

RECLAMATION

Managing Water in the West

NEPA Scoping Summary on Implementation of Rio Grande Project Operating Procedures

**Doña Ana, Sierra and Socorro Counties, New Mexico
and El Paso and Hudspeth Counties, Texas**

El Paso Field Division and Albuquerque Area Office

Upper Colorado Region

May 17, 2012

Mission Statements

The U.S. Department of the Interior protects America's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our future.

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.

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Introduction

This summary is being prepared as part of the National Environmental Policy Act (NEPA) process that Reclamation conducted in 2007 and re-initiated in January 2012 to analyze the effects on the environment based on new information that has become available or changed since 2007 to determine whether the proposed operating procedures have the potential to cause significant environmental effects (40 CFR 1508.9(a)).

This summary sets forth the issues raised during the scoping process and describes the proposed scope of environmental analyses to be included in the supplemental environmental assessment (EA). This summary also includes the comments received during the public scoping process and identifies the categories of environmental analysis that will be addressed in the supplemental EA.

Purpose of this Summary

Under NEPA, the purposes of scoping are many. Scoping is used to obtain input on the range of issues, impacts, and alternatives that should be evaluated in the environmental analysis process; identify and eliminate from detailed study, the issues which are not significant, or which have been covered by prior environmental review; and establish timing of decisions and schedules (40 CFR 1501.7 and 1508.25 and 43 CFR 46.235).

The purpose of the scoping process is to describe the preliminary results of Reclamation's scoping effort and to achieve the purposes stated above.

We note that scoping is not required by the Council on Environmental Quality (CEQ) for an EA, though federal agencies may apply the scoping process to development of an EA (43 CFR 46.305(a)(2)).

Purpose of an Environmental Assessment

Under NEPA, an EA is a concise public document that provides sufficient evidence and analysis for decision makers to determine whether to prepare an environmental impact statement or a finding of no significant impact. An EA may be used by a Federal agency to either facilitate preparation of an environmental impact statement or it may assist that agency in complying with its statutory obligation when no environmental impact statement is necessary. An EA includes a brief discussion of the need for the proposal, alternatives as required by NEPA section 102(2)(E), the environmental impacts of the proposed action and alternatives, and a list of agencies and persons consulted. (40 CFR 1508.9)

Background

The Rio Grande Project (Project) was authorized by Congress under the authority of the Reclamation Act of 1902, as amended and supplemented. The Project provides irrigation water to two irrigation districts, Elephant Butte Irrigation District (EBID) located in New Mexico, and El Paso County Water Improvement District No. 1 (EP1) located in Texas, and, pursuant to the Warren Act, return flows of Rio Grande Project water are conveyed to the Hudspeth County Conservation and Reclamation District No. 1 located in Texas. Under the Convention with Mexico of 1906, the United States is obligated to deliver up to 60,000 acre-feet (AF) of water annually in a full allocation year; otherwise, the water allocation to Mexico is reduced by the same percentage as is water to the irrigated lands in the United States.

In 1937, Congress authorized the execution of amended repayment contracts with EBID and EP1. These contracts reduced the repayment obligations and established a corresponding right of use to a proportion of the annual water supply based upon an established irrigated acreage in each district: 57 percent to EBID and 43 percent to EP1. These contracts among Reclamation and the two districts also added a three percent buffer to the authorized amount of land that could be irrigated with Project water. Today, the Project irrigates 155,000 (plus three percent) total acres. Within EP1's boundaries there are a total of 67,000 acres (plus three percent or 69,010 acres) of land that have appurtenant Project-water rights, and within EBID's boundaries, there are 88,000 acres (plus three percent or 90,640 acres) of land that have appurtenant Project-water rights.

The districts' amended repayment contracts required three changes to occur in historic operations. First, once the two districts paid the total reimbursable costs for the Project, the two districts were required to take over the day-to-day responsibility for operation and maintenance of the irrigation delivery and drainage system. Second, once this transfer of operation and maintenance occurred, Reclamation and the two districts were required to agree to and formalize a set of operating procedures that would govern the operations of those transferred Project works. Third, upon that transfer, Reclamation would no longer calculate, allocate, and deliver water to Project *land* but rather Reclamation would deliver an annual water allocation – an “annual diversion allocation” – to each district in an amount that corresponded to the percentage of Project land within their boundaries: 57 percent of the legally-available Project water supply to EBID and 43 percent to EP1.¹

¹ Prior to 1938, Reclamation had allocated and delivered water to Project lands without distinguishing between whether that land was within or outside a particular district's boundaries.

Consequently, in 1979 and 1980 when both districts fulfilled their repayment obligations, Reclamation and the two districts entered into contracts that transferred the day-to-day responsibility for operation and maintenance of the irrigation delivery and drainage systems to each district. These contracts required the districts and Reclamation to develop operating procedures to govern the operations of those facilities; however, because the districts and Reclamation could not agree on a formalized set of operating procedures the transfer of operation and maintenance occurred, but the Secretary of the Interior through Reclamation's El Paso office, imposed *ad hoc* operating procedures to govern operations in the interim. These *ad hoc* operating procedures were modified by Reclamation on an annual basis between 1980 and 2007. For example, during that time Reclamation calculated, allocated, and delivered each district's annual diversion allocation (e.g., the district's proportion of the legally-available water supply) but the exact methods, equations, and procedures used by Reclamation to calculate those allocations and determine amounts delivered at headings was modified each year as well as optimized, based on real-time water conditions.

In 2007, EBID and EP1 filed separate actions in the federal courts of New Mexico and Texas, respectively, seeking declaratory judgments confirming and validating the rights and obligations of each party, based upon their individual repayment contracts with the United States for Project water.² The complaints asserted the United States must implement a set of operating procedures based upon the Districts' respective interpretations of the United States' contractual obligations rather than continue the *ad hoc* administration of Project operations. The lawsuits were dismissed by EBID and EP1 when these parties, in conjunction with Reclamation, agreed to execute and implement the 2008 OA, as a settlement of the pending litigation³. The term of the resulting 2008 OA is from January 1, 2008, until December 31, 2050. A brief summary of the 2008 OA's major provisions is provided below.

Under the 2008 OA, Reclamation determines the total amount of the legally-available Project water supply in storage at the beginning of each water year and during each month thereafter. The OA specifies that EBID's and EP1's annual diversion allocations will be derived, based

² See Complaint, EBID v. U.S. Dept. of the Interior, No. CIV00-1309 RB/KBM (D.N.M. 2007), U.S. District Court of New Mexico; Complaint, EPWCID v. EBID, No. EP-07CA-0027 PRM (W.D. Tex. 2007).

³ The 2007 EA and FONSI, the 2008 Operating Agreement and the 2010 Operations Manual are available on the Reclamation webpage at:
http://www.usbr.gov/projects/Project.jsp?proj_Name=Rio%20Grande%20Project

upon the district's respective proportion of the legally-available water supply, in accordance with an operations manual and in consultation with those two parties. Additionally, the 2008 OA requires that Reclamation ensure the water order and actual diversion at each designated delivery metering station matches. This is accomplished by close monitoring of storage releases and measurements along the system that determine gains, accretions or losses to the river.

