

COMMENT LETTER



INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

SEP 08 2000

OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

Ms. Jayne Harkins
Manager, River Operations
Boulder Canyon Operations Office (BCOO-4600)
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, Nevada 89006-1470

Handwritten signature/initials
4600

Dear Ms. Harkins:

The United States Section, International Boundary and Water Commission (USIBWC), has reviewed the Draft Environmental Impact Statement (DEIS) for Interim Surplus Criteria for Colorado River Operation. This document was provided by letter dated June 29, 2000 (Reference: LC-2502, ENV-6.00), and our comments follow.

- | | | |
|---|--|---|
| 1 | Add CBRFC , and CRSSez to the list of the Acronyms on page ACR-1. Also, on page ACR-2, correct the entry for IBWC to read, "International Boundary and Water Commission, United States and Mexico ." | 1: The list of acronyms was amended to include CBRFC and CRSSez. The entry on page ACR-2 was corrected. |
| 2 | Page S-7, section S.3.3, subsection Reservoir Water Levels. Correct the sixth sentence in the first paragraph to, "The other three alternatives would result in increased potential for Lake Mead water levels to decline, with median elevations between 15 feet and 27 feet lower than" | 2: Correction made. |
| 3 | Page 2-3, section 2.2.3, Pacific Institute Proposal. In the first sentence of the second paragraph, correct to read, "Water delivery to Mexico is regulated by the Treaty and various treaty minutes based on consultation between the United States and Mexico." | 3: Correction made. |
| 4 | Page 3.4-32. In the first paragraph, correct the reference to Figure 3.3-20 to read, "Figure 3.4-20 provides a comparison" | 4: The reference has been corrected. |
| 5 | Page 3.4-34. The entire write-up on this page seems misplaced. A more appropriate location would be on page 3.4-32 following Figure 3.4-19. | 5: The text is arranged to accommodate the placement of figures in the respective section and to reduce the amount of white space on each page, and thus minimizing the size of the document. |
| 6 | Page 3.16-1, section 3.16.3, Consultation with Mexico. Correct the first sentence to, "... Reclamation, through the United States Section , International Boundary and Water Commission (USIBWC) is in the process" | 6: This correction has been made. |
| 7 | Page 3.16-2. In the second paragraph, change the first sentence to, "In his transmittal, Commissioner Herrera expressed a concern" | 7: This correction has been made. |

The Commons, Building C, Suite 310 • 4171 N. Mesa Street • El Paso, Texas 79902
(915) 832-4100 • (FAX) (915) 832-4190

COMMENT LETTER

RESPONSES

2

8 Page 3.16-2, listed six items of Mexican Commission's concern for the distribution of surplus water among the Lower Diversion States in the United States. On page 3.16-3, the first paragraph states that, "Although Reclamation recognizes the potential for the United States, acting through the Secretary of State, to continue to work with Mexico on a bi-national basis to clarify and resolve Mexico's concerns, it is not clear that these concerns are a result of interim surplus criteria. Issues not arising from interim surplus criteria are outside of the scope of this DEIS."

8: Comment noted.

9 The Mexican Commissioner's letter of May 11, 2000 represents the Mexican Government's perception of impacts in Mexico. The USIBWC assumes that Reclamation's comments are preliminary and subject to further information and clarification from Mexico. The USIBWC has joined the Mexican Section of the International Boundary and Water Commission in a government to government consultation under the terms of IBWC Minute 242, which requires reciprocal consultations on new or significant modifications to surface or ground waters. These consultations have consisted of technical meetings on April 12, 2000 in Henderson, Nevada; May 12, 2000, in Mexico City; and August 31, 2000 in Las Vegas. At these meetings, the proposed interim surplus criteria and alternatives under consideration were explained to Mexico's National Water Commission (CNA) and Secretariat of Environment, Natural Resources and Fisheries by Reclamation. Discussed in detail were computer runs for impact scenarios at the Northerly International Boundary (NIB), using the index sequential method of historic records since 1906, for the alternatives under consideration. Reclamation's conclusion is that there is not significant difference on flows arriving at the NIB under current practice and those arriving under the Six States and California plans.

9: Comment noted and Reclamation concurs with the information presented in this comment. Reclamation has revised the discussion for flows arriving at the NIB in Sections 3.3.4.5.4, 3.4.4.5 and 3.16.5 of the FEIS.

10 Mexico's letter of May 22, 2000 along with a letter by the CNA to Reclamation, expressed its concern that the interim surplus criteria could eliminate surplus water flows to Mexico in the 15 years in which it is in effect and its objection to implementation of the interim surplus criteria unless impacts in Mexico are mitigated. Mexico listed six perceived impacts of interim surplus criteria and the lining of the All American Canal and objected to the implementation of the criteria unless these impacts are mitigated. Mexico expressed concern that these impacts could weaken bilateral natural resource protection efforts and urged consideration of use of surplus flows for environmental purposes.

10: Comment noted.

11 More recently, Mexico provided a letter dated September 6, 2000 (copies of Spanish and English translation attached) in which Mexico observes that while Mexico's guaranteed water delivery of 1.5 million acre feet are guaranteed under all alternatives, the probability of Mexico receiving an additional 200,000 acre feet in scheduled deliveries in years of surpluses, are less than the historical probability of 35 per cent. Further, Mexico observes that the probability of there being excess flows below Morelos Dam in the limitrophe section of the river would be well below the historical average of 38 per cent. Mexico perceives that agricultural use would be impacted but that the major impact would be to the environment from Morelos Dam to the Gulf of California. Mexico repeats its objection to the surplus criteria unless mitigation of impacts in Mexico take place and again urged consideration of the use of surplus flows for environmental purposes.

11: Comment noted.

COMMENT LETTER

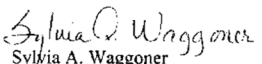
3

12 | Page 3.16-11, section 3.16.5.2 Comparison of Surplus Alternatives to Baseline Conditions. Change the fourth sentence to, "The largest difference in frequency is observed at the end of the interim surplus criteria"

13 | Page 3.16-13, section 3.16.6 Preliminary Summary of Effects to Special-Status Species and Habitat in Mexico, subsection 3.16.6.1 Potential Effects to Habitat in Mexico. The U.S. Section must assert that the United States has a right to maximize its use of Colorado River waters reserved to it under the 1944 Water treaty and recognizes that Mexico's right is only for 1.5 million acre feet. The U.S. Section also iterates that the United States Government does not assume any obligation to mitigate for adverse impacts in Mexico. At the same time, the U.S. Section observes that the IBWC consultations with Mexico are a forum to receive comments from the Government of Mexico and provide for technical discussion to carry out, in the context of comity, joint cooperation projects in support of the Colorado River riparian ecology to the Gulf of California that would have a benefit to the United States and Mexico.

Thank you for the opportunity to review the DEIS. If you have questions, please call Mr. Douglas Echlin at 915/832-4741.

Sincerely,


Sylvia A. Waggoner
Division Engineer
Environmental Management Division

12: The data in the FEIS has been updated (see Section 3.3.3.4 for a discussion). The description in Section 3.16.5.2 reflects these changes.

13: Comment noted.

COMMENT LETTER

RESPONSES

09/08/00 15:24 FAX 202 208 5503

REGIONAL LIAISON

002



United States Department of the Interior

SEP 08 2000

NATIONAL PARK SERVICE

1849 C Street, N.W.
Washington, D.C. 20240IN REPLY REFER TO:
N16(2300)

SEP 7 2000

B-200-1000
4600

Memorandum

To: Commissioner, Bureau of Reclamation

From: Director *Bob Stanton*

Subject: Comments on the Colorado River Interim Surplus Criteria Draft Environmental Impact Statement *2/1000*

The National Park Service (NPS) appreciates the opportunity to work closely with the Bureau of Reclamation as a Federal Cooperating Agency in the preparation of the subject Draft Environmental Impact Statement. This cooperation facilitated direct and early input into the preparation of this document. As a consequence, we have been successful in resolving many NPS resource issues as well as clearing up any misunderstandings and routine editorial issues. We look forward to continuing to work with Reclamation to complete this document within the timeframe specified by the Secretary. The enclosed comments represent the most important NPS issues related to the description and analysis of impacts to the resources of the three affected park units -- Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area.

