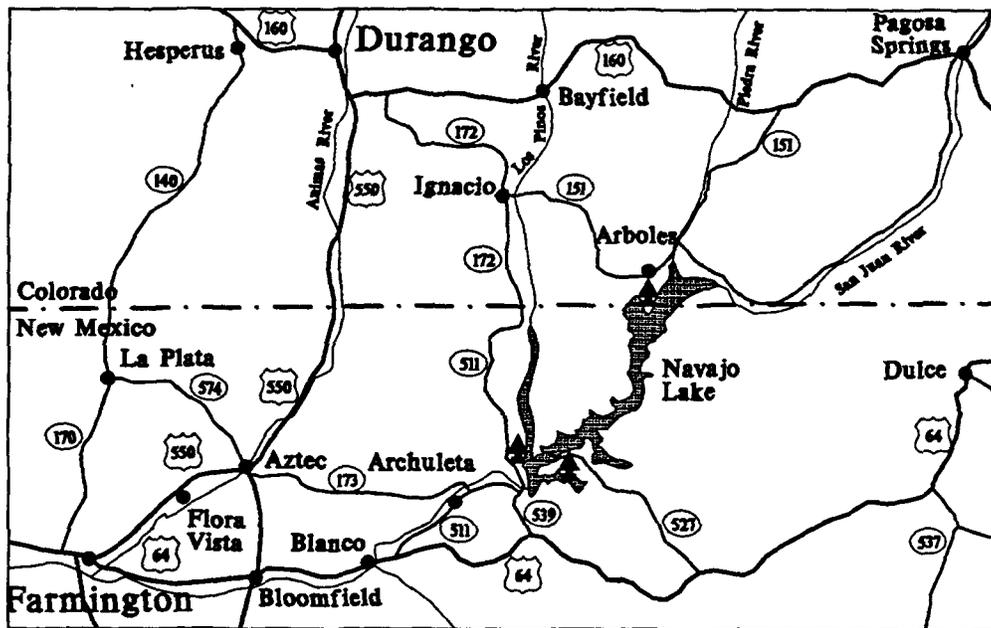


CHAPTER 1

INTRODUCTION: PURPOSE AND NEED

INTRODUCTION

This Environmental Assessment (EA) evaluates alternatives for resource management at Navajo Reservoir in New Mexico and Colorado. The Bureau of Reclamation (Reclamation) prepared this EA to comply with the National Environmental Policy Act of 1969, as amended; the Endangered Species Act of 1973 (ESA), as amended; and other applicable laws, regulations, and Department of Interior policies. This EA also constitutes the Biological Assessment (BA) in accordance with the ESA. The EA has also been prepared for comments under the National Historic Preservation Act. Following consideration of public comments on the draft EA, Reclamation will determine whether or not an Environmental Impact Statement is needed.



Map 1-1: Regional Location

PURPOSE AND NEED FOR ACTION

Reclamation has a policy to develop, implement, and maintain Resource Management Plans (RMPs) for all of the land and water areas under its jurisdiction. The Navajo Unit (Navajo Dam and Reservoir) of the Colorado River Storage Project (CRSP) was given a high priority for an RMP due to increasing and conflicting demands on the area's resources, and the complexity of resource management issues at the reservoir.

The purpose of the RMP is to:

- Provide a comprehensive programmatic framework for managing the reservoir area and its resources for the next 15 to 20 years in a manner that is consistent with the purposes of authorized Reclamation projects and the construction, operation, maintenance, and protection of the Navajo Unit and associated facilities.
- Guide the long-term management of Reclamation lands and resources within the reservoir area in a manner that protects Reclamation project purposes and facilities, while providing for recreational use, energy resources development, resource protection and enhancement, while complying with applicable laws and regulations, and coordinating management direction with other entities, all in a manner that is consistent with valid existing rights.
- Address resource management within the Navajo Reservoir Area in the context of a larger system of water management and development of the Colorado River basin to meet the water needs of two countries, six states, and several Indian tribes.
- Bring management of reservoir area uses and resources into compliance with current management guidelines and constraints.
- Clarify the interrelationship of the many valid existing rights, the roles and responsibilities of the various Federal, State, and local agencies with jurisdictional responsibilities within the reservoir area, and reduce, to the fullest practical extent possible, the apparent complex, confusing, and contradictory management of the reservoir area.