The 2008 OA includes a measure to promote water conservation. Specifically, the agreement provides both districts the right to carry over an amount of their respective annual diversion allocation, up to a maximum of sixty percent of each district's full-year water allocation. The maximum of sixty percent of EBID's and EP1's full-year allocation – their "maximum carryover balance" – equals 305,918 acre-feet and 232,916 acre-feet, respectively. The 2008 OA provides that any excess carryover amount over that limit is transferred to the carryover account of the other district unless both districts' carryover limits are exceeded, in which case both districts receive the aforementioned "maximum carryover balance."

The general provisions of the 2008 OA require that all parties cooperate to comply with all federal laws during implementation of that agreement. The 2008 OA also provides that all parties may modify any of its provisions or the operations manual with unanimous consent. Lastly, the 2008 OA provides that it shall be reviewed for improvement of operations at least annually or as agreed to by the majority of the parties. At the time of settlement, the term of the OA is from January 1, 2008 until December 31, 2050.

The 2008 OA sets forth an agreement between the three parties to implement an agreed upon set of operating procedures, which are detailed in an operations manual. This manual contains information regarding the methods, equations, and procedures used by the districts and Reclamation to manage operation of the irrigation delivery and drainage system in two respects. First, the operating procedures calculate and account for allocations to the two districts and Mexico, as well as provide for a certain percentage of a district's annual allocation conserved in one year, to be available for delivery in subsequent years, subject to certain conditions. Second, the operating procedures govern operation and maintenance of the irrigation delivery and drainage system, including measurements along the system at diversion facilities, drains, and metering stations.

In 2007, Reclamation prepared an EA for the execution of an OA as well as the implementation of the agreed upon set of operating procedures contained therein.⁴ The 2007 EA analyzed the effects of implementing agreed upon operating procedures on the environment over a five-year period. In 2007, Reclamation also prepared a finding of no significant impact (FONSI) in which Reclamation committed to review the potential environmental impacts of those operating procedures on the environment in five years. Since 2007 and as allowed by the 2008 OA, the operating procedures have been optimized based on the results of improved monitoring and management experience.

At this time, Reclamation is preparing a supplemental EA. This supplemental EA will compile the available information and analyze the effects of implementing proposed operating procedures on the environment over the remaining duration of the 2008 OA, which is through 2050. This supplemental EA will analyze the effects on the environment based on new information that has become available or changed since 2007 to determine whether the proposed operating procedures have the potential to cause significant environmental effects (40 CFR 1508.9(a)). Reclamation acknowledges that if additional modifications are made to operating procedures in subsequent years, which may have resulting impacts on the environment that were not described or analyzed in this supplemental EA, that there will be a need for additional supplemental environmental analysis. (43 CFR 46.120(c) and (d)).

Reclamation intends to use collected data evidencing the impacts of *ad hoc* operating procedures on the environment from prior to 2007 as a baseline to determine whether proposed alternative operating procedures may potentially have significant impacts on the environment. This supplemental EA will analyze and compare the relevant data from pre-2007 and post-2007 to determine past, present, and anticipated future impacts of operating procedures on the environment based upon projections from past data and available studies.

The supplemental EA will result in one of three possible outcomes:

- a finding of no significant impact could be issued; or
- a decision could be made to prepare an environmental impact statement; or
- a decision could be made to not implement the proposed Federal action.

⁴ As discussed *supra* and in footnote 2, the 2008 OA was agreed to as part of the settlement of litigation between Reclamation and the two districts.

Lead and Cooperating Agencies

For purposes of this NEPA review, Reclamation's Albuquerque Area Office, working with its El Paso Field Division, is the lead agency for NEPA. In compliance with NEPA implementing regulations, any Federal, state, or local agency or tribe with jurisdiction by law or that has special expertise with respect to a particular environmental issue may be invited to become a cooperating agency.

Reclamation initially contacted several agencies in January 2012, requesting their comments on the proposed project and inviting them to become cooperating agencies. During the early part of this scoping process, Reclamation received comments that questioned the reasoning behind our decision to limit analysis of the environmental effects to another five-year period, rather than for the next forty-two years (e.g., the remaining duration of the 2008 OA). Upon further consideration, Reclamation extended the period of environmental analysis to December 2050, and notified interested parties and potential cooperating agencies of this change in April 2012.

The following agencies were invited to participate as cooperating agencies:

- **Federal:**
 - U.S. Section of the International Boundary and Water Commission
 - U.S. Geological Survey, Las Cruces Field Office
 - U.S. Fish and Wildlife Service
- **State:**
 - El Paso County Water Improvement District No. 1
 - Elephant Butte Irrigation District
 - Middle Rio Grande Conservancy District
 - New Mexico Interstate Stream Commission
 - Texas Commission on Environmental Quality⁵

The following agencies declined:

- U.S. Geological Survey, Las Cruces Field Office
- U.S. Fish and Wildlife Service
- New Mexico Interstate Stream Commission
- Middle Rio Grande Conservancy District (response pending)

⁵ The TCEQ declined to participate as an agency, however the Texas Rio Grande Compact Commission elected to participate as a cooperator on April 20, 2012.

On April 12, 2012, Reclamation held a cooperating agency meeting in its El Paso Field Division Office. The meeting was attended by representatives of the U.S. Section of the International Boundary and Water Commission (IBWC), Texas Council on Environmental Quality and Texas Rio Grande Compact Commission, EBID and EP1. The role of cooperating agencies is generally to:

- participate in the NEPA process;
- provide information or prepare environmental analyses over which they have special expertise⁶; and
- make available staff support at the lead agency's request to enhance interdisciplinary capabilities.

Description of the Scoping Process

Scoping is defined by the CEQ's regulations at 40 CFR 1501.7 as an early and open process for determining the scope of issues to be address and for identifying the significant issues related to a proposed action. The Department of the Interior further defines scoping as a process that continues throughout the planning and early stages of preparation of an EIS, which may be helpful during preparation of an EA but that is not required (43 CFR 46.235). In general, scoping proceeds in several steps:

- Invite the participation of affected Federal, state, and local agencies; affected Indian tribes, the proponent of the action, and other interested persons.
- Identify and eliminate from detailed study those issues that are not significant or which have been covered by prior environmental reviews.
- Allocate assignments for preparation of the document among the lead and cooperating agencies.
- Indicate any EISs or EAs which are being prepared that are related to but are not part of the scope of the analysis.
- Identify other environmental review and consultation requirements.
- Set time limits and schedules.

American Indian Consultation

Consistent with the requirements of Executive Order 13175 regarding "Consultation and Coordination with Indian Tribal Governments," and Secretarial Order 3317 and other requirements for consultation with American Indian tribes,

⁶ The EA will list the information provided by cooperating agencies, which the lead agency utilized to analyze the potential environmental effects of the proposed Federal action.