In addition to finalizing the EIS, and because of the important issues surrounding the interim surplus criteria, the NPS would like to participate, to the extent possible, in the development of the Record of Decision for this document.

We appreciate all of your cooperation on this effort. If you have any questions, please feel free to contact me or Michael Soukup, Associate Director for Natural Resource Stewardship and Science at 202-208-3884.

Attachment

COMMENT LETTER

RESPONSES

09/08/00 15:24 FAX 202 208 5503

REGIONAL LIAISON

003

cc: NPS Regional Director, Intermountain Region, Denver, CO
NPS Regional Director, Pacific West Region, San Francisco, CA
BOR Regional Director, Upper Colorado River Region, Salt Lake City, UT
BOR Regional Director, Lower Colorado River Region, Boulder City, NV
Superintendent – Grand Canyon NP; Glen Canyon NRA; Lake Mead NRA
Molly Ross, K.C. Becker, Robert Snow – DOI Office of the Solicitor
Assistant Secretary for Fish and Wildlife and Parks
Nancy Hayes – Office of ASFW
Deputy Secretary Hayes

COMMENT LETTER

RESPONSES

**NATIONAL PARK SERVICE
COMMENTS
COLORADO RIVER INTERIM SURPLUS CRITERIA
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)**

September 8, 2000

The National Park Service (NPS) has appreciated the opportunity to work closely with Bureau of Reclamation (Reclamation) staff in Boulder City, Nevada, as a cooperating agency in the development of the DEIS for assessing the effects of Colorado River Interim Surplus Criteria. This cooperation facilitated direct and early input into the preparation of this document that includes an analysis of the effects of alternative interim surplus criteria on the resources of Grand Canyon National Park, Glen Canyon National Recreation Area, and Lake Mead National Recreation Area. As a consequence, we have been successful in resolving many NPS resource issues. The NPS will continue to work closely with Reclamation to provide this level of input for the FEIS.

The NPS does, however, have certain unresolved issues concerning the analysis of impacts to certain resources potentially affected within the three park units.

1

Scope of the analysis – The DEIS uses different methodologies to assess the various resources. Predicted changes in water levels of both reservoirs are made utilizing the 10th, 50th, and 90th percentile of potential hydrological inflows. Annual depletion projections for the three lower basin states are also assessed using these three percentile values. The analysis of cultural resource impacts utilizes 10th percentile water levels to show the most severe drawdown impacts. Equalization assumptions utilize the worst case hydrologic scenarios to protect 602(a) storage within Lake Powell. The DEIS specifically states that the 90th and 10th percentile lines “bracket” where 80 percent of the future water levels would occur (and presumably 80 percent of the impacts). Given this, it is problematic that the above resources are addressed in a comprehensive fashion in the DEIS but that the consequential effects of water level changes on many other affected NPS resources are made using only median water levels. By conducting resource analysis in this fashion, the potential impact of the proposal tends to be minimized and the full range of effects not disclosed. It would seem appropriate to either fully bracket the potential effects (as was done for many other resources) or clearly disclose the rationale for limiting the scope of the analysis.

2

The DEIS states that interim surplus criteria would be implemented for only 15 years, but assesses the effects of the criteria for a 50-year period. After the 15-year period all alternatives revert to baseline conditions (75R), which is one of the alternatives. Why is one alternative continued through the entire 50-year period of analysis when the others are not? The likelihood of the criteria reverting to this baseline is minimal. It would be appropriate for the FEIS to provide some analysis of the effect of continuing with the various alternatives throughout the 50-year period.

1: The methodology used for analysis of various resources was dependent upon the amount of information available and the potential effects identified through modeling. These methodologies are described for each resource/issue analyzed in the various sections of Chapter 3 of the EIS. Note that analysis of recreation resources within both the Glen Canyon and Lake Mead National Recreation Areas determined specific probabilities for certain elevations important to shoreline facilities and navigation with the NRAs. The FEIS contains additional discussion and probability analysis for specific reservoir surface elevations identified through discussions with NPS and others during preparation of this document.

2: As noted in this comment, the interim surplus criteria would be in effect for 15 years, after which these criteria would terminate and determination of surplus conditions would revert to the current AOP procedures. However, the model operation for each alternative was extended beyond the interim period, to 2050, with the interim criteria reverting to the baseline criteria, so that any after effects resulting from the alternatives would be indicated. The baseline model operation was also extended to 2050 so that comparisons could be made. The baseline operating strategy in the DEIS was not an alternative, but was established as a “benchmark” against which to compare the effects of the alternatives, as discussed in Section 2.2.5. This continues to be the case for the modeling analyses in this FEIS.

COMMENT LETTER

RESPONSES

3 Recreation – The DEIS addresses the effects of water level changes on recreation facilities (marinas) in Lake Powell and Lake Mead caused by interim surplus criteria by quantifying the costs associated with facility adjustment and capitol acquisition both incrementally and over the 15-year period. The FEIS should quantify the total cost for the entire 15-year period for the 10, 50, and 90 percent hydrologic inflow projections. The DEIS suggests that one or more marina sites could become inoperable at certain unspecified water levels. However, no analysis of these critical levels is provided. Such analyses could easily be made using existing GIS and other data.

4 The effects of marina closures could have broad economic consequences to the local and regional economy that should be recognized and summarized in the FEIS. Further, the effect of such closures on the ability of our concessionaire to make a profit should be analyzed; especially the ability of the Navajo Nation to open and operate their new facility at Antelope Point on Lake Powell should be discussed.

5 River flows below Glen Canyon Dam – The DEIS does not assess the effects of interim surplus criteria on operational river flows below Glen Canyon Dam within Grand Canyon and Glen Canyon. The DEIS states that any effects would be handled through the Glen Canyon Dam Adaptive Management Program (AMP). While the discussion to handle effects through the AMP is reasonable, the potential consequences of the criteria should be clearly specified as they are for flows below Hoover Dam. Further, the potential consequences to resources caused by any change in flows through the Grand Canyon should be specified especially for threatened and endangered and other special status species.

7 Beach Habitat Building Flows (BHBFs) – BHBFs are an important management tool affecting the natural and cultural resources in Glen Canyon and Grand Canyon. While the DEIS section on BHBFs shows a minor impact due to implementation of the interim surplus criteria, clarity would be enhanced by a more complete display of the frequency analysis. We suggest that a continuous curve of the frequency of occurrence of BHBFs supplement Table 3.6-1, and that some additional description be added on how the likelihood of BHBFs changes with specific reservoir elevations as a result of the surplus alternatives.

8 Additional research is required to better understand and optimize the effects that BHBFs have on the environmental resources downstream of Glen Canyon Dam. The NPS recommends that the Record of Decision for this EIS direct the Glen Canyon Dam Adaptive Management Program to consider and address a program of several test flows to research alternative BHBF designs. The NPS suggests that these research tests may be implemented independent of the hydrologic triggering criteria required to conduct BHBFs for Adaptive Management purposes, while maintaining the integrity of the hydrologic criteria for long-term implementation of BHBFs.

9 Threatened and endangered (T&E) fish species – T&E fish species are described for the Colorado River and San Juan River inflow areas of Lake Powell. Specifically, the DEIS acknowledges that critical habitat has been designated for the razorback sucker, Colorado pikeminnow, and bonytail chub. However, the effects of Lake Powell water levels and interim surplus criteria were not included within the environmental consequences section of the DEIS. If there are potential impacts on these species, they should be described in the FEIS. The NPS recommends that any effects be managed through the previously established recovery implementation programs for the Colorado and the San Juan rivers.

3: It is recognized that different percentiles could be used for presenting the information in Section 3.9.6. However, Reclamation believes that using median elevations, while not showing all circumstances, appropriately presents the differences between the alternatives and baseline conditions.

