

## Long-term MP Contract EIS Schedule

The schedule for the long-term MP contract EIS has changed since the public meetings were held in February 2004. The current schedule is presented below. The next newsletter will announce the availability of the Draft EIS, which is currently scheduled for September 2005.

Draft EIS released	September 2005
Final EIS released	May 2006
Record of Decision	July 2006

For more information, visit the project web page at [www.usbr.gov/uc/albuq/library/eis/carlsbad/cmpe.html](http://www.usbr.gov/uc/albuq/library/eis/carlsbad/cmpe.html)

## Status of the Carlsbad Project Operations EIS

The Carlsbad Project Water Operations and Water Supply Conservation EIS will address proposed changes in the operation of Sumner Dam, and implementation of a proposed federal water acquisition program in the Pecos River Basin. The Draft EIS for this project is currently scheduled to be released in September 2005, and will be followed by a public comment period and public hearings. The final Carlsbad Operations EIS is expected to be released in June 2006. For more information, visit the project web page at [www.usbr.gov/uc/albuq/library/eis/carlsbad/carlsbad.html](http://www.usbr.gov/uc/albuq/library/eis/carlsbad/carlsbad.html).



*This newsletter provides an update on the Long-term Miscellaneous Purposes Contract Environmental Impact Statement (Long-term MP Contract EIS). It describes the availability of a scoping report, the project purpose and need, and alternatives being considered in the EIS. The analysis approach to be used for some of the resources is described, and the current EIS schedule is presented.*

### Scoping Summary

A public scoping meeting was held for the Long-term MP Contract EIS in February 2004 in Carlsbad, NM. Based on the results of scoping and NEPA requirements, the following issues will be considered in the EIS:

- Surface water flow and state line delivery
- Ground and surface water hydrology
- Management of fallowed lands
- Wildlife
- Socioeconomic conditions
- Recreation resources
- Cultural resources
- Indian Trust Assets
- Environmental Justice

The Scoping Report contains a summary of all public, agency, and tribal outreach completed by Reclamation and the New Mexico Interstate Stream Commission (NMISC) for this project. Issues discussed at the scoping meeting and summarized in the scoping report include management of fallowed land, the economic viability of the Carlsbad Irrigation District (CID), water quality, and economic concerns. The scoping report is available at the Carlsbad public library at 101 S. Halagueno St., Carlsbad, NM, online at [www.usbr.gov/uc/albuq/library/eis/carlsbad/cmpe.html](http://www.usbr.gov/uc/albuq/library/eis/carlsbad/cmpe.html), or by calling Aleta Powers at ERO Resources Corporation (303-830-1188).

### The Proposed Action

In the Proposed Action, Reclamation would enter into a long-term (40-year) miscellaneous purposes contract with the CID. Reclamation also would approve any

related third-party contracts between NMISC and the CID. The purpose of Reclamation's Proposed Action is to allow the NMISC to use Carlsbad Project water (Project water) allotted to land inside the boundaries of the CID that NMISC owns or leases from other members of the CID, or other Project water, for release from facilities serving the Carlsbad Project. The long-term MP contract would replace Reclamation's 2004 short-term (5-year) contract with the CID.

### Purpose and Need

The proposed long-term MP contract and third-party contracts would address two primary needs along the Pecos River. The NMISC needs to maintain long-term compliance with the Pecos River Compact ("Compact") and the United States Supreme Court Amended Decree in Texas v. New Mexico. To meet this need, the NMISC needs to use up to 50,000 acre feet per year of Project water for purposes other than irrigation, specifically for state line delivery to maintain Compact compliance.



Red Bluff Gage, February 2004.

Since the leasing program began in 1992, release of NMISC-leased water from Avalon Dam has contributed substantially to New Mexico's efforts to comply with the Compact and Amended Decree. The chart below, **Accumulated State Line Water Deliveries**, shows the importance of the leasing program to state line compliance. Without the ability to use Project water for state line delivery, the State would soon be out of compliance with the Compact. Even with the leasing program and the use of Project water, the margin of compliance has been slim. The recent drought has reduced the amount of water available for state line deliveries to Texas.

## Alternatives

Because the federal action being considered is the signing or approval of one or more contracts, the alternatives are essentially "signing contracts" or "not signing contracts." The signing or approval of the contracts is referred to as the Proposed Action. Not signing or approving the contracts is referred to as the No Action alternative. The No Action alternative and Proposed Action alternative are summarized in Table 1.

The Proposed Action is presented both as a most likely situation (continuation of existing conditions under the short-term contract) and as a possible range that would be allowed by the MP contract. The conditions from 1999 generally represent the existing leasing program on average for 1992-2004 and correspond to a period when agricultural activity was less affected by drought. In 1999, the NMISC leased 3,580 acres of land. The Proposed Action would include the continued fallowing of 3,580 acres, of which 3,415 would be leased and 164 acres

would be owned by NMISC. In the Proposed Action, the amount of leased "other Project water" would be 5,170 acre-feet. Total releases from Avalon Dam for state line delivery in the Proposed Action most likely would be about 21,000 acre-feet (the sum of fallowed land leasing in 1999 and the average of "other Project water" leasing between 1992 and 2004). The maximum possible amount of land fallowed (Proposed Action, Possible Range) would be about 11,500 acres for a maximum annual water release from Avalon Dam of 50,000 acre feet.

For purposes of analysis of the No Action alternative in the MP EIS, it is assumed that no MP contract would be signed following the expiration of the existing short-term MP contract. Under the No Action alternative, NMISC would not be able to use Project water for state line deliveries and therefore probably would not enter into fallow land leases or lease other Project water. Because of the substantial contribution that Project water has made to the state line deliveries, it is expected that non-compliance with the Compact and the likelihood of a priority call would be higher in the No Action alternative than the Proposed Action.

