



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

1445 Ross Avenue, Suite 1200

Dallas, TX 75202-2733

May 9, 2016

Rhea Graham
Bureau of Reclamation, Albuquerque Area Office
555 Broadway NE, Suite 100, Mail Stop ALB-103
Albuquerque, NM 87102

Re: Comment Letter for the Draft Environmental Impact Statement for the Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project, along the Rio Grande River in New Mexico, Texas, and Mexico.

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Bureau of Reclamation Draft Environmental Impact Statement (Draft EIS) for the Continued Implementation of the 2008 Operating Agreement for the Rio Grande Project. The purpose of the project is to meet contractual obligations while complying with applicable law concerning water allocation, delivery, and accounting. A Federal decision is needed to decide whether to continue operations of the Rio Grande Project through 2050, and whether to allow the storage of San Juan-Chama Project Water in Elephant Butte Reservoir.

EPA's review identified some potential adverse impacts to agricultural resources. For these reasons we have rated the Draft EIS as "Environmental Concerns – Adequate" (EC-1). The EPA's Rating System Criteria can be found at <http://www.epa.gov/compliance/nepa/comments/ratings.html>. EPA recommends that the issues be addressed in the Final EIS. We have enclosed detailed comments which clarify our concerns.

EPA appreciates the opportunity to review the Draft EIS. Please send our office one copy of the Final EIS when it is electronically filed with the Office of Federal Activities. If you have any questions or concerns, please contact Magda Dallemagne of my staff at (214) 665-7396 or by e-mail at dallemagne.magdeleine@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Houston".

Robert Houston
Chief, Special Projects Section

Enclosures

**DETAILED COMMENTS ON THE
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE CONTINUED IMPLEMENTATION OF THE 2008 OPERATING
AGREEMENT FOR THE RIO GRANDE PROJECT**

BACKGROUND: The Continued Operations of the Rio Grande Project consists of altering the operational methods, water movement, and general annual allocation of the Rio Grande Project waters through New Mexico, Texas, and finally through Mexico. No construction is involved in any of the alternatives

WETLANDS

The Draft EIS provides impact summaries of all alternatives, including the no action alternative, in which anticipated effects are discussed. These summaries expect some net loss of riparian vegetation at Elephant Butte Reservoir, indicate negligible impacts on river discharges from reservoirs in the non-irrigation season, and anticipate none to minor negative impacts on aquatic resources.

All alternatives, including the no action alternative, mentioned in the Draft EIS have minor impacts to the aquatic ecosystems, and appear to be within the range on normal annual fluctuations based on climate and rainfall variations. Potential impacts to wetlands are not specifically discussed. Since they are most likely to coincide with the riparian zone, which is discussed, it is likely that any wetlands impacts would fall within the category of minor impacts and be within the range of normal annual fluctuation. Occasionally there are springs or other small local wetland areas outside the riparian corridor that might be affected by alterations to riverine hydrology. It is not known if this type of local wetland was searched for during the review process, the concept was not addressed.

Overall, we do not expect that the proposed action would significantly change the current status of the aquatic resource. These impacts to will depend on river flows and reservoir levels. The changes to these levels resulting from the selected alternative, or any of the evaluated alternatives, are expected to be negligible and within the normal annual fluctuations based on climate and annual rainfall variations.

Recommendations:

- Investigate whether or not springs and other small local wetlands are located within the range of normal annual fluctuation. Include any impacts associated with the proposed alternatives, including the no action alternative, in the Final EIS.

AGRICULTURE

The model descriptions and impact summaries found in the Draft EIS do not provide adequate information and detail in regards to the agricultural impact of the project. The impact of population growth on water use versus the impact of reduction in agriculture water consumption on crops and cropping areas is not adequately discussed. Whether urban or agricultural use will have priority is uncertain, and the environmental impact of the priority is not discussed. The environmental impact as a result of the effect of surface water reduction on ground water consumption is not explained adequately. The model also fails to address water loss adequately, from natural flow to evaporation, and the impacts therein. In short, the Draft EIS fails to adequately address agricultural issues and impact associated with this project.

Recommendations:

- Include a more in-depth discussion of the agricultural impacts associated with the proposed alternatives, including the no action alternative, in the Final EIS.
- If necessary, conduct a more intensive investigation into the aforementioned issues to provide information for a larger discussion on this topic.

ENVIRONMENTAL JUSTICE

The Draft EIS demonstrates adequate and appropriate process for Tribal and Environmental Justice Analysis. As there were no Indian Trust Assets identified relative to any of the project alternatives, the implementation of any of the proposed alternatives, including the no action alternative, would have no impact on Indian Trust Assets. The Bureau of Reclamation determined that there would be no adverse impact on the use of native plants for traditional tribal practices by Native Americans, even though the Federal actions could result in disturbance to these native plants along area canals.

No construction is authorized under any alternatives, including the no action alternative; therefore, no direct impacts, such as from dust, noise, or disturbance, would occur on identified minority or low-income population. Based on the Bureau of Reclamation analysis, no disproportionate adverse impacts would occur on minority or low-income populations relative to this project.

Recommendations:

- Make a concise summary of indirect, direct, and cumulative impacts, including “may affect and is likely to adversely affect” of the preferred alternative or alternative of choice would have on the respective minority population accessible to the public.