4: Differences between baseline conditions and alternatives at the 3626 ft. level are typically less than five percent. Subsequent to publishing the DEIS, Reclamation received additional information regarding threshold elevations from NPS and the Navajo Nation. The FEIS discusses this information in Section 3.9.2.2.2.1, and presents analyses for threshold elevations of 3626 feet and 3677 feet msl.

5: As discussed in the EIS in Sections 1.4.2 (Glen Canyon Dam Operations) and 3.2.2 (Adaptive Management Program Influence on Glen Canyon Dam Releases), the Adaptive Management Program would continue to address resources within the river corridor below Glen Canyon Dam. Two types of flows are of particular concern to the Adaptive Management Program: BHBFs and low steady summer flows. Sections 3.6.2 and 3.6.3 analyze the potential effects of interim surplus criteria on the frequencies of these two flow regimes. No additional analysis of the potential effects on resources within this segment of the river corridor is necessary because, as discussed, the Adaptive Management Program would continue to address these resources consistent with the Operation of Glen Canyon Dam ROD. Because flows below Hoover Dam are associated with water deliveries based on depletion schedules provided by the Lower Division states, modeling conducted for the EIS (which includes depletion schedules) produces forecasts of specific monthly flow volumes. In contrast, releases from Glen Canyon Dam are not made to meet water delivery schedules and are, instead, subject to the requirements of the Operation of Glen Canyon Dam ROD and the Adaptive Management Program. As such, it is not possible to provide the same level of modeling projections for Glen Canyon Dam releases.

6: Information regarding potential effects on river flows and special status species below Glen Canyon Dam, within Grand Canyon and Glen Canyon, is in Section 3.8 of the FEIS.

7: A continuous plot of the probability of BHBFs has been added to Section 3.6.2.

8: The Department of the Interior agrees with this comment and the concept that it is important to conduct additional research to better understand and optimize the effects of BHBFs. The Glen Canyon Dam Adaptive Management Program (AMP) was established as a Federal Advisory Committee to assist the Secretary of the Interior in implementing the Grand Canyon Protection Act of October 30, 1992, which is embodied in Public Law 102-575. The Grand Canyon Protection Act directs the Secretary, among others, to operate Glen Canyon Dam in accordance with the additional criteria and operating plans specified in section 1804 of the Act and to exercise other authorities under existing law in such a manner as to protect, mitigate adverse impacts to, and improve the values for which Grand Canyon National Park and Glen Canyon National Recreation Area were established, including but not limited to the natural and cultural resources and visitor use. Section VI of the October 8, 1996 Record of Decision on the Operations of Glen Canyon Dam Final EIS commits the Department to the implementation of BHBFs, the scheduling, duration, and flow magnitude of which will be recommended by the Adaptive Management Work Group and scheduled through the Annual Operating Plan process. Reclamation agrees that the AMP is the proper forum in which to explore experimental flows so that in the future, when hydrologic conditions allow such BHBFs as management actions, they can be performed for the greatest benefit of the resources. In advance of the Record of Decision, the Department can report that efforts to expedite consideration and development of the parameters and criteria for future test flows, including BHBFs, are underway through a recently formed subgroup of the AMP's Technical Work Group. Reclamation intends to continue to pursue BHBFs through the AMP. We welcome the continued participation and input of the National Park Service in this effort.

9: Revisions have been made to Section 3.8.2.2.3. Note that potential effects to special-status fish species were analyzed with respect to operations at both Glen Canyon Dam and Hoover Dam. The section also notes that previously established recovery programs are to remain in place. No specific threshold elevations at Lake Powell pertaining to special-status fish species are known to have been developed. Revisions to the description of designated critical habitat were also made within the section.

COMMENT LETTER

RESPONSES

- 10: Cultural resources – The DEIS states that the proposed action is an undertaking but has no potential to affect cultural resources since any within the area of potential affect have been already severely affected by ongoing operations. The DEIS then suggests that certain resources might retain qualities making them eligible for inclusion on the National Register of Historic Places (NRHP) and potentially affected by the action. In fact, this is the case for Lake Powell where three cultural sites (Rock Creek, Dan Canyon burial, and Good Hope Bay) have been discovered since 1983 that are above 3,670 feet msl that have either been excavated or were found eligible for listing on the NRHP. In each case, the sites were originally buried and were then exposed due to the inundation and retreat of lake water. It is highly likely that additional sites such as these would be found once a comprehensive or stratified survey was completed.
- 11: Certain cultural resources not discussed in the DEIS but likely still in existence and potentially greatly affected by future operations are the buried and surface cultural resources located between the normal and the maximum water surface elevations of the respective reservoirs. Within this elevation band, inundation has occurred only minimally (only twice at Lake Powell and only to the 3,708 feet msl elevation). For example, on Lake Powell, the Crumbling Kiva site is found at elevation 3,710 feet msl. Continuing reservoir operations described within the DEIS could potentially affect this site and any others within this elevation band on either of the reservoirs. Without an adequate survey, it is impossible to determine the extent of the impact.
- 12: Given this rationale, it would be appropriate for the NPS and Reclamation to determine a suitable course of action to identify and protect any remaining cultural resources that may be affected by the proposed action and continuing operations.
- 13: Lake water quality – The water quality of Lake Mead is generally described in the DEIS. Lake levels and overall volume (through the various alternatives) are recognized as a critical factor in predicting overall water quality. Specifically, the DEIS states that “contaminant dilution and lake water quality are directly proportional to lake volume” and that a reduction in volume would “likely have deleterious effect on lake water quality and, potentially, on water quality withdrawn by SNWA.” A general summary of the chemical and pollutant characteristics of the lake is provided but no specific projections are given on how these values would change with the various surplus alternatives. Changes to water quality are implied through very broad summaries of elevation, volume, and surface area changes over the 50-year analysis period (Table 3.5-6). This summary tends to minimize the potential effects by first utilizing median inflow projections and then averaging the change in water level between three analysis periods. Given that the limnology and water quality of Lake Mead are generally known, predictions about changes could be developed and appropriately included in the FEIS.
- 14: In addition, water withdrawals from Lake Mead would approach 60 feet from surface elevation even utilizing the median inflow projections. This potential is even greater if the 10th percentile inflow projects are utilized. In both cases water release temperatures could increase and potentially affect the aquatic ecology downstream. A discussion of these potential impacts should be included in the FEIS.
- 10: Reclamation's understanding was that most, if not all, historic properties located within the area of fluctuations of the reservoir had lost sufficient integrity that they would no longer be capable of conveying their historic significance. This comment provides important information that this is not the case for all historic properties.
- 11: Reclamation agrees that the inventory and identification of cultural resources that was conducted prior to the completion of the reservoirs is inadequate by today's historic preservation standards. However, prior to completing the reservoirs, the National Park Service was in compliance with the Historic Sites Act of 1935; they did complete the surveys, investigations and researches of historic and archaeological sites, buildings, and objects for the purpose of determining which possessed exceptional value for commemorating or illustrating the history of the U.S. Furthermore, the NPS did comply with the Reservoir Salvage Act of 1960 with respect to Lake Powell. Archeological data affected by construction of Glen Canyon Dam were preserved to the standards of the time. Reclamation continues to ensure that these data are preserved and accessible to the public based on the Historic Sites Act and Reservoir Salvage Act.
- 12: For purposes of the undertaking defined as the adoption of specific interim surplus criteria and the subject of this EIS, the projected or predicated effects appear to be encompassed within normal operations. Normal or on-going operations are not the subject of this EIS, therefore, any effects or the resolution of effects of existing operations are beyond the scope of this EIS. Reclamation is, of course, eager to comply with the National Historic Preservation Act and its implementing regulations. Reclamation agrees with the NPS that it has Section 110 responsibilities with respect to on-going operations.
- 13: The water quality analysis in the EIS appropriately identifies the potential effects of the interim surplus criteria. Potential effects are discussed in terms of the general effects of changing reservoir elevations because specific elevations and periods that such elevations would occur are unknown and cannot be predicted. Use of the median elevations projected by system modeling to discuss differences between the alternatives and baseline conditions does not minimize these potential effects, and instead presents a reasonable means of comparison of potential future outcomes.
- 14: Potential effects on sport fisheries of increased temperature of water releases from Hoover Dam have been included in Section 3.7.3 of the FEIS.