Reclamation mailed letters to the following potentially interested American Indian tribes and pueblos, determined by geographic overlap between the Rio Grande Project and aboriginal territory and by the geography-based list maintained by the NM State Historic Preservation Office for cultural resource concerns and the similar map maintained by the Texas Historical Commission, requesting comments on the Project and offering an invitation to enter into formal, government-to-government consultations related to the proposed action:

- Apache Tribe of Oklahoma
- Comanche Indian Tribe
- Fort Sill Apache Tribe of Oklahoma
- Hopi Tribe
- Kiowa Tribe of Oklahoma
- Mescalero Apache Tribe
- Navajo Nation
- Pueblo of Acoma
- Pueblo of Isleta
- White Mountain Apache Tribe
- Ysleta del Sur Pueblo

Reclamation continues to make follow up phone calls to verify tribal interests in government-to-government consultation. At this time, Reclamation believes that the Mescalero Apache may be the only tribe that may have Indian trust assets within the Project area based upon the location of their aboriginal territory. Follow up telephone calls are still being made to determine if they have any sacred site or cultural resource concerns related to the proposed Federal action. The Hopi Tribe formally deferred to the more affected tribes. The Ysleta del Sur Pueblo responded that they had no comments or concerns but requested consultation under the Native American Graves Protection and Repatriation Act, should any Native American human remains be discovered in the course of the Project.

Public Notification

In accordance with 43 CFR 46.305(a), “[t]he bureau must, to the extent practicable, provide for public notification and public involvement when an environmental assessment is being prepared. However, the methods for providing public notification and opportunities for public involvement are at the discretion of the Responsible Official.” Although formal scoping is not required for an EA, the Albuquerque Area Office Manager elected to apply a formal scoping process to this supplemental EA. Initial letters were sent in January and February of 2012 to agencies and organizations informing them that Reclamation planned to prepare an EA and requesting comments. When Reclamation extended the scope of the environmental analysis based on initial scoping responses, the following agencies and organizations received a second letter in April 2012 inviting them to provide further comments:

- U.S. Army Corps of Engineers
- U.S. Bureau of Land Management, Las Cruces District Office
- U.S. Fish and Wildlife Service
- U.S. Geological Survey, Las Cruces Office
- New Mexico Department of Game and Fish
- New Mexico Environment Division
- New Mexico Interstate Stream Commission
- New Mexico State Historic Preservation Officer
- New Mexico State Land Office
- Doña County New Mexico
- Sierra County New Mexico
- Socorro County New Mexico
- El Paso County Texas
- Hudspeth County Texas
- Caballo Lake State Park
- Elephant Butte State Park
- U.S. Senator Jeff Bingaman
- U.S. Senator Tom Udall
- Audubon New Mexico

Initial scoping letters were also sent in January 2012 to the following additional agencies or organizations:

- Governor Susanna Martinez
- Governor Rick Perry
- New Mexico Riparian Council
- Wild Earth Guardians

Public Meetings

Reclamation conducted public scoping meetings to solicit input from the public at two locations - El Paso, Texas and Las Cruces, New Mexico. The El Paso meeting was held April 25, 2012, at Reclamation's El Paso Field Division office and the Las Cruces meeting on April 26, 2012, was held at the Elephant Butte Irrigation District office board room.

Legal announcements for the meetings were placed in three relevant newspapers – the El Paso Times, Albuquerque Journal and Las Cruces Sun-News on April 20, 2012. A copy of the public notice is attached as Appendix D.

The El Paso Field Division maintains a “Drought Watch on the Rio Grande” mailing list that includes several hundred names and includes individuals, companies, agencies, universities, a community college, and 5 international agencies. The Drought Watch notices are often redistributed to additional individuals.

The two public meetings in two states were designed to allow for the participation by a cross-section of the public and interested stakeholders including local businesses, special interests, and environmental groups, as well as Federal, state, and local agencies, or individuals. Sign-in sheets were prepared, and those who indicated interest will be added to the Drought Watch mailing list maintained by the El Paso Field Division and will receive notices related to the Project.

Reclamation staff provided a brief presentation to the attendees at each of the public meetings. The presentation included:

- Welcome and introductions
- Purpose of meeting
- Background
- Objectives
- Proposed process schedule
- Information on issues or processes, to date

The presentation was followed by a question and answer period. The attendees were requested to submit their comments and suggestions in writing to Reclamation and comment cards were available. The scoping comments are summarized in Appendix B.

Comment Period

Reclamation provided a 110-day comment period beginning from the initial mailing in January until April 30, 2012. Comments received after this date were not incorporated into this final Scoping Summary but all comments and input will be considered in the supplemental EA to the extent possible.

Proposed Action and Alternatives

The Proposed Action

The proposed Federal action is to adopt and implement operating procedures that govern the management, operation and maintenance of Rio Grande Project irrigation water supply and delivery and drainage systems to provide for continued beneficial use of Rio Grande Project water consistent with applicable laws. The supplemental EA will evaluate the potential effects on the environment of implementing alternative sets of operating procedures.

Alternatives

Reclamation has considered the information and comments received during the scoping process to develop alternatives that will be considered and evaluated in

the supplemental EA. While additional alternatives may be identified and evaluated, Reclamation has identified three initial alternatives:

- **Alternative 1, No Action or the Ad Hoc Operation of the Rio Grande Project:** Under the no action alternative, operations would be carried out in accordance with procedures as determined by Reclamation, including an ad hoc basis for redistributing unused allocations, with no provision for a carryover diversion allocation (i.e. a percentage distribution of legally available Project water to the irrigation districts without an allowance for conserved water from prior years' allocation as occurred prior to formation of the 2008 OA).
- **Alternative 2:** Under this action alternative, operations would be carried out in accordance with procedures implemented since 2010, including using methods, equations, and procedures detailed within the 2010 Operations Manual, and subject to the requirements of the 2008 Operating Agreement (i.e., operating procedures may be modified by agreement of all parties or optimized based on water conditions each year⁷).
- **Alternative 3:** Under this action alternative, operations would be carried out in accordance with procedures that were implemented between 2007 and 2008, including using methods, equations, and procedures detailed within the 2007 Operations Manual, subject to the requirements of the 2008 Operating Agreement.

After thorough consideration of the comments and issues identified by commentors during scoping, the action alternatives have five common elements:

- Assessing and accounting for changes in river delivery efficiency, including but not limited to, effects of groundwater pumping in the Mesilla Valley in New Mexico and Texas, including but not limited to the Canutillo Well field and other areas hydrologically connected to the Rio Grande that affect Rio Grande Project water deliveries.
- Calculating the annual water allocations for each district in accordance with irrigable acreage set by their respective repayment contracts.
- Calculating the annual water allocation for Mexico in accordance with the 1906 Convention.
- Accounting for each district's annual unused water allocation.
- Promoting water conservation by allowing the districts access to a carryover (conserved) entitlement in subsequent years.

⁷ Reclamation acknowledges that if additional modifications are made to operating procedures in subsequent years, which may have resulting impacts on the environment that were not described or analyzed in this supplemental EA, that there will be a need for additional supplemental environmental analysis. (43 CFR 46.120(c) and (d)).

Purpose and Need for Action

In accordance with contracts between Reclamation and EBID and EP1 that transferred the operation and maintenance of certain Rio Grande Project facilities in 1979 and 1980 to the districts, these three entities must develop and agree to a formalized set of operating procedures to govern the management, operation and maintenance of Rio Grande Project irrigation water supply and delivery and drainage systems. The proposed Federal action is needed to implement operating procedures that calculate, account for, and sustainably manage Rio Grande Project irrigation water supply, releases, and deliveries in compliance with Rio Grande Compact requirements, Reclamation's mission and other statutory obligations, the contracts with EBID and EP1, and state-adjudicated water rights.

