

RECLAMATION

Managing Water in the West

Pecos River Supplemental Water Project

Scoping Report



U. S. Department of the Interior
Bureau of Reclamation
Albuquerque Area Office
Environment Division
Albuquerque, New Mexico

December 2006

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Pecos River Supplemental Water Project

Scoping Report

Lead Agency:



United States Department of the Interior
Bureau of Reclamation
Upper Colorado Region
Albuquerque Area Office

Prepared by:



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Abstract

The US Department of the Interior, Bureau of Reclamation is preparing an Environmental Assessment to assess the impacts from obtaining supplemental water for the Pecos River in eastern New Mexico. Scoping was conducted as part of the process, which included distribution of a project newsletter to over 120 people, hosting two public meetings, and allowing a 30-day public comment period. Meetings were held on November 15 and 16, 2006 in Carlsbad and Ft. Sumner, New Mexico, respectively. Seven people attended the meeting in Carlsbad and ten attended in Ft. Sumner. Public input from the meetings consisted of comments and questions about the project and suggestions for alternative supplemental sources of water. In total, 13 unique comments were provided at the meetings. Reclamation did not receive any written letters.

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List of Acronyms

| | |
|-------------|-----------------------------------|
| AF | Acre-foot or acre-feet |
| BioOp | Biological opinion |
| cfs | Cubic feet per second |
| CID | Carlsbad Irrigation District |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |
| FCP | Fish conservation pool |
| FSID | Fort Sumner Irrigation District |
| NEPA | National Environmental Policy Act |
| Reclamation | Bureau of Reclamation |

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Chapter 1: Background and Scoping Process

Introduction

The US Department of the Interior, Bureau of Reclamation (Reclamation) is preparing an Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA) to evaluate the environmental and socioeconomic impacts from a proposal to obtain supplemental water for the Pecos River in eastern New Mexico. The project is needed to comply with the 2006-2016 Biological Opinion (BioOp) for the Carlsbad Project Water Operations and Water Supply Conservation Environmental Impact Statement (EIS), June 2006. The Biological Opinion and EIS commit Reclamation to operate the Carlsbad Project with a target flow of 35 cubic feet per second (cfs) at the Taiban Gage and to keep the river continuous in order to conserve the federally protected Pecos bluntnose shiner. The purpose of the project is to provide adequate water to keep the river continuous, meet the contracted irrigation needs of the Carlsbad Project, avoid hindering New Mexico compact water delivery requirements to Texas, and to establish partnerships in the basin.

Public involvement is being conducted in two phases: (1) public scoping prior to NEPA analysis to obtain public input on issues and proposed alternatives, and (2) public review and comment on the Draft EA.

Scoping is a public process designed to determine the scope of issues and alternatives to be addressed in a NEPA document. This report documents the results of the public scoping phase of this project.

Proposed Action

The US Bureau of Reclamation is proposing to obtain supplemental water to provide the operational ability to release approximately 2,500 acre-feet of water out of Sumner Lake per year to keep the river continuous, while also ensuring that there is enough water at Brantley Reservoir to meet the contracted irrigation needs of the Carlsbad Project. A variety of supplemental water sources may be required to meet this goal.

Potential supplemental water sources include the following:

- Transfer any unused water rights associated with Reclamation's river pumper offset program to Seven Rivers to be pumped into Brantley Reservoir in exchange for being able to store and withdraw water from Santa Rosa Reservoir or Sumner Lake.

- Commit up to 360 acres of ground water rights owned by Reclamation at Seven Rivers Ranch to be pumped into Brantley Reservoir in exchange for being able to store and withdraw up to 1,000 acre-feet of water from Sumner Lake. This exchange will maintain the currently permitted 1,000 acre-foot fish conservation pool at Sumner Lake.
- Transfer any available water rights at Karr Farms near Artesia to Seven Rivers to be pumped into Brantley Reservoir in exchange for being able to store and withdraw water from Santa Rosa Reservoir or Sumner Lake, or to directly use these rights for habitat improvement projects.
- Pursue any other lease or water transfer opportunities from willing sellers.

Public Scoping Activities

Newsletter and Advertisements

The public scoping process officially began on October 30, 2006 with the publication and distribution of a project newsletter (Appendix). *River Notes* was mailed out to over 120 people who were on the project mailing list. The mailing list consists of agencies, organizations, and individuals that expressed interest in water issues in the Pecos River basin during the recently completed Carlsbad Project Water Operations and Water Supply Conservation EIS. The newsletter provided an overview of the proposed project, announced the location and dates of two scoping meetings, and provided contact information. Newspaper advertisements announcing the scoping meetings and soliciting public comments were published in the *Artesia News* (November 9, 2006) and the *Carlsbad Current-Argus* (November 8, 2006).

