



United States Department of the Interior

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In Reply Refer to:

AESO/SE

22410-2007-TA-0224

April 24, 2007

Memorandum

To: Area Manager, Bureau of Reclamation, Boulder City, Nevada (Attn: Nan Yoder)

From: Field Supervisor

Subject: Draft Environmental Impact Statement (DEIS) on Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations of Lake Powell and Lake Mead – Comments

Thank you for the opportunity to assist as a Cooperating Agency in the development of this important DEIS. The Fish and Wildlife Service (FWS) provides the following comments for your consideration on the subject DEIS. We are providing these comments in accordance with the Council of Environmental Quality regulations addressing cooperating agency status (40C.F.R. 1501.6 & 1508.5).

We note that the FWS provided comments as a Cooperating Agency by memorandum dated January 19, 2007, and discussed these further at your January 22, 2007, meeting of Cooperating Agencies. We do not see acknowledgement of the following comments, even though during discussion of our written comments you did not express any concerns indicating that you could not use them. We therefore assumed that they were acceptable for incorporation into the EIS. We reiterate these comments and offer to discuss them if that would be helpful.

- 1) Page 1-13: Add Minute 306, December 12, 2000 to the Minutes noted in Table 1.7-1 for United States-Mexico Water Treaty of 1944, since it refers to collaborative efforts between the U.S. and Mexico to ensure use of water, i.e. quantity as noted for the 1944 Treaty on Page 1-12, lines 15 and 16, for ecological purposes in Reach 9.
- 2) Page 4-170, lines 10-29: The NIB-to-SIB, which is shared by the U.S. and Mexico, represents an important wildlife area, especially for migratory neotropical songbirds and waterfowl and other wetland birds. Also, various native and non-native fish species exist in the upper portion of the river that is maintained by sources including leakage at Morelos Dam, agricultural return drain flows, subsurface sources, and occasional releases. We continue to believe that effects to fish and wildlife resources should be addressed by this document in the NIB to SIB reach.

- 3) Page 6-5, lines 20-22: The FWS requests, pursuant to Executive Order 12114 as applied to the National Environmental Policy Act and development of this EIS, that our agency be included in investigations of the effects of this Federal action in the Colorado River delta area of Mexico due to our migratory bird and endangered species responsibilities.

The following are general comments as well as specific comments addressing specific sections, pages, and line numbers in the text.

Chapter 1

Page 1-3, lines 32-35: Reclamation should discuss what some of the anticipated future demands might be that could result in low reservoir elevations. Increased water use in the Upper Colorado River Basin is one likely cause. The reference to Colorado River Compact Article III(d) on page 1-15, lines 3-4 may also be appropriate to include.

Page 1-26, lines 22-26: While the LCR MSCP does provide “mitigation” for fish and wildlife species in the LCR corridor that are not included as covered species, it is inaccurate to state that effects to these un-covered species are fully mitigated. There are several land cover types that provide habitat for these un-covered species that are affected by LCR operations, but are not included in the conservation program.

Chapter 2

Page 2-2, lines 15-16: A definition of “system water” and “non-system water” would be appropriately referenced here. Also, in lines 20-22, is it Reclamation’s intent to have the regulations part of the proposed action detailed in the FEIS, or will the regulations be published separately?

Page 2-13, lines 12-13: Define “bypass flow”.

Chapter 3

Page 3-29, lines 15-21: We understand that Reclamation cannot predict how shortage would be managed by the water users in Arizona; although Arizona has provided some details in their Drought Preparedness Plan. However, since an obvious method would be to temporarily lease water from agricultural users in the Yuma area for delivery to Phoenix and Tucson, that would result in a decrease in the application of water to fields in the Yuma area. With less water on the fields, the amount of groundwater flowing into the river might be reduced. We suggest an explanation here (or reference to one in an Appendix) of why groundwater amounts are not likely to change due to the Federal action.

Page 3-71, Table 3.8-7: Bluehead suckers are probably not found in or below Lake Mead. The correct spelling of the species name for Yuma clapper rail is *Longirostris yumanensis*.

Chapter 4

Page 4-4, lines 35-40: Most available climate models project that the southwestern United States will experience a significantly more arid period in the 21st century, with a transition, which is now underway, to a more arid climate, dominated by a pattern similar to the current drought. We recommend that Reclamation add a section discussing this information and its implications in the context of Reclamation's analysis of future hydrology.

Page 4-7, lines 1-5: The LCR MSCP includes provision for the transfer of up to 1.574 maf from downriver agricultural users to more upriver urban users. This concept is not included within the common assumptions. We understand that a portion of the intent of the modeling is to show effects of the shortage alternatives and that those effects can be incorporated within the change in 1.574 maf, but this may not be clear to other readers. This is especially important when discussing the groundwater changes later in the section.

Page 4-8, lines 24-26: We believe it is important to include the rationale for the Drop 2 structure to be in place and operating. If the environmental compliance has been completed for this project, inclusion may be appropriate. If not, please explain why Reclamation believes this project has certainty.