COMMENT LETTER

RESPONSES

SEP-07-2000 12:19

POWER SCHEDULING WAPA

P.02/02



Department of Energy
Western Area Power Administration
Desert Southwest Customer Service Region
P.O. Box 6457
Phoenix, AZ 85005-6457

SEP - 7 2000

Ms. Jayne Harkins
Attention: BCOO-4600
P.O. Box 61470
Boulder City, NV 89006-1470

Dear Ms. Harkins:

1 Western Area Power Administration (Desert Southwest Region) supports the effort by the Bureau of Reclamation to prepare a Draft Environmental Impact Statement for the Colorado River Interim Surplus Criteria. However, long-term projections prepared by the Bureau of Reclamation show a significant probability that the elevation of Lake Mead will trend to a much lower level. Using existing power production facilities at Hoover Dam, Federal electric power capacity (megawatts, MW) and energy (megawatt-hours, MWH) will fall as the elevation of Lake Mead is lowered. Generation may be curtailed if Lake Mead approaches the Minimum Power Pool elevation. Thus, less low cost Federal power will be available for delivery to electric power consumers in Arizona, California and Nevada.

2 In addition, Western notes that on July 12, 2000, the Bureau of Reclamation reduced the Hoover Powerplant rated capacity from 2074 MW to 2062 MW due to the lowering of Lake Mead elevation to 1203-feet. Thus, actual output capability is less than indicated in Table 6: "Hoover Dam Elevation and Output" in Appendix N: "Energy Analysis Worksheets". In this projection model table, a reduced capability of 2062 MW is not expected until an elevation of 1172-feet, not 1203-feet.

3 From the public power perspective, Western believes that it is in the public interest to maintain Lake Mead at an elevation range similar to its recent historical average. Western supports giving special consideration to essential water needs and a lower lake elevation during severe drought conditions.

1: Comment noted. As the EIS discusses, the amounts of power available from Glen Canyon and Hoover Dams will be reduced when lake levels decline.

2: The capacity of 2074 MW is produced from the application of theoretical turbine curves to year-end reservoir elevations. There will always be a difference between theoretical curves and actual operating results. Since the difference is approximately 0.5 percent, this error is believed to be within the error of the forecast.

3: Comment noted.

Sincerely,

Anthony H. Montoya
Assistant Regional Manager
for Power Marketing

TOTAL P.02

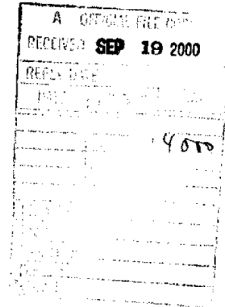
COMMENT LETTER

RESPONSES



Department of Energy
Western Area Power Administration
P.O. Box 11606
Salt Lake City, UT 84147-0606

SEP 12 2000



Ms. Jayne Harkins
ATTN: BC)-4600
P.O. Box 61470
Boulder City, NV 89006-1470

Dear Ms. Harkins:

Western Area Power Administration (Western) supports the Bureau of Reclamation in its efforts to describe the impacts of various Colorado River Interim Surplus Criteria Proposals in a draft environmental impact statement.

Our Desert Southwest Regional Office will provide you with comments related to Hoover Dam and Lake Mead. This, the CRSP MC, will comment on details in your EIS that deal with Glen Canyon Dam and Lake Powell.

Comments:

1

1. Figure 3.3-5 illustrates that the elevation of Lake Powell declines over the 50-year time frame of the analysis in the baseline case. It is difficult to understand why this happens and the text of the EIS provides very little explanation. This should be clarified. If it is a result of increased Upper Basin depletions, the EIS should describe how this, under existing reservoir management practices, would affect lake level elevations.

2

2. The description of existing conditions related to hydropower production from Glen Canyon Dam is woefully inadequate. While the Glen Canyon Powerplant is part of the CRSP power system and in turn part of the WSCC power "grid," the electrical power from Glen Canyon Dam is sold to specific electrical power customers. For the most part, these customers serve rural areas and small towns and are a very small part of the total WSCC system of generators, consumers, and transmission lines. Actions at Glen Canyon Dam have effects on these customers that the WSCC system would scarcely take note of. Therefore, the existing conditions for hydropower ought to be a description of those long-term firm customers who buy power from the CRSP and their retail customers. Further, the impacts of the various alternatives ought to be described in terms of the impacts to those who ultimately bear them: CRSP firm power customers and their member systems and retail loads.

1: Figure 3.3-5 of the DEIS presents the range of Lake Powell water surface elevations modeled under baseline conditions (90th, 50th and 10th percentile values). This same figure also shows the results for four of the 85 hydrologic traces modeled under the baseline conditions. The four traces provide a representation of the fluctuation that occurs under the various assumed hydrologic sequences. As can be seen from these four traces, the water surface elevations of Lake Powell fluctuate from full to lowered conditions throughout the 50-year modeled period. However, as time progresses, due to increasing Upper Basin depletions, Lake Powell's median and 10th percentile elevations decline.

2: Please see response to Comment 16-2. Reclamation believes that the level of analysis for energy resources presented in the EIS appropriately identifies the potential effects of interim surplus criteria.

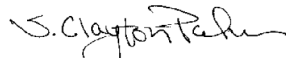
COMMENT LETTER

RESPONSES

We appreciate the opportunity to comment. Please telephone me at (801) 524-3522 if you have questions or need clarification on these comments.

2

Sincerely

A handwritten signature in black ink, appearing to read "C. Clayton Palmer".

Clayton Palmer
Team Lead, Environmental Planning and
Resource Analysis

COMMENT LETTER

RESPONSES

From: "John Counsil" <Counsil@wapa.gov>
To: ibr3dm10.3LCDATE(JHARKINS)
Date: 8/24/00 8:38AM
Subject: Minor Comment: Attachment N, Interim Surplus Criteria DraftEIS

Jayne,

Please check Table 2 and Table 4 in Attachment N (Energy Analysis Worksheets).

1: The titles to the Tables 2 and 4 were changed to "Average Monthly Energy Production At Lake Mead (GWh)" and "Average Monthly Energy Production at Lake Powell (GWh)," respectively.

1 I am not sure if this recommendation is correct, but it appears the change needs to be:

Either change units from "(GWh)" to "(average GWh/month)"

or

Multiply each value in tables by 12 to obtain GWh.

CC: "CLAYTON PALMER" <CSPALMER@wapa.gov>

THIS PAGE INTENTIONALLY LEFT BLANK.

MEXICAN AGENCIES/ORGANIZATIONS

<u>Letter #</u>	<u>Agency/Organization</u>	<u>Page #</u>
63	Autonomous University of Baja California (AUBC).....	B-291
64	International Boundary and Water Commission, Mexican Section (IBWC, Mexican).....	B-294
65	Mexicali Business Coordinating Council (MBCC)	B-296
66	Mexicali Economic Development Council (MEDC).....	B-298
67	National Water Commission (NWC)	B-300

COMMENT LETTER

RESPONSES

AUTONOMOUS UNIVERSITY OF BAJA CALIFORNIA

Rectory
Doc. No. 018/2000-2

Ms. Jayne Harkins
Regional Office
Bureau of Reclamation
Boulder City, Nevada 89006-1470

Dear Madame:

The undersigned, Victor Everardo Beltran Corona, Rector of the Autonomous University of Baja California, addresses you in the most respectful manner to advise you that we have received information generated by the Bureau of Reclamation of the United States in a document entitled: "Interim Criteria for the Management of Excess Flows in the Channel of the Colorado River," in which the redistribution of the volumes of excess flows in the Lower Colorado River Basin for the next 15 years is being considered.