Public Scoping Meetings

Public scoping meetings were held on November 15, 2006 at Stevens Inn in Carlsbad, New Mexico, and on November 16, 2006 at the Community House in Ft. Sumner, New Mexico. The meetings were conducted from 5:30PM to 7:30PM. The objective of the meetings was to provide an opportunity for the public to receive information, ask questions, and provide input.

Staff from Reclamation, the New Mexico Interstate Stream Commission (a cooperating agency to the EA), and contractors attended. The meeting format allowed for interaction of participants among themselves and with staff prior to a more structured presentation of the proposed project and solicitation of comments. Posters were displayed that provided background information. Fact sheets about the project were distributed along with comment cards (Appendix). Seven people attended the meeting in Carlsbad and ten attended in Ft. Sumner (Appendix).

Chapter 2: Scoping Results

Methods of Commenting

Methods of submitting comments included verbal comments provided at the scoping meetings, written comment forms, letters, and electronic mail. While Reclamation will continue to collect comments throughout the EA process, the public was encouraged to submit scoping comments by December 1, 2006.

Summary of Comments

A total of 13 unique verbal comments were recorded from participants at the scoping meetings. No written comments were submitted during the scoping process, or as of December 8, 2006.

Public input from the meetings tended to focus on two general topics: (1) questions and comments concerns about the project, and (2) suggestions for alternative supplemental sources of water.

The following summarizes the comments. All comments will be considered by Reclamation in the preparation of the EA.

November 15, 2006

Carlsbad, NM: Stevens Inn

Questions and Comments:

- In the transfer/exchange of Carlsbad Irrigation District (CID) rights, will (the inverse of) the 75% average block release efficiency be used in order to calculate available water at Sumner Lake in exchange for pumping into Brantley? Of note, the percentage for exchange must be agreed upon with the CID board.
- Karr Farms: If water from Karr Farms is transferred, will adjudicated rights or the historic use multiplied by 0.60 be used for exchange?
- CID board must approve the assumption of allowing a 2,500 acre-foot (AF) fish conservation pool (FCP) at Sumner Lake.
- CID noted that water should not be carried over in Sumner Lake year to year.

Supplemental Water Options:

- (1) Use water from Fort Sumner Irrigation District's (FSID) pumpback system.
- (2) Lease CID left over water.

November 16, 2006

Fort Sumner, NM: Community House

Questions and Comments:

- Will the 2500 AF pool be sufficient to ensure that Reclamation stays in compliance with the BioOp? Desire not to have to reconsult with the US Fish and Wildlife Service (USFWS). Favor doing whatever is needed to get water up in the system (aka Sumner Lake).
- Concern about the 71 cfs requirement recently brought up by Forest Guardians; EA needs to ensure that the 35 cfs at Taiban is consistent with the intent of the USFWS.
- Noted that there are three major considerations that the EA must balance: water need for fish, water need for CID, and water need for Stateline flows.
- Carryover from year-to-year should be allowed.
- Where did the 2,500 AF/year estimate for FCP size come from?

Supplemental Water Options:

- (1) Allow for FSID forbearance during certain events (rain, shut downs, etc.), give FSID credit for this non-use, and allow Reclamation to take delivery of this water at Lake Sumner and store it in the permitted FCP.
- (2) Flexibility in delivery schedule for State water. State is buying rights in CID to protect stateline flows. Concept is to take delivery of that water in Sumner Lake and deliver the water in dry times to keep the river wet. It would be state water, but Reclamation could account for and pay for the depletion / conveyance loss.

Appendix:
***River Notes* Newsletter**
Scoping Meeting Handouts
Meeting Sign-In Sheets

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RIVER NOTES

A Newsletter of the Pecos River Supplemental Water and Exchange EA
October 2006

Environmental Assessment to be Prepared *Reclamation Seeking Supplemental Water for the Pecos River*

The Bureau of Reclamation (Reclamation) is preparing an Environmental Assessment (EA) to analyze the effects of water exchanges to obtain sources of supplemental water to conserve the Carlsbad Project water supply and to keep the Pecos River continuous. This includes leasing with water pumpers along the river and may include the transfer of private water rights. The project is needed to comply with the 2006-2016 Biological Opinion for the Carlsbad Project Water Operations and Water Supply Conservation Environmental Impact Statement (EIS), August 2006.

