The Department shall actively encourage management practices that will result in maintenance of current riparian habitat, and restoration of past or deteriorated riparian habitat...."

The Department is the state wildlife agency for the purposes of consultation by Federal agencies pursuant to provisions of the Fish and Wildlife Coordination Act (16 USC 662 *et seq.*)

1 The Department is concerned about the limited geographic scope of the discussion of effects of the alternatives to aquatic resources and special status species. The analysis should be revised to be complete, including analysis of affects to angling throughout the project area. If impacts to aquatic or special status species are identified after additional analysis, measures to mitigate those impacts should be included. Page specific comments are included herein as an attachment.

1: Potential effects on special-status species that could occur between Hoover Dam and the Southerly International Boundary have been included in Section 3.8 of the FEIS. Potential effects on sport fisheries from potential changes in the temperature of water released from Hoover Dam has been developed and included in Section 3.7.3 of the FEIS. No specific mitigation measures are considered necessary for the impacts identified. However, Section 3.17 has been added to the FEIS to discuss environmental commitments.

We appreciate the opportunity to comments on the referenced document. If you have any question please contact Mr. Bill Werner at 602-789-3607.

Sincerely,



Duane L. Shroufe  
 Director

DLS:ww

attachment