The RMP is needed because:

- Reclamation is responsible for the protection of its project purposes and facilities, and management of its lands for uses determined compatible with Reclamation project purposes.
- The 1968 Reservoir Area Management Plan (RAMP) is out of date and no longer applicable as a result of changes in resource management policies, interagency agreements, management direction, environmental requirements, and demands on use of the reservoir area.
- The various land use, resource management, and general management plans of the various jurisdictions within and adjacent to the reservoir area do not fully address the issues and concerns present within the reservoir area.
- Increased use of the reservoir area, particularly for recreational purposes and natural gas development, has increased actual and potential impacts to natural and cultural resources and created use conflicts within the reservoir area.
- The management of the reservoir area, its resources and its uses is complex, confusing, and often contradictory due to interrelationship of the various Federal, State, and local agencies with jurisdictional responsibilities and the many valid existing rights within the reservoir area.
- Several management agreements, particularly with regard to oil/gas development within the reservoir area, are inconsistent with other agreements, and Reclamation was not a signatory party to some of those agreements.

BACKGROUND

Reclamation is the federal agency with primary administrative jurisdiction over the Navajo Reservoir Area and its management. The Navajo Reservoir Area (reservoir area) is defined as all of the lands and land interests obtained by Reclamation for construction, operation and maintenance of the Navajo Unit and retained under Reclamation's jurisdiction, including several parcels below the dam along the San Juan River, as shown on Map 1.2. Reclamation is responsible for resource management within the reservoir area except as otherwise provided by delegation, legislation or agreement. It is responsible for operating and maintaining the Navajo

Unit for project purposes; protecting project purposes and works; ensuring management of the reservoir area for public recreation and fish and wildlife purposes, and providing for non-project related uses in a manner compatible with project purposes. Reclamation may enter into contracts or agreements and/or coordinate with other entities in order to meet those responsibilities.

The Navajo Unit is one of four initial units of the CRSP authorized by the Colorado River Storage Project Act (CRSPA), of April 11, 1956 (Ch. 70 Stat.105). The purposes of the CRSP are identified at the beginning of Section 1 of the Act. Section 1, states, “ In order to initiate the comprehensive development of the water resources of the Upper Colorado River Basin, for the purposes, among others, of regulating the flow of the Colorado River, storing water for beneficial consumptive use, making it possible for the States of the Upper Basin to utilize, consistently with the provisions of the Colorado River Compact, the apportionments made to and among them in the Colorado River Compact and the Upper Colorado River Basin Compact, respectively, providing for the reclamation of arid and semiarid land, for the control of floods, and for the generation of hydroelectric power, as an incident of the foregoing purposes, the Secretary of the Interior is hereby authorized: (1) To construct, operate, and maintain the following initial units of the Colorado River storage project, consisting of dams, reservoirs, power plants, transmission facilities and appurtenant works: Curecanti, Flaming Gorge, Navajo (dam and reservoir only), and Glen Canyon . . .” (70 Stat. 105; 43 U.S.C. § 620)

Section 8 of the CRSPA provided additional direction related to recreational and fish and wildlife facilities associated with the CRSP. Section 8, states, “In connection with the development of the Colorado River storage project and the participating projects, the Secretary is authorized and directed to investigate, plan, construct, operate, and maintain (1) public recreational facilities on lands withdrawn or acquired for the development of said project or of said participating projects, to conserve the scenery, the natural, historic and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said projects; and (2) facilities to mitigate losses of, and improve conditions for, the propagation of fish and wildlife. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws necessary for the construction, operation, and maintenance of the facilities herein provided, and to dispose of them to Federal, State, and local government agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.” (70 Stat. 110; 43 U.S.C. § 620g)