The Biological Opinion and EIS commit Reclamation to operate the Carlsbad Project with a target flow of 35 cubic feet per second (cfs) at the Taiban Gage and to avoid river intermittency in order to conserve the federally protected Pecos bluntnose shiner.

To accomplish this, Reclamation needs the flexibility to release about 2,500 acre-feet of water out of Sumner Reservoir per year, while also ensuring that there is enough water at Brantley Reservoir to meet the contracted irrigation needs of the Carlsbad Project. The EIS affirmed that a variety of supplemental water sources would have to be obtained to provide this water. Reclamation has since formalized a supplemental water program, making it ripe for additional environmental analysis. Under the supplemental water program, Reclamation is proposing the following actions:

- Commit up to 400 acres of ground water rights to be pumped into Brantley Reservoir in exchange for being able to store and withdraw water from Santa Rosa or Sumner Reservoirs.
- Obtain leases with water pumpers along the river, which could include the transfer of private water rights.

The EA will evaluate the potential environmental and socioeconomic impacts from these actions, from taking no action, and from any alternative actions that may be identified.



Mark your Calendar! *Upcoming Public Meetings*

Reclamation will host two public workshops to provide information on the project and collect public input.

Carlsbad, November 15, 2006
Stevens Inn, Conference Rm 2
1829 South Canal

Ft. Sumner, November 16, 2006
Ft Sumner Community Center
US Hwy 60

*Both meetings will be from
5:30pm – 7:30pm*

How to contact us!

To submit comments or if you have questions, please contact:

Ms. Marsha Carra
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Albuquerque Area Office
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Albuquerque, NM 87102-2352

Phone: 505-462-3602

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What is public scoping and how can you participate?

Public involvement is an integral part of the EA process, allowing decision-makers to fully understand the concerns and interests of individuals, organizations, and agencies. Scoping is conducted at the beginning of the EA process to help identify relevant environmental and socioeconomic issues, collect data, and allow for the refinement of the proposed action and alternatives. We want to hear from you! Two scoping meetings will be held on November 15th and 16th in Carlsbad and Ft. Sumner, respectively. This is an opportunity for the public to learn more about the project and to provide their comments. Reclamation is also soliciting written comments, including letters, faxes, or e-mail. While Reclamation will collect input throughout the process, receipt of your comments by the end of November will ensure that they are fully considered in preparing the EA.

To keep you informed, newsletters will be distributed periodically. Copies of the Draft EA will be made available for public review and comment, likely around March 2007. Public meetings may also be conducted during this review period.

Cooperative Effort

Reclamation invites cooperating agencies

The preparation of an EA requires the participation and expertise of many federal, state, and local agencies. The **New Mexico Interstate Stream Commission** has agreed to be a cooperating agency in this effort, building on past partnerships between Reclamation and the State in the Pecos River basin. The following agencies have also been invited to participate as cooperating agencies:

- US Fish and Wildlife Service
- US Army Corps of Engineers
- NM Department of Game and Fish
- Carlsbad Irrigation District
- Fort Sumner Irrigation District

Types of comments that are most useful are written and substantive, that provide specific values, numbers, or criteria, and that explain your concerns and issues and changes that you think will improve the EA. The more specific the comments, the better.

Bureau of Reclamation
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Albuquerque, NM 87102-2352



RIVER NOTES

*A newsletter of the Pecos River
Supplemental Water and Exchange EA*

Commonly Used Acronyms

| | |
|-----|--------------------------------|
| cfs | Cubic feet per second |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |
| NM | New Mexico |
| US | United States |

PECOS RIVER SUPPLEMENTAL WATER EA FACT SHEET

Purpose and Need for Action

The project is needed to comply with the 2006-2016 Biological Opinion for the Carlsbad Project Water Operations and Water Supply Conservation Environmental Impact Statement (EIS), June 2006. The Biological Opinion and EIS commit Reclamation to operate the Carlsbad Project with a target flow of 35 cubic feet per second (cfs) at the Taiban Gage and to keep the river continuous in order to conserve the federally protected Pecos bluntnose shiner. The purpose of the project is to provide adequate water to keep the river continuous, meet the contracted irrigation needs of the Carlsbad Project, avoid hindering New Mexico delivery requirements to Texas, and to establish partnerships in the basin.