Description of the Project Area and Study Area

The geographic scope to be considered in the supplemental EA will be precisely defined following the development of the alternatives and after determining where hydrological effects of the alternatives are measurable. This will be based on input and feedback that will be received during cooperating agency consultation and coordination.

At this time, the geographic scope of analysis is defined by the boundaries of Reclamation's Rio Grande Project. Appendix A provides an overview of the Project within the State of New Mexico. As mentioned in the Introduction, the Rio Grande Project provides an irrigation water supply for 69,010 acres of land within the EP1 boundaries and 90,640 acres of land within the EBID boundaries. Return flows or "seepage water" from Project lands also provide a supplemental supply for about 18,000 acres in Hudspeth County, Texas. Project lands are located along the floodplain of the Rio Grande in south-central New Mexico and west Texas. About 57 percent of the lands receiving water are in New Mexico; 43 percent are in Texas.

Project facilities include Elephant Butte and Caballo Reservoirs and Dams, 6 diversion dams, 139 miles of canals, 457 miles of laterals, 465 miles of drains, and a hydroelectric powerplant. The Rio Grande Project ends at the El Paso / Hudspeth County line.

Project facilities may also be used for diversions to Mexico by the IBWC to irrigate approximately 18,000 acres in the Juarez Valley in Chihuahua State, Mexico. However, the geographic scope of the proposed Federal action does not extend to Mexico and any references to water deliveries to Mexico are not intended to constitute an interpretation or application of the Convention of 1906 or a determination of future U.S. policy regarding deliveries to Mexico.

Comment Review and Analysis

Scoping comments were received by Reclamation's Albuquerque Area Office and El Paso Field Division. All comments received by Reclamation's El Paso Field Division were transmitted to the Albuquerque Area Office. Reclamation staff in the Albuquerque Area Office read each comment document and screened the comments to identify any duplicates. Original comment documents will be maintained by Reclamation.

As of April 30, 2012, Reclamation had received 16 comment documents in response to the scoping letters and meetings. A comment document is a written version of comments submitted by a commentor⁸, whether a letter, postcard, e-mail, or transcript of oral comments at a public meeting, or from a record of a phone call.

As comment documents were received, they were logged in and assigned a source identification number and entered into a Microsoft Excel spreadsheet. The number assigned to a comment document reflects the order in which it was entered into the analysis. A comment document may contain any number of individual comments. As of April 30, 2012, 79 unique comments were received.

All scoping comments were compiled into discrete planning issues or comment categories that will be analyzed, as appropriate, in the supplemental EA and that will be used to help formulate alternatives as required by NEPA section 102(2)(E). Appendix B provides a summary of the individual comments and coded comment categories. The preliminary list of issues or resources to be addressed in the supplemental EA is provided below:

- NEPA process, including alternatives
- Water resources, including water quality, Project deliveries and groundwater
- Climate change
- Floodplains including soils, flood and sediment controls, islands in the river, and overbanking
- Jurisdictional waters and wetlands
- Plants or vegetation associations, including wetlands
- Threatened, endangered, and special-status species

⁸ The word "commentor" is commonly used in the NEPA process and generally refers to any person, agency, or other entity that provides written or oral comments or input relative to the content, process, scope, or analysis of the NEPA process or respective action or project.

- Wildlife
- Invasive species
- Agricultural resources and economics
- Tribal issues
- Hydroelectric power resources
- Recreational resources and economics
- Environmental justice

Proposed Scope and Content of the Supplemental EA

Preliminary Table of Contents

An outline of the proposed table of contents is included as Appendix C. Reclamation will use (and modify, as appropriate) this outline to ensure a complete, accurate, and robust analysis and clear presentation to its readers.

Chapter 1 Introduction: This section will describe the Project history and background, the purpose of and need for the proposed action, and Reclamation's proposal for achieving that purpose and need. This section will detail how Reclamation informed interested parties and stakeholders of the proposal and how they responded.

Chapter 2 Alternatives, including the Proposed Action: This section will provide a detailed description of Reclamation's proposed action, as well as alternative methods for meeting the purpose and need for action. The alternatives will be developed based on issues raised by the public, stakeholders, and other agencies during the scoping process. This discussion will include possible mitigation measures, as needed. Finally, this section will provide a summary table of the environmental consequences associated with each alternative.

Chapter 3 Affected Environment: This section will describe the resources of the human environment that are potentially affected by the alternatives.

Chapter 4 Environmental Consequences: This section will describe the environmental effects of implementing the proposed action and other alternatives. This analysis is organized by resource area.

Chapter 5 Agencies and Persons Consulted: This section will provide a list of persons or agencies consulted during the development of the supplemental EA.

Appendices to the Supplemental EA: Appendices will provide more detailed technical information to support the analyses presented in the supplemental EA. At this time, it is anticipated that the 2008 OA, the operations manual, and a

biological assessment analyzing effects to Federally-listed species will be included as appendices.

Preliminary Proposed *Next Steps* in Environmental Review Process

Reclamation may modify, as appropriate, the steps taken or time frame indicated to ensure, to the extent practicable, a complete, accurate, and robust analysis of the potential environmental effects of the proposed Federal action. Reclamation's original target date for completion of the Supplemental EA was June 2012. However, based upon scoping comments received, Reclamation anticipates that more time may be required to fully address identified concerns and to complete a sufficient analysis.

Public Notification of Completed Environmental Assessment: Per 43 CFR 46.305, Reclamation will notify the public of the availability of the supplemental EA. Reclamation is currently analyzing the potential environmental impacts of the proposed action and alternatives, as well as developing, in coordination with cooperating agencies and in response to comments, alternatives, as required by NEPA section 102(2)(E). Reclamation anticipates the supplemental EA will be completed and released to the public on its website in 2012.

Following publication or at the time of publication of the supplemental EA, Reclamation will announce one of the potential three outcomes of its planning efforts (43 CFR 46.325):

- a finding of no significant impact (FONSI) could be issued; or
- a decision could be made to prepare an environmental impact statement;
or
- a decision could be made to not implement the proposed Federal action.