The Navajo Unit is located in northwest New Mexico and southwest Colorado (See Map 1.1). The dam is on the San Juan River in New Mexico, about 50 miles east of Farmington, New Mexico. The reservoir extends about 35 miles up the San Juan River from the dam, including about 7 miles into Colorado. About 85 percent of the reservoir area is in New Mexico and 15 percent is in Colorado. The reservoir area also lies within four counties: San Juan and Rio Arriba, New Mexico; and La Plata and Archuleta, Colorado. The Colorado portion of the reservoir area lies within the boundaries of the Southern Ute Indian Tribe’s (SUIT) reservation. The reservoir area is contained within two state parks: New Mexico’s Navajo Lake State Park and Colorado’s Navajo State Park.

The reservoir area covers about 38,000 acres which includes the reservoir basin and adjacent and nearby lands under Reclamation’s jurisdiction. At the normal reservoir elevation of 6,085 feet, the reservoir has a water surface area of about 15,600 acres and contains about 1,709,000 acre-feet of water. Outside of the reservoir basin there are about 22,400 acres of land under Reclamation jurisdiction.

SCOPE

The scope for this plan is land and resource management and use within the Navajo Reservoir Area. However, we may also identify opportunities for coordinated resource management actions with other entities within the reservoir area's watershed.

We will assess the programmatic management of the reservoir area and its resources while providing for the operation and maintenance of the Navajo Unit in accordance with applicable laws, regulations, and agreements, particularly, Reclamation law and river basin compacts and international treaties. Reclamation may adopt resource management guidelines and decisions from adjoining or partner agencies' management plans and incorporate them into this RMP.

Reservoir operations for water management for recovery of endangered fishes in the San Juan River are outside the scope of this document and planning effort. Those aspects of reservoir area management and their effects were evaluated through the Navajo Reservoir Operations Environmental Impact Statement (EIS). The EIS for the reservoir operations was finalized in April 2006 with a Record of Decision (ROD) finalized in July 2006. The decisions from that ROD regarding reservoir operations and reservoir area resource management are incorporated into this RMP without additional NEPA review.

The decommissioning of the Navajo Unit and/or breaching of the dam are also not within the scope of this management plan.

ADMINISTRATIVE FRAMEWORK

The framework for management of resources and land uses within the reservoir area is complex. There are several federal and state entities with varying levels of administrative and management jurisdiction. Also, there are valid existing rights within the reservoir area which may constrain Reclamation's management of the area.

Bureau of Reclamation

As mentioned above, Reclamation has administrative jurisdiction of the reservoir area pursuant to Reclamation law, Department of Interior delegation, and interagency agreements. Reclamation operates the reservoir for project purposes and has overall resource management and project operation and maintenance responsibilities. Reclamation's management authority includes the ability to authorize and manage non-project uses of its lands and resources. In its reservoir operations and resource management, Reclamation must comply with the provisions of an international treaty with Mexico, the Colorado River Basin Compact, and other applicable laws, regulations, policies, and agreements (See Appendix B). Reclamation may also contract with other entities for management of its lands, related resources, and uses. Uses of the reservoir area that are not Reclamation-project related are to be managed in a manner that is compatible with the primary purposes of the associated Reclamation project(s) and consistent with valid existing rights.

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Other federal, state, and tribal entities manage or regulate certain resources or uses within the reservoir area. Such management or regulation is in accordance with agreements with Reclamation and/or applicable laws and regulations. These entities include:

- Bureau of Land Management, Farmington Field Office
- New Mexico
 - State Parks Division
 - Department of Game and Fish
 - Oil Conservation Division
 - Environmental Department, Surface Water Quality Control Bureau
 - State Engineer (Water Rights)
- Colorado
 - Division of Parks and Outdoor Recreation
 - Division of Wildlife
 - Oil and Gas Conservation Commission
 - Department of Public Health and Environment, Water Quality Control Division
 - State Engineer (Water Rights)
- Southern Ute Indian Tribe

