

ANIMAS-LA PLATA PROJECT ENVIRONMENTAL COMMITMENT CHECKLIST FOR YEAR ENDING DECEMBER 31, 2007 (2007 Annual Update)

The Animas-La Plata Project (ALP) Environmental Commitment Checklist (ECC) briefly describes and summarizes the environmental commitments for the construction, operation and maintenance of the ALP. The commitments represent actions that will be taken by the Bureau of Reclamation (Reclamation) prior to, during construction of the project, and following construction and during operation of the Project. These commitments are taken from the July 2000 Final Supplemental Environment Impact Statement (FSEIS) and September 2000 Record of Decision and subsequent National Environmental Compliance Act (NEPA) documents completed after completion of the FSEIS such as the Ridges Basin Dam and Reservoir Pre-Construction Facilities Relocation Final Environmental Assessment –June 2002 (FRFEA). As subsequent NEPA compliance is completed for the ALP, new commitments may be added to this ECC. The ECC will be used by Reclamation to document and track the completion of environmental commitments for the Project. By congressional action in 2004, Ridges Basin Reservoir has been re-designated as Lake Nighthorse.

Commitment		Reference Document	Page No.	Status as December 31, 2007
1 - General Commitments				
1-1	Management practices will be included in construction specifications and will be employed during construction activities to minimize environmental effects. All relevant federal, state and local laws, ordinances, regulations and standards will be complied with during implementation of the Preferred Alternative.	2000 FSEIS	5-11	Management practices have been included and are being practiced in all contracts awarded. All relevant laws, ordinances, regulations, and standards are being complied with. When there is an overlap of the laws, ordinances, regulations, and standards, the most stringent is being applied. No identified violations in 2007.
1-2	Reclamation will prepare and implement an Environmental Commitment Plan (ECP) for the project to document and track the completion of environmental commitments.	2000 FSEIS	5-11	The ECP was first made available to the public in May 2004. The annual review of the commitments within the ECP is posted in the Reclamation ALP web site at http://www.usbr.gov/uc/progact/animas/index.html from the “ <u>Environ.</u>

1-3	<p>Reclamation will follow commitments made in the FSEIS during the relocation of Gas Pipelines and utilities relocation necessary for ALP construction. Reclamation commits to the implementation of the pertinent portions of the Federal Energy Regulatory Commission (FERC) staff's Plan and Procedures for the Northwest Pipeline Corporation (NPC) and Mid-American Pipeline Corporation (MAPCOO pipelines.</p>	2002 FRFEA	<p>5-3</p> <p><u>Commitment & Monitoring Plan</u>" link.</p> <p>Relocation of pipelines occurred in 2003 with follow up on the re-vegetation occurring in 2004. The commitments were followed. The FERC staff's Plan and Procedures were included in the contracts for the relocation of the gas pipelines and were adhered to by the relocation contractor.</p> <p>Re-vegetation plans developed by the utility owners and approved by FERC and adjoining right-of-way land owners were followed. Reclamation annually participates in a revegetation inspection with FERC officials to determine that commitments are met. As of 2005, FERC believes the revegetation program is on line for complete success. (No inspection by FERC was conducted in 2006 and 2007.) During Federal Energy Regulatory Commission visits, the Colorado Division of Wildlife (CDOW) has been invited to participate in gas pipeline relocation inspections because part of the relocation occurred on CDOW land.</p> <p>With respect to Reclamation's acquisition of perpetual easements from CDOW for the relocation, final settlement stipulations for the acquisition have been reached and submitted to the court. One of the stipulations addresses the post construction revegetation topic. In 2007, Reclamation contracted for follow-up revegetation activities within the gas pipeline right-of-way. Regrowth was determined to be successful.</p>
2 - Water Resources and Hydrology Commitments			