Appendix A: Map of Project Area

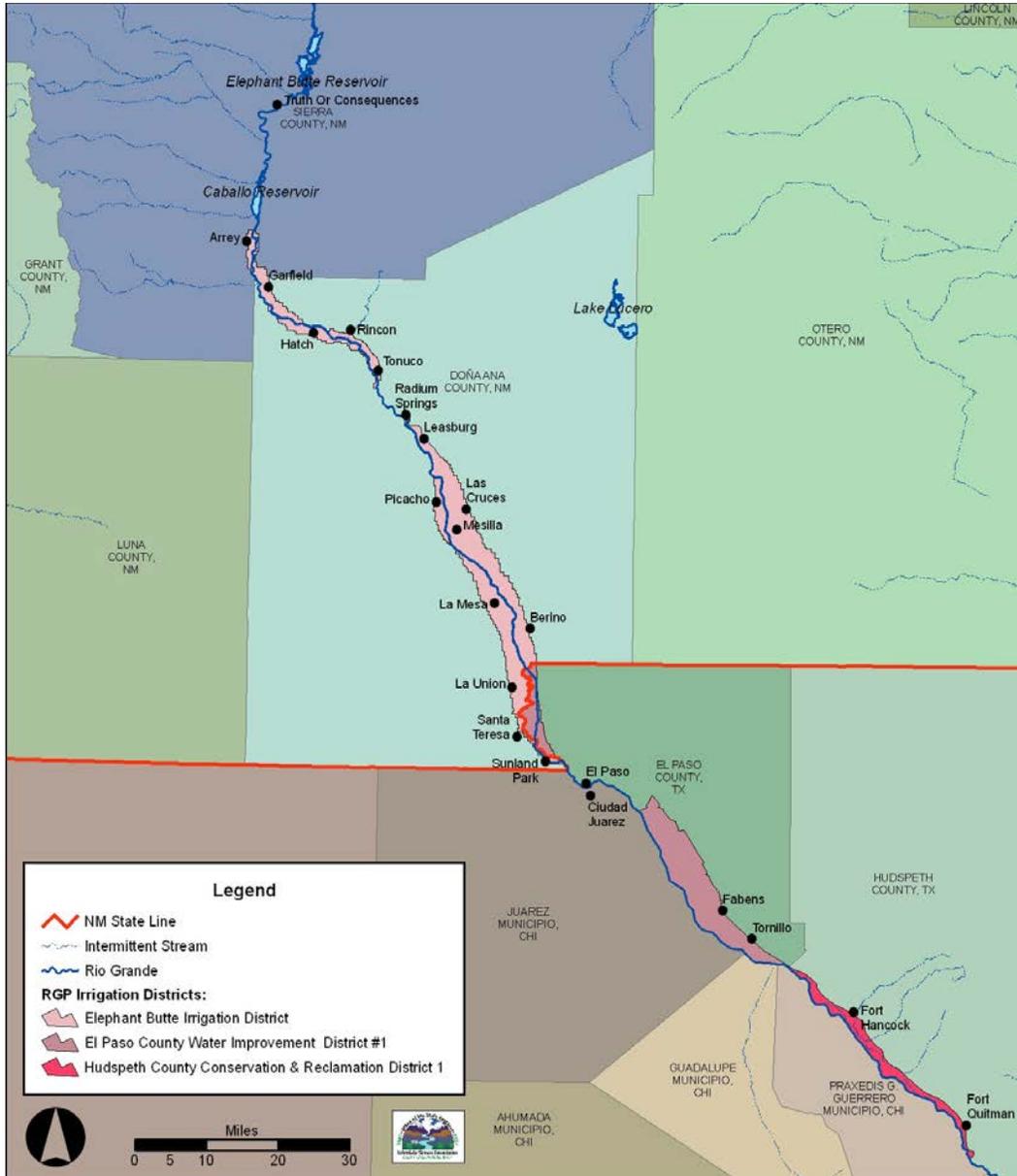


Figure 1: Map of Rio Grande Project area.

Map provided by New Mexico Interstate Stream Commission

Appendix B: Comment Matrix

Comment Doc. ID	Comment Category	Comment	Resource or Issue for EA
101.01	Biological Resources: fish and wildlife	Operation of Elephant Butte and Caballo Dams affect storage of water in Elephant Butte and Caballo lakes and downstream delivery of water which in turn affect fish and wildlife.	fish and wildlife excluding USFWS designated species
101.02	Alternatives	In adjusting operating procedures, recommend consideration of protection of and benefits to fish and wildlife resources as a high priority.	Alternatives; fish and wildlife protection
101.03	Biological Resources: Special Status Species	The southwestern willow flycatcher occupies habitat within the Rio Grande Project and critical habitat is proposed within Rio Grande Project boundaries. The flycatcher is or may be affected by a host of activities that occur within or result in effects with the same geographic area. These activities may include operation of Elephant Butte and Caballo Dams, the Low Flow Conveyance Channel, channel maintenance work between the main channel and the Elephant Butte reservoir pool, sediment plug removal, and long-term contracts for storage water in Elephant Butte.	ESA compliance; flycatcher and habitat
104.04	Biological Resources: Special Status Species	We recommend Reclamation undertake a comprehensive formal consultation under section 7(a)(2) of the ESA on all Reclamation activities that may affect the San Marcial and Elephant Butte flycatcher population, as well as the flycatcher and its habitat downstream of Caballo.	ESA compliance; flycatcher and habitat
101.05	Biological Resources: Special Status Species	We recommend that Reclamation develop a long-term habitat strategy for the flycatcher population that currently occupied the San Marcial and Elephant Butte area.	ESA compliance; flycatcher and habitat
101.06	Biological Resources: Special Status Species	We recommend that Reclamation evaluate and restore the habitat between Elephant Butte and Caballo.	ESA compliance; flycatcher and habitat

102.01	NEPA process	I found it interesting that Reclamation has decided to do an EIS on the Pojoaque project that may use 4,000 acre feet of water per year while proposing to do an EA on the Rio Grande Operating Procedures which have reduced EBID's allocations by upwards of 150,000 acre feet per year in some years. Is there a process Reclamation goes through to make initial determinations about NEPA process? If so, could you send it to me?	determination of level of NEPA documentation.
103.01	NEPA process	It is not clear what is being scoped. Before providing a scoping response, we require a clarification of the nature of the process you are undertaking, where are you in the process and what, if any, relation it has with the current federal case of <i>NM v. USBOR 1-11-cv00691-JAP-WDS</i> .	determination of level of NEPA documentation.
103.02	NEPA process	Under your NEPA regulations, a scoping process follows a NOI (40 CFR 1501.7). Have you published a NOI? We understand scoping is discretionary when undertaking an EA. Is that the regulatory process your office is undertaking at this time? If so, has there already been a decision not to do an EIS, or is Reclamation open to finding, through the EA, that significant environmental effects have occurred and additional potential environmental effects might occur, and thus an EIS is required? Please advise us on which CEQ and Reclamation regulations are being used, how far along the process is, what else has been done in this process, and other proceedings that have begun so we can follow along and decide our scoping comments.	Defined Proposed Action
103.03	NEPA process	The scoping letter describes the federal action as adjusting the operating procedures. We understood those procedures were put in place through a 50-year operating agreement which Reclamation entered into in 2008. What legal authority does Reclamation have to unilaterally "adjust" the operating procedures; i.e., what is the federal action?	determination of level of NEPA documentation.
103.04	NEPA process	What is the legal connection between this scoping notice and the NEPA claim raised in <i>NM v US BOR 1-11-cv00691-JAP-WDS</i> ?	Defined Proposed Action

