

RECLAMATION

Managing Water in the West

FINDING OF NO SIGNIFICANT IMPACT –
PROPOSED RESOURCE MANAGEMENT
PLAN FOR THE NAVAJO RESERVOIR
AREA, CRSP, CO/NM

**United States Department of Interior
Bureau of Reclamation
Upper Colorado Region
Western Colorado Area Office**

June 2008

MISSION STATEMENT

Bureau of Reclamation Western Colorado Area Office

The mission of the Western Colorado Area Office is to manage, develop, and protect water and related resources of western Colorado, northwestern New Mexico, and northeastern Arizona in an environmentally and economically sound manner in the interest of the American public.

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FINDING OF NO SIGNIFICANT IMPACT

**Proposed Resource Management Plan
Navajo Reservoir Area, CRSP, CO/NM**

Background and Proposed Alternative

Reclamation has determined that implementing the Proposed Action Alternative for the Navajo Reservoir Resource Management Plan (RMP) will not have a significant impact on the quality of the human environment and that an Environmental Impact Statement is not required. This determination is based on the Final Environmental Assessment (FEA) of the Navajo Reservoir Resource Management Plan, May 2008. This determination is in accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and the Council on Environmental Quality Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508).

The Navajo Reservoir Area consists of the Navajo Unit (Dam and Reservoir), Colorado River Storage Project, and surrounding lands acquired or withdrawn for Reclamation project purposes and under Reclamation's administrative jurisdiction. The dam is on the San Juan River about 50 miles east of Farmington, NM. The reservoir area lies along the San Juan River and its tributaries above Archuleta, NM and into Colorado. About 85 percent of the reservoir area is in New Mexico, with the remainder in Colorado. The Colorado portion of the reservoir area is within the boundaries of the Southern Ute Indian Reservation. The reservoir area covers about 38,000 acres which includes the reservoir basin (15,600 acres) and adjacent and nearby Reclamation lands (22,400 acres). The reservoir, when full, contains about 1,709,000 acre-feet of water.

The Navajo Unit is one of the initial storage units authorized for construction, operation, and maintenance by the Colorado River Storage Project Act (CRSPA) of April 11, 1956 (Ch. 70 Stat.105). CRSPA's purpose (from Section 1, CRSPA) is the comprehensive development of the water resources of the Upper Colorado River Basin, for the purposes, among others, of:

- regulating the flow of the Colorado River,
- storing water for beneficial consumptive use, so Upper Basin States may utilize their Colorado River Compact and Upper Colorado River Basin Compact apportionments, consistent with the Colorado River Compact's provisions,
- providing for the reclamation of arid and semiarid land,
- providing for the control of floods, and
- generation of hydroelectric power, as an incident to the foregoing purposes.

Reclamation operates the reservoir for project purposes and has overall resource management and project operation and maintenance responsibilities. The Bureau of Land Management manages federal minerals and livestock grazing in New Mexico under agreements with Reclamation. The Colorado Division of Parks and Outdoor Recreation (CDPOR) and the New Mexico State Parks Department (NMSPD) manage the reservoir area and public use as Navajo State Park and Navajo Lake State Park, respectively, under agreements with Reclamation.

Numerous valid existing rights (VERs) exist within the reservoir area and affect the use and management of the reservoir area. They include: construction, operation and maintenance of the

Navajo Unit; federal, Indian, state, and private mineral rights; livestock trailing and watering rights; license agreements for non-project uses; recreation development and management; federal, state, and private oil/gas leases; rights-of-way for natural gas pipelines, electric transmission lines, roads, phone lines, highways, etc.; and water rights. These rights and their exercise or development are controlled by various federal and state laws and regulations; legal documents and precedent; and agreements. Some of these rights are subordinate to other rights. Some are conditioned to protect Reclamation's interests; others are not.

Proposed Alternative

The proposed action is the development and implementation of a comprehensive, programmatic plan to guide resource management within the reservoir area for the next 15 to 20 years. All activities associated with the proposed alternative are subject to the availability of funds and personnel.

The intent of the proposed alternative is to:

- Provide Reclamation project-compatible uses and multiple-resource management, including development, conservation, and protection within the reservoir area.
- Bring resource management within the reservoir area into compliance with Reclamation project purposes, current laws, regulations, policies and agreements without materially changing current management or management processes.
- Allow the continued use and development of the reservoir area for multiple purposes in a manner that protects the reservoir area, its resources, and Reclamation's facilities and that is consistent with Reclamation's project purposes and other valid existing rights.
- Identify and recommend resolution of discrepancies in current regulations, policies, and agreements that affect the management of resources within the reservoir area.

General Management

Reclamation will manage, operate and maintain its lands, waters and facilities in a manner that provides for and protects its project purposes and facilities, and area resources, while allowing other uses consistent with primary project purposes. Such management, operation, and maintenance will be consistent with applicable laws and regulations. Reclamation will ensure that appropriate mitigating measures are applied to development and use activities within the reservoir area pursuant to applicable NEPA review as determined by Reclamation.