2-1	Reclamation will develop an operations plan for the Durango Pumping Plant (DPP) that will schedule pumping from the Animas River in a manner to limit impacts to non-Colorado Ute Tribal entity's abilities to obtain water from the San Juan River.	2000 FSEIS	5-11	This operation plan has not been developed; however, it will become a part of the standard operating procedures (SOP) for the pumping plant when the plan is developed (SOP is to be developed in 2008.)
2-2	Reclamation, in concert with State and Federal agencies, will pursue a method to protect ALP water return flows in the La Plata River drainage as a water supply for endangered fish.	2000 FSEIS	5-11	An informal consortium of water users in the La Plata Drainage has been working with Reclamation (Planning—WCAO Durango) to develop a conceptual design for an M&I water system for deliveries to the La Plata River basin. No action on the commitment to preserve return flows within the La Plata Drainage during 2007. The users will develop a more firm plan in coming years.
2-3	Reclamation will design and develop the Lake Nighthorse with a minimum pool of 30,000 acre-feet (af).	2000 FSEIS	5-11	A 30,000 af minimum pool has been included in the design for Lake Nighthorse.
2-4	For project operation a stream flow gauging station will be constructed on the Animas River a short distance below the intake to the Durango Pumping Plant.			The installation of the gauging station on the Animas River downstream from the DPP is currently scheduled for 2008.
3 - Water Quality Commitments				
3-1	<p>Reclamation will develop and implement a program to reduce, minimize or eliminate temporary, short term increases in suspended sediment loading or other water quality constituents, potentially caused by project construction through incorporation of permits, Best Management Practices (BMPs) and sediment control structures.</p> <ul style="list-style-type: none"> Reclamation or the contractor will be required to obtain discharge permits from appropriate regulatory agencies; storm water permits will be 	2000 FSEIS	5-11	<p>All construction contracts and specifics required the inclusion of a program to protect water quality.</p> <p>BMPs and sediment control structures are being used to control sediment loading. These are requirements of all ALP construction contracts.</p> <p>All required permits have been obtained either by the contractor or Reclamation and stipulations in the permits have been adhered to.</p>

<p>obtained for ground disturbances in excess of 5 acres.</p> <ul style="list-style-type: none"> • BMPs and construction scheduling techniques will be utilized to reduce adverse water quality impacts. • Measures will be implemented to time construction activities to coincide with low flow, and measures to capture sediment will be employed. • Duration of placement of fill material will be minimized to be as short a period of time as practicable to reduce the duration of turbidity. • Temporary cofferdam/berms will be used to contain fine materials and placement of fill materials during periods of low water flows in Basin Creek and the Animas River. • • Stockpiles of fill materials will be placed above ordinary high water marks and protected by measures to prevent erosion of those materials into waters of the United States. • Silt screens or other appropriate methods will be used in Basin Creek, Animas River, and pipeline crossings of the San Juan River to confine suspended particulates and turbidity to areas where settling or removal can occur. • The DPP will be designed to allow for the free 		<p>BMPs and construction scheduling techniques are being used.</p> <p>As much as practicable, construction activities at the Durango Pumping Plant that involve working in the river have been timed to coincide with low flows.</p> <p>Duration of placement of fill material has been minimized as much as practicable. Non-traditional types of cofferdams have been used at DPP to minimize placement of fill material in flowing water.</p> <p>Temporary cofferdam/berms are being used. The DPP intake structure coffer dam was removed from the Animas River in mid winter 2007.</p> <p>Stockpiles of fill materials have been placed above the ordinary high water marks and protected by measures to prevent erosion of those materials into waters of the United States.</p> <p>Silt screens or other appropriate methods have been used in Basin Creek and the Animas River.</p> <p>The Durango Pumping plant has been designed to</p>
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	<p>unrestricted movement of groundwater on the site. Groundwater levels and quality will be measured at a series of wells agreed upon by US Department of Energy (US DOE) and the State of Colorado (Colorado). The Construction contractor and /or Reclamation will secure a discharge permit for the DPP from the appropriate agency; regular monitoring of the water removed during the dewatering operations will be required. The contractor will be required to prepare and implement, if necessary, a contingency plan for treating the water removed during excavation in the event groundwater contamination levels exceed anticipated limits.</p> <p>Comply with applicable state water quality standards under Section 313 of the Clean Water Act (CWA). Overall, the project is designed to comply with Sections 401, 402, 404 of CWA standards.</p>			<p>allow for the unrestricted movement of groundwater. Observation wells were monitored on a quarterly basis during 2007. All necessary discharge permits were obtained. All water removed during dewatering operations has been monitored for quality. A Clean Water Act Section 402 National Pollution Discharge Elimination Permit was obtained from the US EPA. Development of a contingency plan was not required in 2007, because the approved treatment system functioned properly.</p> <p>During 2007 all standards were complied with.</p>
3-2	<p>Reclamation will develop and implement a program to reduce, or eliminate temporary increases in suspended sediment loading that may occur during construction of non-binding end uses and water conveyance systems by utilization of BMPs and sediment control devices. Refer to 3-1 for list of BMPs and sediment control devices.</p>	2000 FSEIS	5-11	<p>No action on this commitment will take place until a more firm plan is formulated for end use of Project water. As planning continues steps will be taken to include methods to prevent sediment loading. In 2007, Reclamation participated in planning efforts with the La Plata West Water Authority for the development of an intake and pumping facility at Lake Nighthorse. Future construction specifications for this facility will be included protective language relating to water quality.</p>
3-3	<p>Reclamation will develop with the Southern Ute Indian Tribe (SUIT) and the States of Colorado and New Mexico and implement a program to monitor water quality in the Animas River from the DPP to</p>	2000 FSEIS	5-11	<p>The Minimal Maintenance Monitoring Program of the Animas River from the DPP to the confluence with the San Juan River was initiated in January 2005. Quarterly sampling occurred in</p>

