1 INTRODUCTION

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

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

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of the Gila Project for the United States and for management of federal lands in Yuma County that were acquired or withdrawn from the public domain for purposes of the Gila Project.

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

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

1.1 LEAD AND COOPERATING AGENCIES

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

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

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

1.3 BACKGROUND

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

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

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

1.3.2 Wellton-Mohawk Division Lands

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

1.3.3 Wellton-Mohawk Valley

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

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

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

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

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

1.5 SCOPE OF THIS FEIS

The proposed title transfer is limited to the change in ownership of federal facilities and lands from Reclamation to the District. Because the District plans to make no significant changes in the structure or operation of the irrigation, drainage, and flood control facilities following the title transfer, an evaluation of these activities is not within the scope of this
The transfer of title to lands currently in federal ownership is an administrative action; however, changes in ownership could result in changes in land use. Consequently, the focus of this FEIS is on the effects of future District activities on lands within the District and within two or three miles of District boundaries.

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

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

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

### 1.5.1 Scoping Process

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

Four comment letters were received during the scoping period. The letters were from the U.S. Environmental Protection Agency (EPA), the Land and Water Fund of the Rockies (on behalf of itself, the Center for Biological Diversity, Defenders of Wildlife, Environmental
Defense, Friends of Arizona Rivers, Sierra Club, and Southwest Rivers), the Yuma Valley Rod and Gun Club, and a private individual. Copies of the comment letters are included in Appendix B.

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

1.5.2 Public Review and Comment

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

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

- Antelope Union High School in Wellton, Arizona, on October 1, 2003, and
- Ramada Inn Chilton and Conference Center in Yuma, Arizona, on October 2, 2003.
Legend
- Proposed Wellton-Mohawk Generating Facility Location
- Lands Proposed for Transfer or Purchase
- Facilities Proposed for Transfer*

*Facilities include canals, laterals, floodways, and associated rights-of-way

Wellton-Mohawk Title Transfer
Map 1-2 Proposed Location of the Wellton-Mohawk Generating Facility
### TABLE 1-2 SUMMARY OF ISSUES RAISED DURING THE PUBLIC SCOPING PROCESS

<table>
<thead>
<tr>
<th>Issue/Suggestion</th>
<th>Relevance to the Title Transfer Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify the facilities and lands proposed for transfer</td>
<td>This issue is relevant to the Proposed Action. The facilities and lands have been identified in Chapter 2.</td>
</tr>
<tr>
<td>Analyze future land use in the District</td>
<td>As a relevant issue, land use projections under the No Action and Proposed Action alternatives are presented in Section 3.1.</td>
</tr>
<tr>
<td>Analyze the effect on Colorado River water supply and water quality</td>
<td>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.</td>
</tr>
<tr>
<td>Analyze the effect on Yuma Desalting Plant (YDP) operation</td>
<td>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.</td>
</tr>
<tr>
<td>Analyze the effect on water supply for the Colorado River Delta in Mexico</td>
<td>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.</td>
</tr>
<tr>
<td>Analyze the establishment of additional controls on ARFs from the District</td>
<td>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.</td>
</tr>
<tr>
<td>Analyze the effect on power contracts and the Western Area Power Administration system</td>
<td>This issue is not relevant because the Proposed Action would not change the provisions of the District’s power contracts.</td>
</tr>
<tr>
<td>Evaluate the effect on the Colorado River Multi-Species Conservation Plan (MSCP)</td>
<td>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.</td>
</tr>
<tr>
<td>Analyze the future maintenance of habitat along the Gila River corridor in the District</td>
<td>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.</td>
</tr>
<tr>
<td>Analyze the application of the Endangered Species Act (ESA) after the proposed title transfer</td>
<td>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.</td>
</tr>
<tr>
<td>Present the current value of the facilities and lands to be transferred</td>
<td>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.</td>
</tr>
<tr>
<td>Present the current value of the lands to be purchased</td>
<td>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.</td>
</tr>
</tbody>
</table>
In addition to one oral comment made at these hearings, Reclamation received 8 letters with comments pertaining to the DEIS including letters from Congressman Ed Pastor, El Paso Natural Gas, Arizona Clean Fuels, Arizona State Historic Preservation Office (SHPO), BLM, EPA, and a joint letter from Defenders of Wildlife, Environmental Defense, National Wildlife Federation, Pacific Institute, Sierra Club, Western Resource Advocates, and Yuma Audubon Society.