103.05	NEPA process	It is necessary for Reclamation to initiate an EIS for adequate NEPA analysis on the Rio Grande Project Operations for the full time period defined in the 2008 Operating Agreement (50 years with 46 remaining). Anything less would be inadequate...	determination of level of NEPA documentation.
104.01	NEPA process	Please inform me of the deadline for submitting comments. There is no deadline in your letter of Jan 10, 2012.	NEPA timeline and schedule
104.02	NEPA process	Why has Reclamation determined that NEPA compliance for the Rio Grande Project operating procedures can be satisfied with an EA?	determination of level of NEPA documentation.
104.03	NEPA process	Given that there are unresolved questions concerning operational impacts on the largest region wide breeding population of southwestern willow flycatchers, I would like to know what factors went into the determination to issue an EA, as opposed to EIS.	determination of level of NEPA documentation.
105.01	Agricultural resources and economics	The Rio Grande Project is of historic importance to Sierra County, NM for agricultural purposes. Without the irrigation provided, our agricultural areas would be adversely impacted.	agriculture; farmlands
105.02	Agricultural resources and economics	We encourage the irrigation and water supply from the Rio Grande Project to continue as it helps our agricultural economy.	agriculture; farmlands
105.03	Recreational resources and economics	Water in Elephant Butte Lake is replenished through the Rio Grande Project. The City of Elephant Butte's economy is primarily based around the recreation industry and as a result, this boosts the economy of the entire county.	recreation; socioeconomics
106.01	Water quality	The main stem of the Rio Grande from the international boundary with Mexico upstream to one mile below Percha dam is currently not meeting New Mexico water quality standards for E. coli bacteria and total maximum daily loads were approved by the New Mexico Water Quality Control Commission and US Environmental Protection Agency in 2007. [Additional details in letter.]	water resources; Clean Water Act concerns.

106.02	NEPA process	International Boundary and Water Commission is authorized to conduct annual maintenance of the Rio Grande channel in NM from Caballo Dam to the International Boundary with Mexico. Section 404 permits have been authorized for these activities. These activities involve maintenance adjacent to BOR facilities.	connected actions; concurrent actions
106.03	NEPA process	The IBWC completed evaluation of river management alternatives for the Rio Grande Canalization Project, a 105.4 mile river corridor that extends along the Rio Grande below Percha Dam in Sierra County, NM to American Dam in El Paso County, TX. A record of decision (ROD) was issued in June 2009.	connected actions; past actions
107.01	Alternatives	Reauthorization of the Rio Grande Project for fish and wildlife and municipal use may be warranted before June 2017 to accommodate the growing demand on water supplies for municipal use and environmental needs, and to satisfy Reclamation's obligation to Native American Tribes like Ysleta Del Sur Pueblo of El Paso, Texas.	connected actions; future actions
107.02	Water resources - groundwater	Extensive groundwater pumping for extended periods can lower the groundwater table significantly impacting the sustainability of riverine vegetation.	water resources; riparian vegetation
107.03	Alternatives	Water is a scarce resource in the Chihuahuan Desert. Accurate measurement and monitoring of releases, diversions and water deliveries can promote conservation and better management of Rio Grande Project water supply.	water releases
107.04	Water resources	A 105-mile reach of the Rio Grande channel below Caballo Dam to the American Dam is significantly dewatered annually during the non-irrigation season from October to February. The absence of winter flow is the largest contributing factor to the decline and restoration of native fish to this river reach.	fish and wildlife excluding USFWS designated species
107.05	Water resources	Current policies that authorize diversion of flood waters in excess of project water orders at no cost to irrigation districts may significantly reduce river-floodplain hydrologic connectivity and groundwater recharge during high flows.	water resources; flood releases

107.06	Water resources	Current policies defining allocation of water as a function of time of delivery may unnecessarily increase the demand for in-channel maintenance and removal of islands and sandbars which may influence time of delivery but have no effect on volume of water delivered.	water releases
107.07	Water resources	Hydrologic connectivity and groundwater recharge are integral processes to establishing, disturbing, and maintaining native riparian and wetland habitat and vegetation, as well as promoting nutrient cycling and leaching of sodium salts from floodplain soils.	water resources
107.08	Biological Resources: fish and wildlife	Hydrologic connectivity and groundwater recharge are integral processes to establishing, disturbing, and maintaining native riparian and wetland habitat and vegetation, as well as promoting nutrient cycling and leaching of sodium salts from floodplain soils.	fish and wildlife habitat
107.09	Alternatives	Channel maintenance simplifies and destroys aquatic and riparian habitat within the active channel and floodplain.	fish and wildlife habitat
107.10	Alternatives	Optimize Rio Grande Project operations and management to minimize upstream and downstream ecological impacts to native fish and riverine vegetation.	Alternatives; water releases
107.10	Alternatives	Within the nine-mile reach from Elephant Butte Dam to Caballo Reservoir and the 105-mile reach from Caballo Dam to American Dam, optimize Rio Grande Project operations and management of the water supply to maximize river-floodplain hydrologic connection in the primary window of April 24th through June 7th or secondary target window of April 1st through June 15th.	Alternatives; riparian protection
107.11	Alternatives	Within the nine-mile reach from Elephant Butte Dam to Caballo Reservoir, terminate leases for grazing and eliminate practices that control/eradicate native riparian vegetation for purposes of reducing depletions.	Alternatives; water resources

107.12	Alternatives	Within the nine-mile reach from Elephant Butte Dam to Caballo Reservoir and the 105-mile reach from Caballo Dam to American Dam, promote policies that reduce channel maintenance and incorporate natural channel processes to encourage a trend towards dynamic equilibrium that maintains effective water delivery and sediment transport without human intervention.	alternatives; ESA compliance, flycatcher and habitat
107.13	Alternatives	Utilize Reclamation's authorities in furtherance of their duty under Section 7(a)(1) of the ESA to conserve threatened and endangered species including the federally endangered Southwestern Willow Flycatcher and soon-to-be-listed Yellow-billed Cuckoo by carrying out programs for conservation of these endangered species upstream and downstream of Elephant Butte Reservoir. Section 7(a)(1) activities should be developed within a policy framework that does not increase ESA liability for water users during low water years when shortages are shared.	Alternatives; water resources
107.14	Water resources: groundwater	Better balance the benefits of carryover of Rio Grande Project water by individual irrigation districts with the environmental impacts from groundwater pumping during low water years.	Alternatives: carryover entitlement
107.15	Water resources	Carryover water has altered allocation of water supply between irrigation districts across years. In low water years, NM farmers may rely exclusively on groundwater pumping.	water resources; river resources
107.16	Wetlands	Wetlands, riparian and river ecosystems are relatively rare in NM but their value to humans and wildlife is tremendous.	water resources; habitat
107.17	Water resources	Healthy river ecosystems supply water, safeguard water quality, attenuate floods, recharge groundwater, reduce fire risk associated with invasive species, reduce the likelihood of federal intervention in state administration of water rights and supply and underlie our cultural heritage and wildlife industry.	resources; river resources