Bureau of Land Management, Farmington Field Office

The BLM's Farmington Field Office (FFO) currently administers federal leasable and minerals and livestock grazing on the New Mexico portion of the reservoir area in coordination with Reclamation. This management is guided by agreements between Reclamation and BLM, including a 1983 nation-wide Interagency Agreement (IA), a 1967 agreement (#14-06-400-4614) for administration of oil, gas, and mineral leasing within the Navajo Reservoir Area, and a 1990 Memorandum of Agreement (# 0-LM-48-00003) regarding livestock grazing.

This management is also guided by many applicable laws, regulations, the 2003 Farmington RMP and various associated BLM activity plans. In general, BLM's management of resources and uses within the reservoir area is subject to valid existing rights, protection of Reclamation project purposes and facilities and Reclamation's concurrence with terms and conditions to be applied to such resource use.

There are some issues associated with BLM's and Reclamation's roles and responsibilities and their relationship within the reservoir area. The 1967 agreement is out of date and inconsistent with the 1983 IA; it needs to be either terminated or brought into compliance with the IA. BLM's resource management decisions outside of its jurisdiction in the reservoir area do not automatically apply to the reservoir area. Reclamation, as the surface management agency, must either concur with or adopt such decisions. There are several areas of resource management within and adjacent to the reservoir area where Reclamation and BLM could better coordinate for more efficient and effective management of resources.

New Mexico

New Mexico State Parks Division

The New Mexico State Parks Division (NMSPD) manages recreation and certain other resources at Navajo Lake State Park. Navajo Lake State Park is the New Mexico portion of the reservoir area. This management is pursuant to Section 8 of the CRSPA and a 1972 agreement (No. 14-06-400-5745) between Reclamation and the State of New Mexico. Reclamation and NMSPD have agreed to extend the term of the current management agreement until a new agreement is negotiated; negotiations are currently in progress. In general, NMSPD's management within the reservoir area must be consistent with the primary purposes of the CRSPA, and is subject to prior existing rights, compliance with applicable laws and regulations and compliance with a reservoir area or resource management plan.

In January 2003, NMSPD approved a 5-year general management plan for the State Park. In September 2003, NMSPD and Reclamation entered into a state-wide Grant Agreement (No. 03-FG-40-2076) for Recreation, Handicap Access, and Fish and Wildlife Enhancement Programs at Reclamation areas administered by NMSPD, including Navajo Reservoir. That agreement may be used to help implement the park's general management plan. NMSPD enforces New Mexico laws and regulations within their portion of the reservoir area.

There are also some issues relating to NMSPD management within the reservoir area. Many recreational facilities are old, are insufficient to meet current demand, and need to be rehabilitated, replaced, and/or expanded. Some remote areas are receiving heavy recreational use and resource damage, but are difficult for NMSPD to manage due to geographic and budgetary constraints. Closure of such remote heavy use areas, while meeting some of NMSPD's needs, does not set well with the recreationists that like to use those areas. NMSPD would like Reclamation to share more of the recreation operation and maintenance costs, however, Reclamation's current policy and budget limits such cost sharing.

New Mexico Department of Game and Fish

The New Mexico Department of Game and Fish (NMDGF) manages the wildlife and fisheries on the New Mexico portion of the reservoir area in accordance with New Mexico laws and regulations. It also enforces New Mexico's hunting and fishing regulations within the New Mexico portion of the reservoir area.

New Mexico Oil Conservation Division

The New Mexico Oil Conservation Division (NMOCD) regulates the development of oil and gas resources within the New Mexico portion of the reservoir area. It develops and enforces the state regulations for oil and gas development and resource protection related to such development, including well spacing. They also approve drilling, completion, production and abandonment activities of the oil/gas operators on state and private leases. The NMOCD also coordinates state oil/gas development requirements with federal oil/gas requirements.