Given the enormous importance that the said waters represent to the State of Baja California in Mexico, we are addressing you for the purposes of providing you, for your consideration, with our comments regarding the plan proposed by the Bureau of Reclamation and its probable impacts on the ecosystem and in general on our entire region.

The Colorado River hydrologic basin is a region which comprises a territory of nature which should be analyzed as an integrated ecosystem from its origin in the Rocky Mountains of the United States to its final part in the Gulf of California in Mexican territory.

From the beginnings of the XX century our region was known as a region of abundant vegetation and native fauna which developed in harmony and splendor due to the waters of the Colorado River which naturally watered these lands. Hydrologic records of the Bureau itself establish the enormous flows which the Colorado River provided to the delta region. The records report average values which exceed 20,000 million cubic meters per year, a situation which drastically changed when the United States government initiated the construction of Hoover Dam in Black Canyon, state of Nevada, causing enormous ecological damage to the entire region.

Additionally, the adverse impacts increased year after year. The reduced water flow volume permitted to pass to the Mexican side was aggravated even further with the dispositions agreed to by the representatives of the two governments, United States and Mexico, who signed the International Water Treaty on February 3, 1944, which regulates the deliveries of water to our country. Nevertheless, the adverse conditions under which this document was negotiated have presented to Mexico a difficult situation in the administration and assignment of water resources. In 1944, they only considered assigning water rights for a reduced part of the agricultural lands and small settlements, overlooking that over time water needs would increase considerably.

Translation: RAV:rav
E:\Letters\Misc00\Ms08308.wpd

September 8, 2000
No.: Ms 083

Page 1 of 3
File: WAC 10 Surplus Water Supply - Colorado River

1
cont'd
below

supports 1

1: The Interim Surplus Criteria EIS addresses potential effects of the implementation of interim surplus criteria, not the effects of management of the Colorado River as a whole. As such, the impact analysis focuses on areas that may be affected by interim surplus criteria. Note that Section 3.16 of the EIS discusses the potential for decreased excess flows to Mexico as a result of interim surplus criteria and identifies the potential effects to the natural and physical environment within Mexico may be developed.

COMMENT LETTER

RESPONSES

supports 1

1 cont'd

This grave omission not only delayed the future growth of regional agriculture and of the cities in our state, but also overlooked a fundamental aspect of the development of all of us who live in this region, the sustainability of the Colorado River Delta, which comprises all the southern part of the Colorado River and the Upper Gulf of California. We emphatically point out that the physical boundary established by man cannot transcend the boundaries established by nature, the Delta also forms part of the hydrological basin of the Colorado River.

During many years (1961-1977), there were many problems between the governments of the United States and Mexico regarding the quality of the waters arriving in the region. Currently, some of these problems still persist; nevertheless, in the hopes of achieving good neighborhood between the two countries, our farmers are accepting waters of low chemical, physical and bacteriological quality, such as the case of the waters delivered at the point of diversion known as the Southerly International Boundary at San Luis Rio Colorado, Sonora, which as part of the International Treaty each year receives wastewater coming from the urban and agricultural drainage system of the Yuma, Arizona area, to be used in the agriculture of the San Luis Valley with the consequent deterioration of the subterranean aquifer.

supports 1

Currently, a great number of deep wells in the area have had to be relocated due to the grave deterioration of the water quality which has lessened harvests, and as a consequence harmed economic conditions.

The decrease in the quality of the water delivered at the Northerly International Boundary during the winter is another problem facing our farmers, and one which in addition to the deficiencies in the natural drainage of our soils, makes for even further crop yield reductions.

Based on hydrologic studies conducted by our researchers, it has been possible to determine that the cycle of Colorado River flows periodically reports the presence of extraordinary volumes in the natural channel. This has been analyzed using, as an indicator of the environmental impact, the species of shrimp which develops in the Upper Gulf of California, which has been the recipient of the beneficial impact of the fresh waters which are registered during periods of "El Niño" which stimulate the development of marine fauna, especially shrimp species, totoaba and the *vaguita marina* (a porpoise); in addition to favoring an oceanographic condition of residual currents in the Upper Gulf of California, which due to mass compensation, results highly beneficial to fishing for diverse species and an excellent level of economic development for the fishing community.

Today, the impressive system of dams on the Colorado River has permitted the establishment of an almost absolute control of its waters on their way south. After the construction of the last of the large dams in the channel of the river (Glen Canyon Dam), the possibilities of receiving fresh water in the Mexican area of the Delta were reduced; nevertheless, after May 1, 1979 we were heartened to see that fresh water was arriving in our region, which in spite of flooding in low areas, represented a resurgence in the natural conditions for our flora and fauna. The excess flows continued for the following 20 years: 1980-1981; 1983-1988; 1992-2000.

COMMENT LETTER

RESPONSES

supports 2

It should be mentioned that during those years in which we have not had the additional volumes contemplated in the International Treaty for the Colorado River, there have been environmental effects on the environment, principally on marine species, such as shrimp, totoaba and *curvina*. This last species, in the last 25 years, had not achieved the level of development that it now has, and this thanks to the maintenance of additional fresh water flows in the natural channel of the Colorado River.

The Mexican delta of the Colorado River comprises a little over 300,000 hectares, of which nearly 35,000 hectares naturally receive the benefit of the waters flowing in the channel. The riverside vegetation, currently constituted of willows, poplars, mesquites, salty pine, *cachanilla*, and others, form a rich, virgin area inhabited by a multitude of animal species, many of which are migratory birds coming from Canada and the northern United States to establish their reproductive areas for future generations.

2

The Autonomous University of Baja California comes before you in the most respectful manner seeking that the proposal that additional volumes of fresh water continue flowing in the Colorado River to the delta region of the river be considered, since only in this manner will it be possible to sustain viable one of the most notable and important ecosystems in the world.

The characteristics which the ecosystem of the Colorado River Delta presents are unique, since only in this region do terrestrial and marine species reproduce as in no other part of our planet; as such, this region should be considered by all of us as a legacy for humanity currently constituted as a Biosphere Reserve.

At this time you are about to make a decision which could provide the hope for the life and development of one of the most important ecosystems which nature has provided to all of us who live in they hydrologic basin of the Colorado River.

SINCERELY,
Mexicali, B.C. September 6, 2000
"FOR THE COMPLETE ACTUALIZATION OF MANKIND"
RECTOR
(Signed)
VICTOR EVERARDO BELTRAN CORONA

2: The U.S. through the IBWC has entered into formal consultations with the Government of Mexico regarding this action. In the context of comity, joint cooperation projects in a support of the Colorado River riparian ecology to the Gulf of California that would have a benefit to the United States and Mexico.

COMMENT LETTER

RESPONSES

WARNING: This is a "Sensitive but Unclassified" Commission document which is available only for official use and must NOT be released outside the U. S. Section without prior approval from the U. S. Secretary.

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO
MEXICAN SECTION

(SEAL Secretariat of
Foreign Relations)

TRANSLATION
NO.: LAE 01644/00
FILE: LAE/33
Ciudad Juárez, Chih.
September 6, 2000

Eng. Carlos Marin
Principal Engineer
International Boundary and Water Commission
The Commons Building C, Suite 310
4171 North Mesa
El Paso, Texas 79902-1422

Dear Eng. Marin:

I refer to the Interim Criteria for the declaration of excess flows in the channel of the Colorado River, as well as to the binational technical meeting last August 31st at Las Vegas, Nevada in which we reviewed the information provided to the Mexican Section concerning the results obtained from the models for the alternatives considered in the said criteria.

In this regard, I have the pleasure of forwarding to you the comments of the National Water Commission regarding the negative impacts which the implementation of the said criteria would provoke in the area of influence in our country in the next 15 years.