107.21	Biological Resources: Special Status Species	Middle Rio Grande Management Unit for the SWWFC has 350 territories within the San Marcial reach.	ESA compliance; flycatcher and habitat
107.22	Biological Resources: fish and wildlife	Optimize Rio Grande Project operations to minimize ecological impacts to native fish and riparian vegetation.	fish and wildlife excluding USFWS designated species
108.01	Water resources: water quality	Consider the impact of the Operating Agreement on the water quality of the Rio Grande. Changes to the critical low-flow period, when reservoir releases are not occurring, should be evaluated to determine if there is a potential for operating procedures to cause a violation of the State's surface water quality standards.	Water resources: Clean Water Act concerns
108.02	Water resources	The Operating Agreement could be forcing reduced winter low flows. During this past winter, NMED has been conducting a water quality survey of Lower Rio Grande Basin; our staff has noted that significant stretches of the Rio Grande within the Project area are dry and where surface flow does occur is as a direct result of discharges permitted under the U.S. Environmental Protection Agency's NPDES program.	water releases
108.03	Water resources: water quality	A preliminary analysis of data collected this winter from the Rio Grande at the New Mexico-Texas boundary indicated that it typically exceeds the 126 cfu/100mL <i>E. Coli</i> standard for Primary Contact Use.	Water resources: Clean Water Act concerns
109	NEPA Process	You said the federal action is the operating procedures for the next five years, but in your letter to me you describe the action as the OA itself, which has a 50 year duration. Those are two very different NEPA analyses with possible significantly different conclusions.	Defined Proposed Action
110	NEPA Process	The NMISC received an email from the AAO on April 23 at 6:14 PM notifying the NMISC of the public scoping meetings in El Paso and Las Cruces on April 25 and 26 and BOR's April 30 deadline for comments	NEPA schedule and timeline
111.01	Water resources	Allocation of Project Water under the 2008 Operating Agreement has been significantly different than allocation in previous years with similar Project water supplies.	Define Proposed Action; alternatives

111.02	Water resources	The 2008 Operating Agreement has significantly changed the proportion of water delivered to each of the U.S. Districts. The large decrease in EBID's allocation is contrary to the historical operations of the Project because it is not based on changes in irrigation acreage for the Project	Define Proposed Action; alternatives
111.03	Water resources	The 2008 Operating Agreement differs significantly from historical D1/D2 operating procedures and agreements	Define Proposed Action;
112.01	Water quantity - groundwater	The effects of Texas groundwater pumping on the Project are not properly calculated and offset. Consequently, EBID pays for reductions in the efficiency of the Project due to Texas' pumping.	water resources; groundwater
112.02	Water resources	The method by which Reclamation currently calculated the "Diversion Ratio" does not accurately reflect Project efficiency in the Rio Grande Project, and consistently results in a Diversion Ratio that is less than the true Project efficiency. As a result, EBID's allocation of Project water was substantially reduced in 2009, and will continue to be reduced until the method for calculating the Diversion Ratio is revised.	water resources; groundwater
112.03	Water resources	Our analysis of Project operations indicates that, if EPCWID [meaning El Paso County Water Improvement District No. 1] or other Texas Project diversions rise above current levels, the 2008 Agreement and Manual cannot work fairly, equitably or practically. Additionally, Project operations under the 2008 Agreement and Manual could substantially affect the Rio Grande Compact to the detriment of both New Mexico and Colorado.	Alternatives; water operations
112.04	Water resources	Many aspects of Project operations under the Agreement and Manual are not fully documented, so Project operations are not always transparent and are often uncertain. New Mexico believes that all Project operations must be fully documented and all agreements amongst the parties must be committed to writing.	Alternatives; water operations

113.01	Biological Resources: Special Status Species	The Service believes that operation of Elephant Butte and Caballo Dams for the next 38 years has the potential to significantly affect endangered species and the proposed or designated critical habitat of these species. We look forward to providing technical assistance and entering into Section 7 consultation with Reclamation.	ESA compliance; flycatcher and habitat
113.02	Biological Resources: Special Status Species	Per ESA Section 7 regulations, "action area" means all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR 402.02). There are direct or indirect linkages between how water is managed at Elephant Butte and Caballo Dams and the flycatcher and its habitat upstream of Elephant Butte lake, in Elephant Butte lake, in the reach between Elephant Butte Dam and Caballo lake, and downstream of Caballo dam as well as linkages to the Rio Grande silvery minnow (<i>Hybognathus amarus</i>) and its habitat upstream of Elephant Butte lake	ESA compliance; flycatcher and silvery minnow and habitats
114.01	Water resources	Releases to only one district wouldn't be wise if water conservation incentives are suggested during extreme droughts. The 1992-1993 proposed operating agreement would only allow total deliveries to all users as a function of the project water elevations in Elephant Butte and Caballo. This would be for Rio Grande Project conservation of water.	Alternatives; water operations
114.02	Agricultural resources	Cropping patterns in many parts of the RG Project are much different than when D-2 curve was established, and Operations Manual may only be sufficient during 5-10 year period, not for 40 years.	Alternatives; water operations
115.01	NEPA process	We note Reclamation has modified the scope of the Environmental Assessment from Reclamation's January 12 proposal so that it is now appears to be a NEPA compliance effort to address Reclamation's decision to continue to use the 2008 Operating Agreement for the remaining of its 50-year term rather than for the next five years. Is that correct?	Defined Proposed Action
115.02	NEPA process	What is the purpose and need of the 2008 Operating Agreement?...Please provide a refined statement and need as part of the scoping report.	Defined Proposed Action

115.03	NEPA process	What Federal discretionary action is Reclamation's current NEPA compliance effort intended to analyze?	Defined Proposed Action
115.04	NEPA process	Are both the action alternative and the no-action alternative to continue with the 2008 operating Agreement? What parts of the 2008 operating Agreement and/or the Environmental Assessment and FONSI on the 2007 operating Agreement require or allow for a five-year review resulting in a potential Federal discretionary action?	Alternatives
115.05	Alternatives	Reclamation should evaluate the proposed federal action against the baseline of conditions that existed prior to the 2008 operating Agreement in order to analyze the cumulative environmental and socioeconomic impacts of the federal action	Alternatives
115.06	Alternatives	An alternative to continue the water management practices that were in place before either the 2007 or the 2008 Operating Agreements were imposed would help to document these cumulative effects and would help Reclamation to foresee the future conditions these cumulative effects may cause.	Alternatives
155.07	Alternatives	Will Reclamation define the baseline as the D1/D2 period (1951-1978), or the period from 1979 through 1992 before Reclamation handed over measurement and reporting responsibilities to the irrigation districts, or from that time until 2007?	Alternatives
115.08	Project operations	How will Reclamation account for the degradation of accuracy and adequacy of flow measurements, other pertinent information such as crop reports, and flow measurement and apportionment reporting that has occurred since 1992?	Project operations
115.09	NEPA process	Will Reclamation conduct its NEPA analysis using different sets of climate conditions that represent the range of what we may experience over a 50-year time period?	best available science
115.10	NEPA process	Will Reclamation utilize factual data from the first four years of operations under the 2008 Operating Agreement to document the cumulative effects to date?	Cumulative impacts; best available science