An issue associated with NMOCD concerns a 1991 cooperative agreement with the US Forest Service and BLM. In that agreement the parties agreed to the use of several requirements to protect surface resources while allowing for development of energy resources in the San Juan Basin, New Mexico. That agreement listed specific terms and conditions to be attached to oil/gas development activities, including those within the reservoir area. However, Reclamation, the federal surface management agency for the reservoir area, was not party to that agreement. Further, BLM's ROD for the 2003 Farmington RMP is in conflict with some of the 1991 requirements. Also, it appears that the local NMOCD office may not be using these requirements. Therefore, this agreement, if retained, should be brought current and include Reclamation as a party.

Colorado

Colorado Division of Parks and Outdoor Recreation

The Colorado Division of Parks and Outdoor Recreation (CDPOR) manages recreation and certain other resources at Navajo State Park. Navajo State Park is the Colorado portion of the reservoir area. This management is in accordance with a 1994 Memorandum of Agreement (# 3-LM-40-01000) between Reclamation and the State of Colorado. CDPOR approved a general management plan for the State Park in 1990. That plan was subsequently modified through a cooperative agreement (# 4-FC-40-16180) for rehabilitation of the recreation facilities at the park; the rehabilitation was completed in 2003. CDPOR enforces Colorado laws and regulations within their portion of the reservoir area. In general, CDPOR's management within the reservoir area must be consistent with the primary purposes of the CRSPA, and is

subject to prior existing rights, compliance with applicable laws and regulations and compliance with a reservoir area or resource management plan.

Colorado Division of Wildlife

The Colorado Division of Wildlife manages the wildlife and fisheries on the Colorado portion of the reservoir area in accordance with Colorado laws and regulations. It also enforces Colorado's hunting and fishing regulations within Colorado portion of the reservoir area.

Colorado Oil and Gas Conservation Commission

The Colorado Oil and Gas Conservation Commission (COGCC), regulates the development of oil and gas resources within the Colorado portion of the reservoir area. It develops and enforces the state regulations for oil and gas development and resource protection related to such development, including well spacing. They also approve drilling, completion, production and abandonment activities of the oil/gas operators on state and private leases. The COGCC also coordinates state oil/gas development requirements with federal oil/gas requirements.

The state water quality control agencies, the New Mexico Environmental Department, Surface Water Quality Control Bureau and the Colorado Department of Public Health and Environment, Water Quality Control Division, develop and enforce the respective state standards for water quality.

The State Engineer for the respective states supervises and monitors the water rights and their use within each state.

Southern Ute Indian Tribe (SUIT)

Some of the lands within the Colorado portion of the reservoir area are former Southern Ute Indian Tribe (SUIT) lands that were transferred to the United States for the Navajo Unit, in exchange for public lands elsewhere. This transfer was accomplished through the Act of October 15, 1962 (P.L. 87-828). Those lands may not be used for public recreational facilities without approval of the Southern Ute Tribal Council. Also, the SUIT retained the minerals therein and the right to develop them in a manner that does not impair the Navajo Unit, as prescribed by the Secretary of the Interior.

VALID EXISTING RIGHTS

There are numerous and varied valid existing rights (VERs) known to exist within the reservoir area and which affect the use and management of the reservoir area. These VERs include, but are not necessarily limited to: construction, operation and maintenance of the Navajo Unit; federal, Indian, state, and private mineral rights; livestock trailing and watering rights; license agreements for various non-project uses; recreation development and management; federal, state, and private oil/gas leases; rights-of-way for natural gas pipelines, the City of Farmington's powerplant, electric transmission lines, roads, phone lines, highways, etc.; and water rights.