Plan Implementation, Maintenance, Monitoring, and Modification

Reclamation, through the Western Colorado Area Office, will ensure the implementation, maintenance, monitoring, and modification of the RMP. Reclamation will work with its partners, rights holders, adjacent land management agencies, and federal and state regulatory agencies to implement the RMP. All actions associated with the RMP are subject to the availability of funds and personnel.

Reclamation will update the RMP as necessary to keep it current without changing its scope or intent. Management actions, protective measures, and priorities will be reassessed and revised as necessary. Plan maintenance will not affect basic decisions, conditions, terms, or level of resource use or restrictions from those prescribed in the plan.

Reclamation may modify the RMP through revision or amendment to address future issues and concerns. Reclamation will use monitoring and evaluation findings, new data, and new or revised policies to determine the need for an amendment or a revision. Any plan amendment or revision will be conducted pursuant to the NEPA process as determined by Reclamation.

Partnerships

Reclamation will use partnerships to meet management objectives and implement management actions. CDPOR and NMSPD will continue to provide recreational management within the reservoir area. BLM will continue to provide federal leasable mineral management and livestock management within the reservoir area in New Mexico. Additional partnerships may be established to help meet management objectives and actions. Reclamation and its partners may work together or separately to implement management actions.

Water Resources

Reclamation will continue to operate Navajo Dam and Reservoir in accordance with the July 2006 Record of Decision for the Navajo Reservoir Operations EIS. In addition, Reclamation may develop and implement a long-term water quality monitoring plan for the reservoir area. Reclamation may also, in conjunction with other entities, take steps to enhance the reservoir area's water quality.

Natural and Cultural Resources

Current management practices to meet applicable laws or requirements for natural and cultural resources management and protection will continue. A Cultural Resources Management Plan (CRMP) for the reservoir area will be developed and implemented. Pending the development and implementation of the CRMP, the current method of addressing cultural resources in response to problem situations and/or proposed actions will continue.

The respective state fish and game agencies will manage fisheries and wildlife within the reservoir area in accordance with respective laws, regulations, and processes. Reclamation will cooperate with the fish and wildlife agencies to help provide and maintain fish and wildlife habitat within the reservoir area.

Recreation and Visual Resources

Recreation within the reservoir area will continue to be managed by CDPOR and NMSPD pursuant to agreements with Reclamation. This management shall be consistent with Reclamation project purposes, prior valid existing rights, and the resource management plan.

The recreation areas at Arboles (CO), Pine River (NM), and Sims Mesa (NM) will continue to be operated for intensive recreation development and use, including campgrounds, marinas, day use, and employee housing. The San Juan River Recreation Area (NM) will continue to be managed for moderate recreation development, mostly day use fishing access and Cottonwood Campground (NM) will continue to operate. The facilities at those recreation areas either have been or may be rehabilitated, in accordance with agreements between Reclamation and the respective state parks division. The Old Government Camp area will be managed for New Mexico State employee housing and other administrative purposes.

Dispersed recreation will be allowed throughout the reservoir area, however, management actions to reduce resource damage in remote heavy use areas may be implemented. Such actions may include seasonal or area closures to recreational uses, additional recreational use requirements and restrictions, road and trail closures, and designation of recreational use areas. Road and trail closures for recreational use management will be coordinated with potentially affected holders of valid existing rights to ensure that valid existing rights are not adversely affected.

NMSPD will continue to manage the Miller Mesa-Sambrito area within NM for recreation and upland wildlife resources, including wintering bald eagles, in accordance with the 1990 amendment to the General Plan for fish/wildlife management.

The reservoir area will remain closed to off road vehicle (ORV) use unless specific areas or trails are opened to such use with appropriate mitigating measures in accordance with 43 CFR 420.21 (43 CFR 420.2) and the respective state park requirements.

Measures to protect visual quality will generally be limited to reducing the visibility of new development within the reservoir area. Mitigating measures may include topographic or vegetational screening, and painting of facilities to blend with the environment.

Lands and Land Uses

Reclamation will continue to research and document major valid existing rights (VERs) within the reservoir area. Such rights will be honored within their respective terms and conditions.

Oil and gas development within the reservoir area will continue in accordance with applicable federal, state, and local laws and regulations. Reclamation will continue as the federal surface management agency. BLM will continue to manage federal oil/gas leases within the reservoir area in New Mexico in coordination with Reclamation. The 2003 Farmington Field Office (BLM) RMP decisions related to oil and gas development on Reclamation lands will be applied to the federal leases within the reservoir area in New Mexico and all other oil/gas development in the reservoir area to the extent they are not inconsistent with VERs.

Reclamation will implement DOI and Reclamation actions and requirements developed in response to the National Energy Policy Act of 2005. However, Reclamation will reinstate the "no drilling within 1500 feet of Navajo Dam and its appurtenant structures" requirement in order to protect Reclamation's facilities and project purposes.