As the Mexican delegation advised during the referenced meeting, regardless of the fact that all the alternatives guarantee the delivery of 1.5 million acre-feet in 100% of the years, the probability of the delivery to Mexico of the additional 200,000 acre-feet volume is less in all the alternatives (30-34%), compared to the historical probability of 35%. Also, the probability that there will be excesses in the Colorado River downstream of Morelos Dam on average is 18%, well below the historical average (38%). The above, considering annual flows greater than or equal to the 1,000 million cubic meters (810,714 acre-feet) per year, equivalent to an average annual flow of 30 cms (1,059 cfs).

The above data obtained from the simulation are higher than those which would be obtained with the models for the actual conditions (September 1, 2000).

Based on the above, if it is true that the agricultural users would have only a slight impact in the next 15 years (using the higher table), the greater adverse impact would be felt in the environmental conditions downstream of Morelos Dam to the Sea of Cortez.

It is a fact that the values in the simulation are lesser than those recorded, nevertheless, considering the last 20 years during which the two major dams were already in operation, the percentages for excess flows downstream of Morelos Dam are much greater (50%), so that the comparison should be made using these data given that they are the result of the actual system of dams on the Colorado River.

The alternative which presents the highest values for frequencies and results less damaging to Mexico is the

Dist.: Orig. - C&R; Control Copy - FAO; [e-mail: PE Marin; WAD Rakestraw; DD Robinson; EMD Waggoner; FAO Ybarra]
Translation: JGS:jgr
September 8, 2000
Page 1 of 2
I:\LettersFromMex\00\Mx24100.wpd No.: MX 241 File: WAC 10 Surplus Water Supply - Colorado River

1: See response to Comment 11-13 regarding additional deliveries to Mexico.

2: It is unclear what this comment means by "actual conditions." Reclamation used data and models accepted as the most representative currently available.

3: The delivery of water to Mexico under all modeled conditions in this FEIS was consistent with the requirements of the Treaty. The diversion and use of such Treaty water is solely at Mexico's discretion. The delivery of excess flows to Mexico occur when flows available in the Colorado River exceeds the amount needed to meet the beneficial water needs of Lower Basin users in the United States. It is not within Reclamation's discretionary authority to make unilateral adjustments to water deliveries to the international border.

4: See response to Comment 31-8 for a discussion of the Index Sequential Method of modeling. A direct comparison with historical values is not representative, since current and projected depletions are greater than those in the past.

5: Comment noted. See response to Comment 57-158 for a discussion of the change in excess flows to Mexico.

COMMENT LETTER

RESPONSES

WARNING: This is a "Sensitive but Unclassified" Commission document which is available only for official use and must **NOT** be released outside the U. S. Section without prior approval from the U. S. Secretary.

5
cont'd

"Six State" one, with which we find: 100% lower table, 33% higher table and 18% excess flows downstream of Morelos Dam with flows greater than 1,000 million cubic meters (810.714 acre-foot) per year, equal to an average annual flow of 30 cms (1,059 cfs).

6

Based on the above, I reiterate Mexico's concern given the perspective of decreased excess flows downstream of Morelos Dam due to the fact that part of these is used to leach agricultural lands which prevents the increase in the salinity of 200,000 hectares of cultivation in the Mexicali Valley. Also, there would be very heavy negative effects on the Mexican aquifer with the quantity and quality impacts on the under river channel recharge.

7

Finally, let me reiterate to you that the Government of Mexico is not in agreement in that the proposed plan be put into practice without considering the measures that would be implemented to mitigate its impact in Mexican territory, as well as the request that the environment be considered as a user of the excess flows that are declared in the Lower Colorado River Basin.

I take this opportunity to reiterate to you the assurances of my most distinguished consideration.

Sincerely,
(Signed)
Gilberto Elizalde Hernández
Principal Engineer

6: See response to Comment 56-16.

7: See response to Comment 56-16. Also, the U.S. Section iterates that the United States Government does not assume any obligation to mitigate for adverse impacts in Mexico. At the same time, the U.S. Section observes that the IBWC consultations with Mexico are a forum to receive comments from the Government of Mexico and provide for technical discussion to carry out, in the context of comity, joint cooperation projects in support of the Colorado River riparian ecology to the Gulf of California that would have a benefit to the US and Mexico. Reclamation is working with the IBWC through the consultation process to identify joint cooperation projects. Mechanisms that the Department of the Interior, and particularly the Bureau of Reclamation, have been working on include the Joint Declaration and the follow-up conference held October 11, 2000, in Washington, D.C. Regarding the Colorado River delta area, Reclamation is also actively participating in the Fourth Technical Work Group (Delta Task Force). It is a bi-national group working to conduct a joint baseline study of the water and natural resource conditions in the Cienega de Santa Clara and the adjoining lowermost part of the delta of the Colorado River which utilizes the resources of participating agencies in monitoring, field work, photography and data exchange.

Dist.: Orig. - C&R; Control Copy - FAO; E-mail: PE Marin; WAD Rakestraw; DD Robinson; EMD Waggoner; FAO Ybarra]
Translation : JGS:jgs
File: LettersFromMex00/Mx24100.wpd
September 8, 2000
No.: MX 241
Page 2 of 2
File: WAC 10 Surplus Water Supply - Colorado River

COMMENT LETTER

RESPONSES

LOGO - MEXICALI BUSINESS COORDINATING COUNCIL

September 4, 2000
Mexicali, Baja California

Jayne Harkins
Bureau of Reclamation
Boulder City, Nevada

It has come to the attention of this business organization that the USBR has presented a proposal or criteria for the management of the excess flows in the Lower Colorado River Basin for the next 15 years for the purposes of distributing them among the users in the lower basin and support the state of California in its assignment of Colorado River waters.

1

This means that in the next 15 years, Mexico will cease receiving the excess flows that in the last 50 years averaged on the order of 2,500 million cubic meters annually (2 million acre-feet), limiting us to the 1,850 million cubic meters (1.5 million acre-feet) established in the treaty.

Additionally to this, you have projected, as a water conservation measure, the lining of the All-American Canal, which when implemented would reduce the flow of groundwater toward Mexico.

If these programs are implemented, Mexican territory would be negatively impacted resulting in the following:

2
cont'd
below

- ▶ The availability of water in the Mexicali Valley would be reduced, also, the dynamic levels in the deep wells would be lowered thus causing an increase in the costs of pumping the groundwater.
- ▶ With the elimination of the surface flows, the aquifer would no longer be recharged provoking an increase in the salinity levels in the same.
- ▶ Under normal conditions, there is an increase in the salt content in the agricultural soils of the Mexicali Valley which is reduced using the excess flows to leach these lands; if there are no more excess flows, these lands are condemned to conversion into saline soils.
- ▶ All the water received at Morelos Dam will also see an increase in salinity and this would be delivered to the irrigation district with the cancellation of the flows in the channel of the Colorado River downstream of Morelos; this means that there will no longer be flows into the Colorado River Delta in such a manner that the flora and wildlife which has established itself along the Colorado River in Mexico will be extinguished if there is no water.
- ▶ At the mouth of the Colorado River in the Upper Gulf of California there exist endangered

1: See response to Comment 66-1.

2: See response to Comment 56-16.

Translated: RAV:rav
I:\Letters\MexCOB\Mex08100.wpd

September 6, 2000
No.: Mex 081

Page 1 of 2
File: WAC 10 Surplus Water Supply - Colorado River

COMMENT LETTER

RESPONSES

2
cont'd

species, such as the *vaquita marina* (a species of porpoise) and the totoaba; independent of the efforts that the Mexican government is making to preclude their extinction, without any inflows of fresh water into the Sea of Cortez, the process of species extinction will accelerate.

- The harvest of shrimp and curvina in the area of the upper gulf will be reduced if there are no fresh water flows, thus provoking a negative impact on the fishing activities in the region.

3

We want to express our total disagreement with any measure which will affect the availability of water and its effects on the environment in our country, so we are requesting that you contemplate the possibility of including Mexico in the measures decided for the management of the excess flows in the Colorado River.

We appreciate beforehand your attention to this request and take this opportunity to send you cordial greetings.