These rights and their exercise or development are controlled by various federal and state laws and regulations; legal documents and precedent; and agreements. Some of these rights are subordinate to other rights. Some are conditioned to protect Reclamation's interests; others are not. For example, a 160-acre private oil/gas lease currently exists on the San Juan arm of the reservoir, entirely within the reservoir area. When Reclamation acquired that same parcel in 1961, the vendor (the then current landowner) reserved oil/gas rights subject to a subordination of the associated development rights to the United States, the Navajo Unit, and its water supply (see Appendix C, Table C-1 for more details). If the current

oil/gas lease on that parcel is for those reserved rights, then the lessee's valid existing rights related to oil/gas development are subject to the following constraints as prescribed in the warranty deed to the US:

- Reserved rights shall be exercised in such a manner as will not interfere with the construction, operation, and maintenance of any works of the proposed Navajo Unit, CRSP as determined by the SOI or his duly authorized representative.
- The methods of extraction and removal of any such gas/oil shall be approved by the SOI or his duly authorized representative; shall prevent pollution, and shall in no way affect adversely the water supply of the Navajo Unit, CRSP.

Many of the private parcels acquired by Reclamation for the Navajo Unit have similar reservations and subordinations.

The full interrelationship of the many valid existing rights is not currently known. A major effort will be required to fully identify the many valid existing rights and their interrelationships. Appendix C is a partial listing and summary of the major VERs within the reservoir area of which Reclamation is aware. Reclamation will maintain and update that list as additional information becomes available.

RELATED ACTIONS AND ACTIVITIES

There are several actions and activities that relate to and/or may affect Reclamation's resource management at Navajo. They include:

- Navajo Reservoir Operations EIS
- The San Juan River Basin Recovery Implementation Program (SJRBRIP)
- BLM, Farmington Field Office RMP (as revised and amended)
- Animas-La Plata Project
- Navajo Indian Irrigation Project (NIIP)
- Navajo Lake State Park Management Plan (NM)
- Navajo State Park General Management Plan (CO)
- Pine River Wetland Mitigation Site (NM)
- Southern Ute Indian Tribe (SUIT) Natural Resource Management Plan
- SUIT Oil/Gas Management EIS/ROD
- Navajo State Park (CO) Recreation Rehabilitation and Management Agreements.
- Grant Agreement for Recreation, Handicap Access, and Fish and Wildlife Enhancement Programs at Bureau of Reclamation Projects (NM)
- NM Department of Game and Fish San Juan Trout Waters Management Plan
- General Plan for Fish and Wildlife Conservation and Management, Navajo Unit, Colorado River Storage Project (NM)

Navajo Reservoir Operations EIS

In October 1999, Reclamation issued its Notice of Intent to prepare the Navajo Reservoir Operations EIS. Reclamation proposed to operate Navajo Dam and Reservoir to implement Endangered Species Act related flow recommendations (or a reasonable alternative) in a manner that allows for current and certain future water depletions to proceed (USBR 2002). The EIS evaluated three alternatives for operation of the reservoir providing for minimum and maximum regulated releases from the dam: No Action; 250 cfs/5000 cfs; and 500 cfs/5000 cfs and evaluated the impacts of those alternatives. A draft EIS was issued in September 2002; the final EIS was issued in April 2006, and a ROD was issued in July 2006. The decisions from that ROD are incorporated into the Navajo Reservoir RMP without further NEPA review.

San Juan River Basin Recovery Implementation Program

The purpose of the SJRBRIP is to protect and recover endangered fish in the San Juan River basin while water development proceeds in compliance with all applicable Federal and State laws. The endangered

fish are the Colorado pikeminnow (*Ptychocheilus lucius*) and the razorback sucker (*Xyrauchen texanus*). The actions taken under this program should also benefit other native fishes in the San Juan River and prevent them from becoming endangered (<http://southwest.fws.gov/sjrip/>). Reclamation is, and will continue to be, a primary cooperator in this recovery effort.

BLM, Farmington Field Office RMP

The Farmington Field Office (FFO) of the BLM manages public lands and resources in the vicinity of Navajo Reservoir in accordance with its 2003 Farmington RMP. That RMP provides guidance for the management of public lands and resources on approximately 1.4 million acres of public domain surface and 3 million acres of subsurface minerals in northwestern New Mexico. The recent Farmington planning effort included additional land use planning for oil/gas on Reclamation land in New Mexico, but did not address private or state oil/gas rights and development within the reservoir area, or oil/gas development within Colorado.