Page 4-58, lines 6-10: This paragraph is an example of where a discussion of what is meant by "non-system water" would be helpful in understanding the closing statement. How would SNWA development of non-system supplies affect the releases from Hoover Dam?

Page 4-65, lines 8-13: In the introduction to this section (4.3.7), it might be worthwhile noting that in the event of a Phase 1 or Phase 2 shortage, the two major entities that would receive less water are CAP and MWD. Given that fact, flows entering and leaving Lake Havasu under shortage conditions would be largely the same (allowing for some minor depletions). Perhaps some explanation here on that subject would be useful. Also, flows below Parker Dam may, over the course of the 50-year life of the LCR MSCP, be reduced as much as 1.574 maf due to water transfers from agricultural users to the urban areas. How is that factored into the modeling?

Page 4-68, lines 7-15: Perhaps it would have been better to use the flows below Headgate Rock Dam (which would reflect diversions to CRIT) than to use those above which don't show any real difference from the Parker Dam releases. Unless the major water users below Parker Dam provide leased water for use by CAP and MWD during times of shortage, one would not expect these high-priority users to change their water use. Differences between the alternatives, particularly in terms of groundwater levels, are related to this.

Page 4-79, lines 6-13: Although this begins the discussion of SNWA's creation of new sources, it still does not relate how those sources would provide existing users with alternative water so that SNWA could take more river water. For example, desalinization plants would have to be operated near a source of non-Colorado River water in order to later affect an exchange.

Page 4-79, lines 30-40: Please explain the statement that the change in point of diversion effects under the LCR MSCP are not additive to the changes due to shortage.

Page 4-94, lines 1-6: Since storage of water is a factor in reducing shortages through maintenance of lake elevations, perhaps a discussion of how that stored water being used during a potential shortage situation affects lake levels. Similarly, for the surplus discussion on page 4-99, lines 1-13.

Page 4-162, lines 11-15: Perhaps it should be noted here that the LCR MSCP provides coverage for changes in points of diversion up to 1.574 maf/year. The amount of potential shortage is higher than that figure. It should be explained how the conservation for the LCR MSCP relates to the shortage amounts, particularly in light of the increase in amount of water that had a change in point of diversion over the 50-year life of the LCR MSCP.

Page 4-163, line 14: The summary in this section should focus on the changes in median flows and the relationship to groundwater levels. The amount of vegetation affected is directly related to those groundwater changes. The discussion should also address the frequency and multi-year potential for these reduced flows. This should be included in the discussions in subsections 4.8.3.4 and 4.8.3.5. It is the changes in groundwater that may be most relevant to an effects analysis since those changes can alter the vegetation structure and wildlife use.

Page 4-182, line 38- Page 4-185, line 35: This analysis would be more clear if it were organized either by alternative, or by percentile elevations. Based on figure P-81 (on page P-88) it appears that, at the 50th percentile, Glen Canyon Dam release temperatures would generally be colder for all alternatives compared to the no action , but the effects of this are not considered in the analysis.

Page 4-189, lines 33-34: If MacNeils sooty-wing skipper can be considered present in the lower Grand Canyon due to known records at the Muddy River, it seems inappropriate to state that this species does not occur at Lake Mead. Please review this information.

Page 4-192, lines 8-9: The woundfin is also not known from Lake Mead.

Page 4-194, lines 11-12 and page 4-197, lines 21-28: The Colorado River cotton rat is found from the vicinity of Needles south to at least Ehrenburg. Please examine the data on this species locations and revise these sections.

Page 5-11, lines 21-25: The Long-Term Experimental Plan for the Operation of Glen Canyon Dam will further modify the proposed action of the DEIS by potentially altering the daily and seasonal pattern of dam releases at Glen Canyon Dam which could have cumulative effects relative to the proposed action of the DEIS.

We look forward to continuing to work with you on this important effort. Our contacts are as follows: Sam Spiller (Lower Colorado River Coordinator, Tel: 602/841-5329, Email: sam_spiller@fws.gov) as the primary contact and for National Wildlife Refuge and Mexico delta resources; Glen Knowles (Biologist, Tel: 602/242-0210 x233, Email: glen_knowles@fws.gov) for Glen Canyon Dam and associated operations (generally downriver from Glen Canyon Dam to upper Lake Mead); and Lesley Fitzpatrick (Biologist, Tel: 602/242-0210 x236, Email: Lesley_fitzpatrick@fws.gov) for the Lower Colorado River Multi-Species Conservation

Program and associated operations (generally from upper Lake Mead downriver to the Southerly International Boundary).



Steven L. Spangle

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (ARD-ES, FR, RC (NWRS))
Lower Colorado River Coordinator, Fish and Wildlife Service, Phoenix, AZ
Director, Arizona Game and Fish Department, Phoenix, AZ
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