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In Reply Refer To:
AESS/SE

September 6, 2000

Memorandum

To: Regional Director, Lower Colorado Region, Bureau of Reclamation, Boulder City, Nevada (Attn: Jayne Harkins LC-4600)

From: Field Supervisor

Subject: Comments on Draft Environmental Impact Statement for Colorado River Interim Surplus Criteria, July 2000

The Fish and Wildlife Service has reviewed the draft Environmental Impact Statement (DEIS) for Colorado Interim Surplus Criteria and we have the following comments for your consideration in finalizing this document. General comments on the document are followed by specific comments relevant to each section of the document.

General Comments

The Service appreciates the efforts made to model the future water surface elevations, river flows and flood releases that have been made in this document. Discussions with Bureau of Reclamation personnel have assisted the Service in understanding the modeling assumptions and constraints and we thank the BOR for providing this opportunity. Future reservoir elevations, and thus the opportunity for declaration of surplus conditions over the interim 15 year period, are largely dependent upon inflows to the system, which in turn are dependent upon precipitation patterns that cannot be predicted. The models must therefore look back over the inflow records for the last 85 years to provide a potential view into the future. The effects to water supply and distribution that result from the application of the surplus alternatives to the model are thus entirely hypothetical and may never be realized under actual conditions. We suggest that this fact be stressed to assist the reader in understanding the implications of the action. Additionally, we have some other suggestions for improving the use of modeling.

1: Comment noted.

2: Additional explanation has been added to Section 3.3 and Section 3.4 with respect to the interpretation of the figures in these sections and the meaning of the analysis results. Mean monthly flows between Hoover and Parker Dams would increase during the interim surplus criteria period as a result of more frequent surplus deliveries (compared to baseline conditions).
COMMENT LETTER RESPONSES

COLORADO RIVER INTERIM SURPLUS CRITERIA FEIS

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up when they should not logically do so. There are also several places in the various figures and
tables where different colors or scales or patterns are used than in others of the same type and this
is confusing. For clarity we recommend graphing figures that show percent of time levels are
likely to occur as either “greater than or equal to” or “less than or equal to” and not use both in
different places.

There are also many subsections titled “baseline” that actually have all the graphs and tables that
contain the surplus alternatives along with the baseline. This is helpful to provide side by side
analysis. However, the text supporting the figures and tables does not always align the
observations to the baseline condition, and often there is no discussion anywhere later of the
effects from the surplus alternatives. Please provide a discussion of all results in the appropriate
places.

In Section 3, there are many graphs in which the various percentile lines suddenly join, for
example, when the 50th and 10th percentiles become the same level. It would be helpful to the
reader if the reason why this occurs was more fully explained. It may not be intuitively obvious
why the 50th percentile (50% above and below) should suddenly be equal to the 10th percentile
(90% above and 10% below).

At several places in the DEIS, the purpose and need for the adoption of interim surplus criteria
are stated to be to increase the “predictability” and reduce the “uncertainty” of a surplus being
declared by the Secretary. This is not exactly correct. The predictability of the 75R no action or
Flood Control alternatives is based on the same water information as the more liberal
alternatives. What is actually different is the probability that a surplus would be declared under
the more liberal alternatives. The point of this exercise is to provide a way for California to be
able to take more than 4.4 maf appointment while it implements the 4.4 Plan. This requires
that the chance of a surplus being declared be increased from the baseline/no action.

We question the separation of NEPA compliance for interim surplus criteria from that for the
California Colorado River Water Use Plan (the 4.4 Plan) appears to be questionable. The DEIS
and the 4.4 Plan clearly state that without the water provided by some form of interim surplus
criteria, the 4.4 Plan cannot be implemented, thus the reason why the criteria are being proposed
is clear. The California and Six States alternatives analyzed in the DEIS are very clear on that
point as well. We are also concerned that the Flood Control alternative does not have the same
inclusion of the water transfers from 4.4 Plan that are in the California, Six States and Shortage
Protection alternatives. This suggests that the Flood Control alternative is not meeting the goal of
the designation of interim criteria and its validity as an alternative is then questionable. Please
explain why this alternative is treated differently.

We have other questions regarding alternatives. Given that this project is being done to provide
California with a “soft landing” in bringing its actual water use in line with its allocation, we do
not see any alternative that only provides exactly the amount of water each year over the 15 year
period to keep Metropolitan Water District’s aqueduct full. Additional water sources, such as

3: Comment noted. Additional explanation has been added to Section 3.3 and
Section 3.4.

4: Specifically, changes in deliveries are often due to a “discrete” condition, such as the
change from normal to shortage conditions. This can result in a sudden change in the
50th percentile line, as seen in Figure 3.4-5.

5: The purpose and need of the action is stated correctly. If surplus water is available all
Lower Basin States may benefit as their water use needs approach and exceed their
allocation. Nevada currently is using surplus water in calendar year 2000 and Arizona will
benefit in the future when their need exceeds 2.8 maf. Reclamation’s stated purpose to
provide greater predictability allows Reclamation and users to project reservoir conditions
and uses several years ahead. This allows users advance knowledge of when surplus will
and more importantly will NOT be available. The current AOP decision making does not
give basin users predictability regarding surplus designations. The Secretary may use the
increased probability of surplus, given certain hydrologic assumptions, in making his
decision regarding the choice of interim surplus criteria.

6: See response to Comment 13-5

7: The water transfers are in the Flood Control Alternative operational modeling used for
the FEIS.

8: The proposed interim surplus criteria are not intended to provide California only with
the amount of water to keep the Colorado river Aqueduct full. As is currently the case,
when the Secretary determines that surplus water is available in the lower Colorado River
Basin, the surplus water is available to the three Lower Division states as discussed in
the Decree in Arizona v. California. Under the proposed interim surplus criteria, all three
states may avail themselves of surplus water. Although, all use schedules may not have
included unused appointment available from other states. Certainly, the Secretary,
each year when he develops the AOP and approves water orders, would consider Article
II(B)6 of the Decree.