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

1.6 ONGOING ACTIVITIES AND RELATED ACTIONS

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

1.6.1 Operation and Maintenance of the Irrigation System

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

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

The District also operates and maintains the drainage system for the management of groundwater. The drainage system includes groundwater wells and various open and closed drains, and the Main Conveyance Channel. The Main Conveyance Channel is a collector drain that delivers agricultural return flows (ARFs) to Reclamation’s Main Outlet Drain (MOD) at Station 0+00 located at the western end of the District. Drainage wells are
operated as needed to control groundwater depth and meet Reclamation goals on the annual amount of ARFs delivered to MOD by the District.

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

1.6.2 Operation and Maintenance of the Gila River Flood Channel

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

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

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

1.6.3 Power Supply and Distribution

In addition to its other functions, the District serves as an electric power utility for the irrigation facilities and to agricultural, commercial, and residential customers in the Wellton-Mohawk Valley, the Yuma Proving Ground, and in the Martinez Lake area near the Colorado River. Power is obtained from hydroelectric generation at the Parker and Davis dams through the Parker Davis Project and from other sources.
Power from the existing sources is supplied to the District through Western’s power transmission and distribution system and delivered to the District at the Ligurta Substation adjacent to Wellton-Mohawk Canal Pumping Plant No. 2. The District’s existing federal power contracts will be unaffected by the title transfer. Western would retain ownership of the three substations that are adjacent to the three main pumping plants. In addition to these facilities, Western would retain ownership of the 34.5-kV transmission lines between the three pumping plants and the 161-kV transmission lines into and out of Ligurta Substation. The District currently owns other ancillary electrical transmission facilities.

1.6.4 Agency Land Management Activities

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

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

Approximately 32,000 acres of Arizona State Trust lands lie in the valley, within and outside the District boundary. State Trust lands are administered by the Arizona State Land Department. Over a third of the acreage is currently being leased for agricultural purposes. The Arizona Game and Fish Department (AGFD) administers other state lands for wildlife
habitat purposes. The District’s current water and land operations are coordinated with the
programs of these agencies.

1.6.5 Dome Valley Partners Wellton-Mohawk Generating Facility

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

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

1.6.6 Arizona Clean Fuels Project

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

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

Once in operation, the proposed refinery would supply cleaner-burning gasolines and other
fuels to the Arizona market. The product slate of the proposed refinery consists of regular
and premium reformulated gasolines, regular and premium gasolines meeting the stringent
specifications of the California Air Resource Board, liquefied petroleum gas, aviation jet
fuel, and diesel fuel. A sulfur recovery plant would capture sulfur contained in the crude oil
feedstock and produce a liquid sulfur by-product. In addition, the proposed refinery configuration includes a Delayed Coker Unit for the production of petroleum coke, a solid by-product that can be sold as a fuel (ACF 2005).

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

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

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

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

If this Title Transfer FEIS is completed and a ROD is issued supporting the transfer, title to the land would be transferred to the District prior to the completion of an EIS for the refinery. If this occurs, construction of the refinery could not occur until the NEPA review of the Arizona Clean Fuels proposal is completed and a favorable ROD was issued. Arizona Clean Fuels would only be able to construct the project pending the outcome of the NEPA review by BLM.
If the title transfer does not occur, Arizona Clean Fuels would need to work with Reclamation to obtain use of the site. At that point, Reclamation would participate in the NEPA review process with BLM regarding the project.

1.7 DOCUMENTS INCORPORATED BY REFERENCE

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

1.7.1 Environmental Documents


1.7.2 Contracts

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

- *Contract No. 1-07-30-W0021, July 17, 1981*. Amendatory and Supplemental Consolidated Contract with the Wellton-Mohawk Irrigation and Drainage District for Delivery of Water, Construction of Works, Repayment, and Project Power Supply. This contract consolidates all prior contracts between Reclamation and the District. It addresses the entire range of construction, operation and maintenance, power supply,
and repayment aspects of the Division, and recites the irrigable acreage changes authorized by P.L. 93-320.


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

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

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

### 1.7.3 Public Laws

- **Salinity Control Act of 1974 (P.L 93-320).** This act of Congress authorized the Secretary to reduce the irrigable acreage of the District to facilitate reduction of return flows from the District. Reclamation achieved the acreage reduction in two ways. Land was acquired from private landowners that had developed or were in the process of developing farm units. Additionally, the “irrigable” designation of parcels of withdrawn land that had not yet been developed into farm units was rescinded. The return flow reduction was an economic factor in determining the capacity of the Yuma Desalting Plant (YDP), whose construction was authorized under this Act. The acquired lands were selected based on willing sellers whose irrigation water requirement was relatively high, as was their potential contribution to the amount of
saline return flow from the District that the YDP was designed to treat. In total, approximately 6,814 acres of lands acquired under the Salinity Control Act are included as part of the proposed title transfer.

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

1.8 OTHER AGENCIES WHO MAY USE THIS DOCUMENT

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