Sincerely,
(Signed)
Eng. Aurelio Flores Peña
President

3: Comment noted. See response to Comment 64-7.

COMMENT LETTER

RESPONSES

LOGO - MEXICALI ECONOMIC DEVELOPMENT COUNCIL

September 4, 2000
 Mexicali, Baja California

Jayne Harkins
 Bureau of Reclamation
 Boulder City, Nevada

It has come to the attention of this community organization that the USBR has presented a proposal or criteria for the management of the excess flows in the Lower Colorado River Basin for the next 15 years for the purposes of distributing them among the users in the lower basin and support the state of California in its assignment of Colorado River waters.

1

This means that in the next 15 years, Mexico will cease receiving the excess flows that in the last 50 years averaged on the order of 2,500 million cubic meters annually (2 million acre-feet), limiting us to the 1,850 million cubic meters (1.5 million acre-feet) established in the treaty.

Additionally to this, you have projected, as a water conservation measure, the lining of the All-American Canal, which when implemented would reduce the flow of groundwater toward Mexico.

If these programs are implemented, Mexican territory would be negatively impacted resulting in the following:

- The availability of water in the Mexicali Valley would be reduced, also, the dynamic levels in the deep wells would be lowered thus causing an increase in the costs of pumping the groundwater.
- With the elimination of the surface flows, the aquifer would no longer be recharged provoking an increase in the salinity levels in the same.
- Under normal conditions, there is an increase in the salt content in the agricultural soils of the Mexicali Valley which is reduced using the excess flows to leach these lands; if there are no more excess flows, these lands are condemned to conversion into saline soils.
- All the water received at Morelos Dam will also see an increase in salinity and this would be delivered to the irrigation district with the cancellation of the flows in the channel of the Colorado River downstream of Morelos; this means that there will no longer be flows into the Colorado River Delta in such a manner that the flora and wildlife which has established itself along the Colorado River in Mexico will be extinguished if there is no water.
- At the mouth of the Colorado River in the Upper Gulf of California there exist endangered species, such as the *vaquita marina* (a species of porpoise) and the totoaba; independent of the efforts that the Mexican government is making to preclude their extinction, without any inflows of fresh water into the Sea of Cortez, the process of species extinction will accelerate.

2
 cont'd
 below

1: As shown in Figure 3.16-1 in the DEIS, the probability of excess flows to Mexico for all years (2000-2050) is not zero (17 percent or greater for all surplus alternatives and baseline.) For the FEIS, the probabilities are 13 percent or greater from 2003 through 2050.

2: See response to Comment 56-16.

Translated: RAV:rav
 I:\letters\Mex00\Mex08200.wpd

September 6, 2000 Page 1 of 2
 No.: Ms 082 File: WAC 10 Surplus Water Supply - Colorado River

COMMENT LETTER

RESPONSES

2
cont'd

- The harvest of shrimp and curvina in the area of the upper gulf will be reduced if there are no fresh water flows, thus provoking a negative impact on the fishing activities in the region.

3

We want to express our total disagreement with any measure which will affect the availability of water and its effects on the environment in our country, so we are requesting that you contemplate the possibility of including Mexico in the measures decided for the management of the excess flows in the Colorado River.

We appreciate beforehand your attention to this request and take this opportunity to send you cordial greetings.

Sincerely,
Mexicali Economic Development Council
(Signed)
Lic. Federico Diaz Gallego
President

3: See response to Comment 56-16.

COMMENT LETTER

RESPONSES

AUG-22-2000 TUE 01:01 PM IBWC EL PASO

FAX NO. 915 832 4191

P. 02/03

**General Subdirector for Construction
Border Affairs Coordinator
Letter No. B00.03.04-191/00**

**(SEAL)
National Water Commission**

Mexico City, Mexico, August 18, 2000

**Mrs. Jayne Harkins
Bureau of Reclamation
BC00-46-00, PO BOX 61470
BOULDER CITY, NV 89006-1470
United States of America**

(Dear Mrs. Harkins:)

I refer to the draft environmental impact (statement) that identifies the potential environmental effects that would occur if the a specific criterion is adopted for the management of excess flows of water in the lower basin of the Colorado River in the next 15 years.

We understand that the above document will be submitted for public consultation the last two weeks of this month. According to this, as Colorado River water users, we take the liberty of expressing our position on the potential impacts in Mexico if the surplus management criteria proposed by the USBR is applied.

It should be mentioned that this position has already been communicated at the beginning of last June by the Mexican Commissioner to his United States counterpart.

In the current operating conditions, Mexico since 1950 has received an approximate annual volume of 2,530 million cubic meters (2,050 acre-feet) of excess flows which have been used beneficially in our country, precluding the environmental deterioration of the physical and natural environment of the Colorado River.

The plan proposed for the distribution of the excess flows between the three U.S. states of the lower basin tends to eliminate these flows for 15 years. Also, in the California Plan, water conservation measures which would affect the recharge of the groundwaters shared by both countries are being considered; this is the specific case with the lining of the All American Canal. We estimate that the feeding *[sic]* of these flows would have the following effects on the Mexican physical and natural environment:

- 1 | 1. Impact on the recharge of the aquifer in quantity and quality reducing the beneficial use of the same.
- 2 | 2. Increase in the salinity of the 200,000 hectares of cultivation in the Mexicali Valley since part of the excess flows are used to leach this soil.
- 3 | 3. Deterioration in the quality of the water received by Mexico at the Southerly International Boundary (SIB), especially with regard to salinity because the fresh water flows are used to reduce the high salt concentrations at SIB.

1: Section 3.16.5.3 has been added to the FEIS to provide additional information on the general potential impacts that the implementation of the interim surplus criteria may have on the frequency of excess flows to Mexico as well as the potential resultant impacts to groundwater recharge and salinity south of the international border. See also responses to Comments 64-7 and 56-16.

2: See response to Comment 67-1.

3: See response to Comment 67-1.

Translation: RAV:rav:jgs
E:\Letters\Misc00\Ms08000.wpd

August 22, 2000
No.: MS 080

Page 1 of 2
File: WAC 10 Surplus Water Supply-Colorado River

COMMENT LETTER

RESPONSES

AUG-22-2000 TUE 01:01 PM IBWC EL PASO

FAX NO. 915 832 4191

P. 03/03

4. Deterioration in the quality of the water received by Mexico at NIB with the reduction of the flows to the amount of the Mexican demand and maintaining discharges to the river of flows from the agricultural drains in the Yuma, AZ area.
5. In the upper part of the Sea of Cortez endangered fish species and those requiring special protection would be affected, such as: the most rare and scarce cetacean in the world, the sea cow and the Totoaba. Also, commercial fishing in the area would be affected, especially shrimp and two species of curvina, fish which have not been seen in significant numbers in the last 25 years.
6. As far as the existing flora in the reach between Morelos Dam and the mouth of the Colorado River at the Sea of Cortez, in recent years, 33,000 hectares of native riparian vegetation has been reestablished in the watershed, composed of poplars, willows, mesquites and salty pines, among other species which are fundamental to the ecosystem since many of them are used for nesting by a great number of birds such as the Yuma Clapper, the yellow seagull, the sea dove and the royal blue swan, among others, same which would be affected by these measures.
7. It should be pointed out that the identified effects could weaken the cooperative bilateral relations regarding the Delta, which include the coordination between the contiguous protected natural areas, the environmental management of the basin and binational accords for habitat protection, of wetlands, and migratory species in which both countries are signatories such as the Ramsar Convention, the Management Plan for North American Aquatic Birds and the UNESCO Network of Reserves.
8. Finally, let me point out to you that the government of Mexico is not in agreement with putting into effect the proposed plan without considering the measures which would be implemented to mitigate its impact in Mexican territory. Also, I emphasize our request that the environment be considered a user of the excess flows which would be declared for the lower basin of the Colorado River. We support the goodwill of the Department of the Interior of the United States in proposing a "zero net loss of benefit to the environment" in the development of the surplus criteria.