Miscellaneous rights-of-use (rights-of-way, roads, highways, transmission lines, pipelines, licenses, permits, etc.) may be authorized if they are compatible with Reclamation's project purposes and provide acceptable mitigation of impacts. All such use requests will be assessed on a case by case basis and will include the applicable NEPA review as determined by Reclamation.

Incidental livestock grazing associated with reserved livestock trailing or watering rights will continue within both states, however, Reclamation will work with the holders of such rights to reduce unauthorized use and adverse impacts from such use. The reservoir area within Colorado will remain closed to livestock grazing except for such watering rights and incidental grazing. Within the New Mexico portion of the reservoir area, the BLM will continue to manage livestock grazing in a manner that is compatible with Reclamation project purposes and consistent with BLM's regulations and policies, the Farmington RMP and applicable activity plans.

Reclamation, in conjunction with other appropriate entities, will develop and implement a fire management plan for the reservoir area. Said plan will provide for fire suppression, fuel reduction, and prescribed fire use.

Issues

Most of the concerns and issues raised during the planning and EA process were typical of land use and/or resource management plans. However, some focused on the particular situation at Navajo. They included, but were not necessarily limited to:

- The effect of the various restrictions contained in the RMP on valid existing rights (VERs), particularly oil/gas development.
- Conflicts between recreation, wildlife, and oil/gas development.
- The effects of human use/development (dam/reservoir, recreation, oil/gas, etc.) on natural and cultural resources and on other uses.
- Protection of Reclamation project purpose/facilities, natural and cultural resources and the effects on other uses/VERs due to such protection.
- Whether or not a particular use is appropriate for the study area or a portion thereof.
- Maintenance and/or rehabilitation of facilities and structures (project, recreation, roads, transmission lines, oil/gas production, etc.).
- Special resource/area management (trout fishery below dam, Miller Mesa, bald eagle roost sites, recreation areas, etc.).
- Reclamation's authority and responsibility for and its role in resource and use management within the reservoir area.
- Measures to mitigate the effects on natural and cultural resources, and other uses from the various human uses of the reservoir area.
- Is management of the area in accordance with applicable laws, regulations, etc.?

Environmental Commitments

Implementation of the proposed plan is the primary environmental commitment. The plan protects Reclamation project purposes, allows for other uses consistent with primary project purposes, provides for public recreation, protects and honors valid existing rights, and provides for protection and enhancement of area resources. Practical means to avoid or minimize environmental harm are included in the plan. Select environmental commitments from the FEA are listed below. More specific details on these and other commitments may be found in the FEA. Implementation of any and all environmental commitments is subject to the availability of funds and personal.

- The environmental commitments contained in the July 2006 ROD for the Navajo Reservoir Operations EIS and in the April 2000 FONSI for the Navajo State Park Recreation Rehabilitation are included here by reference.
- The reservoir area will remain closed to off road vehicle use unless specific areas or trails are opened to such use with appropriate mitigating measures in accordance with 43 CFR 420.21 (43 CFR 420.2) and state park requirements.
- Work with the Southern Ute Indian Tribe to allow mineral development on its former lands in a manner that ensures non-impairment of the Navajo Dam and Reservoir project as prescribed by PL 87-828.
- The locatable federal mineral estate within the reservoir area will remain withdrawn from entry under the general mining laws of the United States.

• Work with managing partners to:

1. Designate select reservoir area lands as special management areas (SMAs) and manage them to meet specific objectives. Such SMAs may include areas adjacent to BLM SMAs, areas for the protection of natural and cultural resources, areas for special uses (i.e., recreation, etc.).
2. Ensure closure of unnecessary roads and trails and timely reclamation of disturbed areas.
3. Protect and maintain riparian and wetland vegetation within the reservoir area. Manage the Pine River wetlands mitigation site (NM) and the Sambrito wetlands area (CO) in accordance with their respective plans. Document and monitor riparian and wetland vegetation composition and condition, and enhance and/or expand riparian and/or wetland vegetation in select areas.
4. Develop and implement an Integrated Pest Management Plan. Pests to be addressed include noxious weeds and invasive plants, and non-plant pest species. Control efforts will be integrated and will include a combination of chemical, cultural, biological, and mechanical methods.
5. Determine the need, if any, for a carrying capacity for recreational use of the reservoir area, particularly the San Juan River below the dam, and the reservoir.

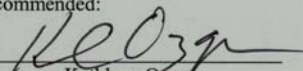
Summary

As stated above, Reclamation has selected the proposed action alternative from the *Proposed Resource Management Plan/Final Environmental Assessment for the Navajo Reservoir Area* and will implement said alternative as the Resource Management Plan for the Navajo Reservoir Area located in Colorado and New Mexico.

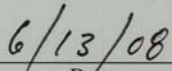
This alternative protects Reclamation project purposes, allows for other uses consistent with primary project purposes, provides for public recreation, and provides for protection and enhancement of area resources.

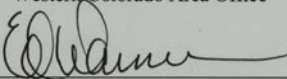
Reclamation has concluded there will be no significant impacts to the quality of the human environment as a result of implementing the Proposed Alternative.

Recommended:

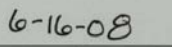

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