The 2003 Farmington RMP revised the 1988 RMP, as previously amended, with regard to federal oil and gas leasing and development, land ownership adjustments, off-highway vehicle designation, specially designated areas, and coal leasing suitability. Decisions considered still valid from the 1988 RMP and subsequent amendments were carried forward as part of the 2003 revision and are listed in Appendix A of the 2003 Proposed Farmington RMP/Final EIS. (BLM, 2003b)

The FFO manages federal leasable minerals and livestock grazing within the New Mexico portion of the reservoir area. This management is pursuant to several agreements between USBR and BLM; applicable laws, regulations, and policies; the Farmington RMP; and applicable activity plans. BLM's Farmington RMP decisions apply to the reservoir area only to the extent of its jurisdiction therein and are subject to concurrence by Reclamation (USBR/BLM 1983). In the Farmington RMP ROD, BLM states that it will continue to manage subsurface aspects of oil/gas leases under lands administered by Reclamation, but that surface management will be determined by Reclamation's land use planning document (BLM 2003b). Reclamation and BLM are to coordinate planning efforts and may adopt the other agency's plan as an amendment to their resource management plan (USBR/BLM 1983). Also, BLM's decisions applicable to the reservoir area and its jurisdiction therein apply to valid existing rights only to the extent that the decisions are not inconsistent with such rights (BLM 2003b).

Animas-La Plata Project

In 2000, Reclamation issued its ROD for the Animas-La Plata Project (ALP)/Colorado Ute Indian Water Settlement FSEIS. In that ROD, Reclamation committed to operate Navajo Reservoir to mimic the natural hydrograph of the San Juan River to benefit endangered fishes and their critical habitat (USBR 2000c). Reservoir operations to meet those commitments were addressed in the Navajo Reservoir Operations EIS.

Navajo Indian Irrigation Project (NIIP)

Navajo Reservoir is the primary storage facility for the NIIP and is operated to meet NIIP project purposes. P.L. 87-43 entitled the Navajo Nation to enough water to irrigate approximately 110,630 acres and identified an annual diversion of 508,000 acre-feet of water. However, a later reconfiguration of the project suggests that only 370,000 acre-feet of water may be necessary to meet NIIP project needs. Since NIIP development is only about 70 percent complete, the full NIIP water allocation is not currently utilized.

The Navajo Nation's full water rights within the San Juan River basin have not been quantified and adjudicated. These water right claims are addressed in a proposed water rights settlement that was approved by the New Mexico Interstate Stream Commission and the Navajo Nation (USBR, 2003b) and was introduced to the 109th Congress in December 2006 for authorization (<http://thomas.loc.gov/cgi.bin/thomas>).

Navajo Lake State Park Management Plan 2003-2007

In January 2003, the NMSPD approved a 5-year management plan for Navajo Lake State Park. This plan addresses recreation and some resource management within the New Mexico portion of the reservoir area. This plan includes development and management actions and provisions for resource protection. Reclamation will incorporate this plan into its RMP to the extent it is not incompatible with project purposes or inconsistent with prior valid existing rights.

Navajo State Park General Management Plan

CDPOR completed a draft Management Plan for Navajo State Recreation Area in 1989. The plan included recreation facilities development, management directions and provisions for resource protection within Navajo State Park, Colorado. This plan was substantially modified by the USBR/CDPOR Recreation Rehabilitation Program. A major recreation rehabilitation of this area was completed in 2003. However, some of the issues, concerns, and proposals are still valid. Reclamation will incorporate this plan into its RMP to the extent it is not incompatible with project purposes or inconsistent with prior valid existing rights.