I take this opportunity to reiterate to you the assurances of my distinguished consideration.

SINCERELY,
Border Affairs Coordinator
(SIGNED)
ENG. JAIME TINOCO RUBI

cc: Eng. Prospero A. Ortega Moreno, General Manager of Construction
 cc: Eng. Arturo Herrera Solís - Mexican Commissioner - IBWC
 cc: Dr. Francisco Oyarzabal Tamargo - Regional Manager of the Peninsula of Baja California

4: Comment noted. Additional analysis regarding salinity at the NIB has also been added to the FEIS, in Section 3.16.5.

5: Section 3.16.6 of the EIS discusses potential effects on the sea cow (Vaquita) and the totoaba, as well as other endangered species known to occur in Mexico.

6: Section 3.16.6 of the FEIS includes additional information about potential impacts of the proposed interim surplus criteria on special status species and their habitat which may occur in both the U.S. and Mexico, including the Yuma Clapper Rail and Southwestern Willow Flycatcher. The description of the affected environment acknowledges that habitat along the river is also used by many other species of concern.

7: Reclamation is continuing its consultation and coordination with the IBWC. See FEIS Sections 3.16 and 5.3.2 for updated information.

8: Comment Noted. Please see updated Section 3.16, Transboundary Impacts.

THIS PAGE INTENTIONALLY LEFT BLANK.

ADDITIONAL TRIBE

<u>Letter #</u>	<u>Tribe Name</u>	<u>Page #</u>
68	Kaibab Band of Paiute Indians.....	B-303

COMMENT LETTER

RESPONSES

Kaibab Band of Paiute Indians



September 5, 2000

Mr. Robert W. Johnson, Regional Director
Bureau of Reclamation
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, Nevada 89006-1470

Ref: C-2502; ENV-6.00
DEIS Colorado River Interim Surplus Criteria

Dear Mr. Johnson:

We are pleased to make comment on the DEIS Colorado River Interim Surplus Criteria. The environmental impacts address mostly those affected areas of users of the river below Hoover Dam. Also, there are some issues which are out of our comment range for now which will address State and Tribal water usage agreements along the Colorado River.

- 1 The affects and consequences on the environment will occur during and after the spring snowmelt and summer rains. Obviously, it will affect Tribal and State water use during periods of droughts and floods. It will affect the vegetation, wildlife and threaten & endangered species habitat and erode beaches and other land areas during these seasonal periods. The number of Tribes being consulted on this first Draft
- 2 Environmental Impact Statement must seriously be considered to be included as part of a working group to develop agreements, etc. Direct communication is more likely to result in lasting agreements needed to move forward with planning for the Colorado River.
- 3 We trust that we have your commitment to be flexible and create partnerships in developing deference and priorities, with Tribes, in the effort to protect the Colorado River ecosystem and its resources. Water is and has been an intrinsic part of the Native American homelands. As is noted in the DEIS, "The interim surplus criteria will not alter the quantity or priority of tribal entitlements" and "...the Tribes have the highest priority water rights on the Colorado River." Another concern we have is with the quality of the water for down river users. Assure us that the water will not be polluted to the point of being toxic.
- 4

Sincerely,

VIVIENNE-CARON JAKE, Director
KPT Environmental Program

cc: File
: Tribal Administration

Tribal Affairs

HC 65 Box 2
Pipe Spring, Arizona 86022

Phone (520) 643-7245
Fax (520) 643-7260

RECEIVED		
SEP 11 2000		
REPLY DATE		
DATE	DETAILS	COPIES
9/12	Miller	2
	2500	2708
Classification		
Project		
Control No.		
Foster I.E.		
Keyword		

11/3/00
2506
copy to

- 1: Potential environmental effects of interim surplus criteria are addressed in the EIS. Specifically, effects on water supply are discussed in Section 3.4; effects on special-status species and habitat are discussed in Section 3.8; and effects on the frequency of beach/habitat-building flow (BHBFs) and low steady summer flow releases from Glen Canyon Dam are discussed in Section 3.6.
- 2: Comment noted. Reclamation has consulted with, and will continue to work with potentially affected Tribes to address their concerns. Tribal consultations undertaken in association with interim surplus criteria are discussed in Section 5.4.
- 3: Comment noted.
- 4: Potential effects on water quality are discussed in Section 3.5, and environmental commitments associated with water quality are discussed in Section 3.17 of the FEIS.

THIS PAGE INTENTIONALLY LEFT BLANK.

ORAL COMMENTS

<u>Letter #</u>	<u>Agency Name</u>	<u>Page #</u>
69	Oral Comments Provided by Mr. Wade Noble	B-305

Oral Comments Provided by Mr. Wade Noble

The following is a written transcript of oral comments provided by Mr. Wade Noble at the August at August 24, 2000, public hearing held to receive comments on the Colorado River Interim Surplus Criteria Draft Environmental Impact Statement:

MR. WADE NOBLE. My name is Wade Noble. I'm an attorney from Yuma. I represent three irrigation districts in the Yuma area, the principal of which is the Wellton-Mohawk Irrigation & Drainage District.

1 We support the Seven Basin States proposal generally. We don't want to comment or
elaborate more on the well-articulated positions regarding the effects of the proposal on energy
resources, principally Hoover resources. Bob and the Power Authority set those forth pretty well,
but down where we are, at the bottom of the river, it's pretty clear to us that it's not just the flows
that you have coming out to generate the power but it's the head loss. So we are concerned that
2 you're going to have a natural decrease in head loss due to reduce inflows into Hoover so much
that they're predicting, as the Power Authority noted and we have noted as well, as much as a 35
percent decrease in capacity just over the next year or so because the levels of the lake will be
lowering.

We are somewhat concerned about the Seven Basin States proposal with regards to the steps
that California must take and the interim periods and the criteria for meeting those goals and what
happens if they do not meet those goals. As Mr. Dishlip explained this evening, if they don't
meet the goals, it's the understanding of the other Basin States that the agreement falls apart and
the interim surplus criteria go away and that we go back to a more conservative management of
the river under those circumstances. That creates concerns for Wellton-Mohawk.

3 One of the items in the Seven Basin States proposal is for a 15-year extension of the interim
period on the savings for the Coachella Valley ditch lining canal lining. And if that interim
surplus criteria is terminated because the surplus no longer exists on the river, then Reclamation
has to deal with the issue of 138,000 acre-feet that they've got to come up with that they don't
have to come up with now or during any period in which the interim period is in effect. And so
we wonder what happens under the Seven Basin States proposal if it falls apart because
California doesn't meet the goal. Does that mean that there will be an immediate declaration of
nonsurplus, so to speak, on the river, which will cause a problem particularly for Reclamation
and, since it's directly related to Wellton-Mohawk, the bypass flows that occur as a result that are
being credited now.

4 And we would further like to comment that among considerations that are being given has to
do with the beneficial use and return flows into the river, and we're concerned that any water that
would return to the river that would be beneficially used if it were not otherwise consumed by
such things as phreatophytes ought to be considered regardless of where it is returned to the river.

1: A new alternative, the Basin States Alternative, has been included in the FEIS. This alternative was derived from the Seven States proposal, and has been selected by Reclamation as the preferred alternative.

2: Comment noted. Section 3.10 of the FEIS discusses potential reductions in Hoover Dam powerplant capacity under baseline conditions and each of the alternatives.

3: Comment noted. For the analysis in the FEIS, it was assumed that the Yuma Desalting Plant would become operational in 2022 under baseline conditions as well as under interim surplus criteria (See Section 3.3.3.3, General Modeling Assumptions). The suspension of the tiered interim surplus criteria prior to the end of the 15-year period is discussed in Section 1.4.1. Attachment I to the FEIS includes draft guidelines for the administration of the interim surplus criteria under the Basin States Alternative which address standards for progress by California.

4: Evaluation of the method of accounting for return flow and the definition of beneficial use are not within the purpose and need for the proposed action and are therefore not addressed in the FEIS.

THIS PAGE INTENTIONALLY LEFT BLANK.