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- Transfer any available water rights at Karr Farms near Artesia to Seven Rivers to be pumped into Brantley Reservoir in exchange for being able to store and withdraw water from Santa Rosa Reservoir or Sumner Lake, or to directly use these rights for habitat improvement projects.
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RECLAMATION
Managing Water in the West

RESOURCES TO BE ANALYZED

SETTING

- Geology
- Climate

SURFACE WATER

- General description of trends, purposes, operational priorities
- Water Operations: Description of operations, reservoirs, streamflows, transportation losses, water deliveries and supplies

GROUNDWATER

- General description, groundwater systems, transport losses, depth to groundwater, groundwater quality, interactions with surface water

WATER QUALITY

- Reservoirs, Pecos River, salinity, mercury

THREATENED AND ENDANGERED SPECIES

- Pecos bluntnose shiner
- Interior least tern, Bald eagle

FISH

- Native riverine species, reservoir fisheries

WILDLIFE AND HABITAT

RECREATION

ECONOMICS/SOCIAL AND COMMUNITY CONDITIONS

- Agriculture, local and regional economies, environmental justice

CULTURAL RESOURCES

- Historic sites, traditional cultural properties, sacred sites

INDIAN TRUST ASSETS

PECOS RIVER SUPPLEMENTAL WATER EA NEPA PROCESS FACT SHEET

What is NEPA?

- The National Environmental Policy Act (NEPA) of 1969 establishes a basic framework for encouraging environmental protection in the United States.
- There are two primary objectives of NEPA:
 1. Ensure that agencies consider every significant aspect of a proposed project's environmental impact.
 2. Inform and involve the public of potential impacts and alternatives.
- The NEPA process is a set of activities to gather information on, analyze, and document the potential environmental effects of the proposed project.

When is the NEPA Process Required?

- NEPA is required when a Federal action is taken that may have impacts on the human and natural environment. Federal actions are those that require Federal funding, permits, policy decisions, facilities, equipment, or employees.

Lead and Cooperating Agencies

- The Bureau of Reclamation is the lead federal agency for the action and will make the final decision on the action.
- Cooperating agencies include the New Mexico Interstate Stream Commission, US Fish and Wildlife Service, NM Department of Game and Fish, and Fort Sumner Irrigation District. The US Army Corps of Engineers and Carlsbad Irrigation District were also invited to be cooperating agencies.

What environmental documentation will be prepared?

- The Bureau of Reclamation will prepare an Environmental Assessment (EA) addressing the potential environmental and socioeconomic impacts from the proposed action. To ensure consistency and to avoid duplication of efforts, the EA will be tiered to the Carlsbad Project Water Operations and Water Supply Conservation EIS, June 2006.

How will the public be involved in the NEPA Process for this project?

- Two major opportunities for the public to become involved in the Pecos River Supplemental Water EA are: (1) at the beginning of the NEPA process during the public scoping period, and (2) after the Draft EA has been prepared.
- During the scoping period, two public meetings will be conducted: November 15th in Carlsbad, New Mexico, and on November 16th in Fort Sumner, New Mexico.
- Written comments, including letters, faxes, or e-mails, will be accepted throughout the process; however, the scoping period officially ends on December 1, 2006.
- The Draft EA will be available for a 30-day public review and comment period, likely beginning in February or March of 2007.

Where do we send comments?

- Written comments should be addressed to:
Marsha Carra
Bureau of Reclamation, Albuquerque Area Office
555 Broadway NE, Suite 100
Albuquerque, New Mexico 87102

Fax (505) 462-3780
e-mail: mcarra@uc.usbr.gov

BUREAU OF RECLAMATION
 PECOS RIVER SUPPLEMENTAL WATER EA
 PUBLIC MEETING - NOVEMBER 15, 2006 - STEVENS INN - CARLSBAD, NEW MEXICO

| Name | Organization/Company (if applicable) | Add Me to Mailing List (yes or no) | Complete Mailing Address (please print clearly) |
|-------------------|---|---|--|
| Bill Netherlin | DWAED | ✓ | 103 E Four Dikes, Artesia, NM 88210 |
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| Bill Roberts | CID | | A.O. Box 8 Malaga, NM 88243 |
| James W. Hensdale | | ✓ | JSD e covenen, mt |
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BUREAU OF RECLAMATION
PECOS RIVERSUPPLEMENTAL WATER EA
PUBLIC MEETING - NOVEMBER 16, 2006 - VILLAGE COMMUNITY HOUSE - FT. SUMNER, NEW MEXICO

| Name | Organization/Company (if applicable) | Add Me to Mailing List (Yes or no) | Complete Mailing Address (please print clearly) |
|------------------|---|---|--|
| Allen Sparks | FSID | NO | |
| Mary Sparks | ESODC | | |
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| Dorothy Young | Farmer | YES | |
| Alan West | FSID | | |
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| Blanca Suez | SW CD+NMHCAD | yes | P.O. Drawer R Ft. Sumner, NM. 88119 |