Pine River Wetland Mitigation Site

In 2001, Reclamation entered into an agreement with the Hammond Conservancy District for the construction and maintenance of a wetland mitigation site on Reclamation lands at the upper end of the Los Pinos arm of the reservoir. This site was for partial mitigation for the Hammond Salinity Unit pursuant to the Colorado River Basin Salinity Control Act. Management of this mitigation area includes enhancement and protection of riparian resources, and restrictions on livestock grazing and public use. The decisions and management focus for this mitigation area will be included and protected in the Navajo Reservoir RMP to the extent they are not inconsistent with prior valid existing rights.

Southern Ute Indian Tribe (SUIT) Natural Resources Management Plan

In 2000, the SUIT completed an update of its natural resources management plan. The plan addresses use, development, and protection of resources on tribal lands within the SUIT reservation. Resources and management addressed in the plan include soil, water, cultural resources, riparian, oil/gas development, riparian areas, fish and wildlife, livestock grazing, and threatened and endangered species. The Lower San Juan, and Piedra management units are adjacent to Navajo Reservoir and the Los Pinos management unit includes the Los Pinos River to the Colorado-New Mexico line just above Navajo Reservoir. SUIT implementation of this plan and coordination with Reclamation could help meet similar resource management objectives within the Navajo Reservoir Area.

Southern Ute Indian Tribe (SUIT) Oil/Gas Management EIS/ROD

In October 2002, the BLM, and BIA, issued the ROD for the Final Environmental Impact Statement: Oil and Gas Development on the Southern Ute Indian Reservation. This decision is for the management of Tribal mineral and surface estate associated with oil and gas development, including enhanced coalbed methane, within the San Juan Basin, in accordance with the FEIS' Alternative 3. This decision established a comprehensive oil/gas development strategy with measures to protect the environment for lands within the reservation where the BLM and BIA have trust responsibilities. The planning area includes a portion of the reservoir area within the reservation boundaries and west of the Piedra arm of the reservoir (BLM/BIA 2002b). However, private oil/gas development was not addressed in this EIS; such development was left to the COGCC and its regulations and procedures (BLM/BIA 2002a).

Although the former SUIT lands within the reservoir area are not included in that NEPA review, applicable aspects of that NEPA document and ROD combined with additional measures, as necessary, to protect Reclamation's interests, could be applied to potential oil and gas development on those lands.

Additional NEPA review and analysis will be conducted at such time as the SUIT proposes to develop its mineral rights within the reservoir area.

Navajo State Park (CO) Recreation Rehabilitation and Management Agreements

In 1994 Reclamation and CDPOR entered into agreements for the rehabilitation of recreation facilities and the management of recreation activities at five Colorado reservoir areas, including Navajo. In 2003, Reclamation and CDPOR completed a major rehabilitation of recreation facilities at Navajo State Park. Applicable development and management requirements from these agreements will be included in the Navajo Reservoir RMP to the extent they are not inconsistent with valid existing rights.

Grant Agreement for Recreation, Handicap Access, and Fish and Wildlife Enhancement Programs at Bureau of Reclamation Projects (NM)

In September 2003, NMSPD and Reclamation entered into a state-wide Grant Agreement (No. 03-FG-40-2076) that provides cost-sharing for recreation, handicap access, and fish and wildlife enhancement programs at Reclamation projects administered by NMSPD, including Navajo Reservoir. That agreement can be used to help implement NMSPD's management plan for Navajo Lake State Park.

New Mexico Game and Fish San Juan Trout Waters Management Plan

In 2004, the NMDGF approved a management plan for the quality waters section of the trout fishery below Navajo Dam. That plan calls for NMDGF and Reclamation to work together to manage the quality of that fishery and the associated recreational experience. Certain aspects of that plan are consistent with actions in Reclamation's proposed RMP.

General Plan for Fish and Wildlife Conservation and Management (NM)

A General Plan for fish and wildlife conservation and management was developed for the New Mexico portion of the reservoir area and became effective in 1963. The plan was amended in 1990 to designate the former Miller Mesa Waterfowl Management Area as general project lands with a management focus of upland wildlife, bald eagles, and recreation. There currently is no corresponding General Plan for fish and wildlife management for the Colorado portion of the reservoir area.