## Analysis Approach

Reclamation and the NMISC are developing an approach to analyze the effects of the two alternatives, alone and in conjunction with other reasonably foreseeable actions within the analysis area. Impacts that are a direct result of the Proposed Action or No Action alternative are called direct impacts. Impacts that result from other activities in the analysis area in combination with the project alternatives are called cumulative impacts (see *Cumulative Effects* section).

## Surface and Ground Water Resources

Because Compact compliance has been an important issue for over 15 years, considerable information about the flow in the Pecos River below Sumner Dam has been collected. The U.S. Geological Survey maintains numerous gages on the Pecos River that measure river water levels at regular intervals. The "Pecos River at Red Bluff, NM" gage, immediately north of the Texas/New Mexico state line, is the gage used in Compact accounting that measures New Mexico's deliveries to Texas. Pecos River flow data has been recorded at this gage since 1937.

Using gage data and other available information, hydrologists will analyze how the two alternatives may affect Pecos River flow. For example, for the most likely scenario of the Proposed Action, about 21,000 acre-feet of water would be released annually from Avalon Dam, typically at the end of the irrigation season. Up to 50,000 acre-feet annually could be released under the proposed long-term MP contract. Because no water would be

**Table 1. Summary of the No Action Alternative and Proposed Action.**

Component	No Action Alternative	Proposed Action (Mostly Likely)	Proposed Action (Possible Range)
Opportunity for NMISC to enter into fallow land leases in CID	No fallow land leases 164 acres owned by NMISC	Fallow land leases of 3,416 acres 164 acres owned by NMISC	Fallow land leases of 0 to 11,336 acres 164 acres owned by NMISC
Other Project water—lease of undelivered allotments or excess allotments	None	5,170 acre-feet	0 to 50,000 acre-feet, less any water associated with fallow land leases
Avalon Dam releases	No releases for state line deliveries; water would be stored or used on 164 acres	21,000 acre-feet (1 block release; actual release pattern may vary)	0 to 50,000 acre-feet (0 to 3 block releases)
Likelihood of priority call	Increased likelihood	Decreased likelihood	Decreased likelihood

released from the Avalon Dam in the No Action alternative, total annual flow in the Pecos River below the dam would be higher in the Proposed Action than in the No Action alternative. Additionally, hydrologists will examine the differences between the alternatives in state line deliveries and compliance with the Compact.

## Socio-economic Conditions

In the Proposed Action, the NMISC would continue to lease water from farmers in the CID on an annual basis. For analysis purposes, the most likely scenario is that the NMISC would lease 3,416 acres within the CID in addition to the 164 acres it currently owns. Economists will describe the anticipated effects of the most likely scenario and the maximum possible range of the Proposed Action for leasing and fallowing. In the No Action alternative, the NMISC would likely cease any water leasing and land fallowing. As a member of CID, NMISC could call for its water through the CID irrigation system for use on its 164 acres.

In addition, the State Engineer may issue a priority call to avoid a shortfall or in response to the Pecos River Master's plan to remedy a net shortfall condition. The likelihood of a priority call would be greater with the No Action alternative than with the Proposed Action. In the EIS, economists will describe the anticipated effects of changes to the NMISC lease program, and the effects of an increased likelihood of a priority call.

## Cumulative Effects

Reclamation and NMISC developed a list of reasonably foreseeable actions that will be considered in the MP EIS. Reasonably foreseeable actions are those future actions and activities independent of the alternatives to the federal action that could result in cumulative effects to the natural or human environment when combined with the effects of the alternatives. The EIS will disclose potential cumulative effects on resources in the Pecos River Basin such as river flow and socio-economic conditions.

Among others, the State's action of implementing the Pecos River Settlement Agreement and Consensus Plan will be evaluated for cumulative effects. The Settlement Agreement includes implementing the Consensus Plan developed by basin stakeholders in 2001 and 2002 to achieve long-term Compact compliance. The Consensus Plan includes NMISC's acquisition of land and appurtenant water rights of up to 6,000 acres in the CID, up to 11,000 acres in the Roswell Area Basin, and up to 1,000 acres upstream of the Acme gage including in the Fort Sumner Irrigation District. The Consensus Plan also requires the construction, lease, or purchase of wells sufficient to undertake augmentation pumping of no more than 100,000 acre-feet of water during each 5-year accounting period and no more than 35,000 acre-feet of water in any one year. The EIS will disclose the analysis of the combined or cumulative effects of implementing each of the alternatives and the Settlement Agreement.

## Fallowed Land Management

During scoping, management of NMISC fallowed lands was raised as a concern. Under the Proposed Action, management of lands fallowed under the leasing program would be the responsibility of the land owner, as it is currently. No NMISC land fallowing, other than the 164 acres owned by NMISC, would occur under the No Action alternative. One reasonably foreseeable action that likely will result in additional land fallowing is the purchase of lands by NMISC as part of the implementation of the Consensus Plan. The Consensus Plan, and the remainder of the Settlement Agreement, is unrelated to the Proposed Action. NMISC proposes to hire project managers in the CID and RAB to manage NMISC-owned lands. To provide plant cover, seeding will be used where necessary, but is expected to be rarely needed. Mowing will take place before plant cover reaches 2 feet high. Mowing will aid in weed control, and also will prevent fallow lands from being a fire hazard.

**Accumulated State Line Water Deliveries.**