115.11	NEPA process	The NMISC requests that Reclamation evaluate, at a minimum, the annual and cumulative effects of the proposed action through comparison to the pre-agreement operations baseline and other alternatives that the NMISC has requested that Reclamation develop, including an alternative that addresses the New Mexico issues list, attached, which was previously provided to Reclamation.	Alternatives
115.12	NEPA process	Reclamation's impact analysis should address the following resources and receptors:	Resources
115.12.1	Water resources	Downstream water users - water supply and socioeconomic impacts (to) EBID, EP1, Other New Mexico and Texas water users with valid water rights, (and) the Republic of Mexico.	water resources: socioeconomics
115.12.2	NEPA Process	All relevant portions of the Rio Grande Compact, including by not limited to Articles VI, VII and VIII such that, as envisioned but not fulfilled by the 2007 Environmental Assessment, the proposed operations will do no harm to upstream water supply and the endangered species that depend on that supply.	Compliance with additional authorities: Rio Grande Compact
115.12.3	Water resources	Flood operations and sediment movement/control	water resources: flood control
115.12.4	Biological Resources: Special Status Species	Endangered Species Act issues including habitat for migratory birds and proposed Southwestern Willow Flycatcher critical habitat.	ESA and MBTA compliance
115.12.4	Recreation resources	Water uses and users at Elephant Butte and Caballo Reservoirs - effects of operations on Reclamation partners such as NM State Parks, concessions and Elephant Butte Reservoir, etc.	recreation; socioeconomics
115.13	NEPA process	Will Reclamation continue to assert its 2007 NEPA analysis is also applicable to and sufficient for the 2008 operating Agreement?	Defined Proposed Action

115.14	Water resources	<p>Changed operations pursuant to the 2008 Operating Agreement have created a cycle with potentially major adverse environmental consequences. The changes have caused a major interstate redistribution of the surface water supply of the Rio Grande Project, which is a surface water storage and distribution project. Significant amounts of the surface water have been reallocated from EBID to EP1.</p>	Project operations
115.15	Water resources	<p>Reduced surface water supply causes reduced groundwater system recharge and increased groundwater pumping by EBID farmers. More pumping and less recharge causes reduced groundwater table elevations. The decline in groundwater table elevations then can further reduce river delivery efficiency. Reduced river delivery efficiency under the 2008 operating Agreement causes Reclamation to increase the transfer of surface water from EBID to EP#1, thereby further reducing EBID farmers' surface water supplies.</p>	Project operations
115.16	Biological resources	<p>Endangered species, wildlife, and riparian habitat may also suffer adverse impacts under the 2008 Operating Agreement operations. Before the 2008 Operating Agreement, certain areas such as Selden Canyon maintained year-round flow, supporting these water uses and users. Last year, that was not the case. The reduced water table elevation may cause the river and drains to dry up for extended periods of time and may take the groundwater to elevations before the reach of riparian vegetation.</p>	Alternatives; fish and wildlife protection
116	Cultural Resources	<p>The Elephant Butte Irrigation District is on the National Register of Historic Places, and the transfer of operations and maintenance to non-federal control may constitute an adverse effect to the historic property.</p>	Cultural Resources

Appendix C: Proposed Structure and Content of supplemental EA

Introduction

- Document Structure
- Background
- Purpose and Need for Action
- Scoping and Issues
- Related Projects and Actions

Alternatives

- Operational Elements Common to All Alternatives
- Alternative 1, No Action or Ad Hoc Operation
- Alternative 2, Action under Modified Procedures
- Alternative 3, Action as from 2007 to 2010

Affected Environment

- Geographic Scope
- Rio Grande Project Facilities and Operations
- Elephant Butte Irrigation District and its Facilities
- El Paso County Water Improvement District and Its Facilities
- Water Resources
- Climate Change
- Floodplains
- Jurisdictional Waters and Wetlands
- Vegetation Associations
- Special Status Species
- Wildlife
- Invasive Species
- Hydroelectric Power Resources
- Agricultural Resources and Economics
- Recreational Resources and Economics
- Environmental Justice

Environmental Consequences

- Rio Grande Project Facilities and Operations
- Elephant Butte Irrigation District and its Facilities
- El Paso County Water Improvement District and Its Facilities
- Water Resources
- Climate Change
- Floodplains
- Jurisdictional Waters and Wetlands
- Vegetation Associations
- Special Status Species
- Wildlife
- Invasive Species
- Hydroelectric Power Resources
- Agricultural Resources and Economics
- Recreational Resources and Economics
- Environmental Justice

Consultation and Coordination

Appendix D: Scoping Announcement

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LAS CRUCES SUN-NEWS

2012.08.07

PROOF OF PUBLICATION

I, being duly sworn, Frank Leto deposes and says that he is the Publisher of the Las Cruces Sun -News, a newspaper published daily in the county of Dona Ana, State of New Mexico; that the notice 50493 is an exact duplicate of the notice that was published once a week/day in regular and entire issue of said newspaper and not in any supplement thereof for 1 consecutive week(s)/day(s), the first publication was in the issue dated April 20, 2012 and the last publication was April 20, 2012

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.

Signed



Publisher
Official Position

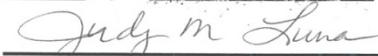
STATE OF NEW MEXICO

ss.

County of Dona Ana

Subscribed and sworn before me this

24th day of April 2012



Notary Public in and for
Dona Ana County, New Mexico

March 29, 2015

My Term Expires



OFFICIAL SEAL
JUDY M. LUNA
NOTARY PUBLIC - STATE OF NEW MEXICO

My commission expires: 3/29/2015

Notice of a
Public Meeting

Notice of Rio Grande Project Public Meeting Concerning Scoping for Preparation of a Supplemental Environmental Assessment on Continued Implementation of Operating Procedures for Rio Grande Project (Action by April 30, 2012)

Dates/Locations of meetings:

April 25, at 10737 Gateway West Suite 350 El Paso, Texas from 6:00p.m. to 8.00p.m.

April 26, at 530 South Melendres St, Las Cruces, NM from 6:00p.m. to 8.00p.m.

BACKGROUND: The Bureau of Reclamation is preparing a supplemental environmental assessment (EA) describing the potential environmental impacts from implementation of operating procedures for the continuing operation and management of the Rio Grande Project. These operating procedures calculate annual water allocations, account for changes in river delivery parameters, and provide a water conservation incentive. The Project area is from Elephant Butte Dam in New Mexico to El Paso/Hudspeth County Line, Texas.

The Rio Grande Project was authorized to furnish irrigation water to farms in south-central New Mexico and west Texas (33 Stat. 814, pursuant to the Reclamation Act of 1902, 32 Stat. 390). The Project provides irrigation water to three irrigation districts in southern New Mexico and west Texas and delivers water to Mexico pursuant to the Convention of 1906. The public is invited to comment on the scope and concerns that should be included in the EA. PUBLIC SCOPING INPUT

In addition to your presence at this public meeting, you may submit written comments as described below. To be most helpful, comments should be as specific as possible and sent to Reclamation at the following address: Bureau of Reclamation, Albuquerque Area Office, Attention: Molly Thrash, ALB-181, 555 Broadway NE, Suite 100, Albuquerque, New Mexico 87102. E-mail comments may be sent to sthrash@usbr.gov by April 30, 2012. Comments, including names and home addresses of respondents will be made available for public review upon request although individuals may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a person's identity from public disclosure, as allowable by law. Please state your request to withhold names or addresses prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety. If you have any questions, please contact Ms. Thrash at 505-462-3702.

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