	the confluence with the San Juan River for five years after the DPP begin operation.			2007. Data acquired since 2005 will be utilized as baseline data, and compared with future data (starting with initial pumping and continuing for 5 consecutive years). This program has been developed in concert with the SUIT, and States of Colorado and New Mexico. In 2007, Reclamation initiated development of the monitoring program which will be initiated with DPP operations. The monitoring program will be completed in 2008. The actual implementation of the monitoring program will be 5 years following DPP operations.
4 - Vegetation Commitments				
4-1	The DPP will be located at an upland location, which will avoid impacts to wetland/riparian habitat areas along the Animas River.	2000 FSEIS	5-12	The DPP has been constructed at a location where there are no impacts to wetland/riparian habitat. "COMPLETED".
4-2	Where feasible, directional drilling will be used for river pipeline crossings.	2000 FSEIS	5-12	No river crossings were completed in 2007. Preliminary planning (2006-07) for the Farmington crossing of the San Juan River for Navajo Nation Municipal Pipeline supports use of directional drilling at that location. In 2007, Reclamation completed negotiations with the City of Farmington relating to the Farmington Reach of the NNMP; it was determined that the construction of the crossing at Farmington will be administered by Reclamation.
4-3	Construction ground disturbance will be limited to smallest feasible area and Reclamation will ensure that construction contractors implement BMPs, along with the planting or reseeding disturbed areas using native plant species to reestablish native vegetation.	2000 FSEIS	5-12	Reclamation has worked with the various contractors to limit ground disturbance. Reseeding (utilizing seed mixes developed in consultation with the Colorado Division of Wildlife and the Southern Ute Indian Tribe) has occurred at the following: 1. Relocated Northwest and MAPCO gas pipeline corridor, 2. Northern

				portion of Borrow B, 3. Western portion of the Wheeler Easement, 4. Basin Creek at Drop Structures 2-4, 10, 12, & 13 and the Wheeler Crossing, 5. Western half of the Ridges Basin Inlet Corridor. All construction specifications and contracts included these protective provisions.
4-4	Compensate for loss of approximately 1,645 acres of upland vegetation resulting from construction of Lake Nighthorse, DPP, and other features. The compensation will be part of the total estimated 2,700-2,900 acres of wildlife habitat to be acquired and enhanced to compensate for loss of wildlife habitat in Ridges Basin. Mitigation land acquisition to be completed prior to initiation of ground breaking construction at Ridges Basin Dam (RBD) and DPP sites. Reclamation will first attempt to acquire large contiguous acreage within river basins affected by ALP and then outside of those basins, with consultation with state and federal wildlife agencies.	2000 FSEIS	5-12	Acquisition of the lands for the compensation of wildlife habitat was completed in September 2002. Approximately 6,000 acres was purchased in the La Plata River drainage to be used for wildlife and wetland/riparian mitigation. This property was transferred from construction status to operation and maintenance status managed by the WCAO Resource Division at the end of fiscal year 2007 (Oct.1, 2007). Enhancement has consisted of seeding, weed control and wildlife water access improvements.
4-5	Compensate for the loss of 134 acres of wetland/riparian habitat at mitigation ratio sufficient to replace or exceed habitat value of lost wetland/riparian habitat. Replace lost habitat at 1.5:1, creating 201 acres of replacement wetland/riparian habitat. The program includes land acquisition, development and long-term management; integrate with wildlife habitat mitigation program to expand benefits and provide large contiguous blocks of habitat. Lands for wetland mitigation will be acquired prior to initiation of construction of RBD and overall wetlands mitigation physical features will be at least 95 percent complete prior to beginning reservoir filling. Reclamation will prepare an annual	2000 FSEIS	5-12	Land for the compensation for the loss of 134 acres of wetland/riparian habitat is a part of the 6,000 acres of land purchased in the La Plata River Basin as discussed in 4-4. The land that will be used to create a minimum of 201 acres of replacement wetlands/riparian habitat encompasses approximately 4.6 river miles of an essentially perennial reach of the La Plata River. Restoration and enhancement of the land along the river was initiated in 2002 and continued through 2007 with the removal of uncontrolled livestock grazing and the removal of non-native plant (weed) species. The river restoration

	summary progress report for the wetland/riparian work. Upon the completion of the subsequent 5-year monitoring period (five years after reservoir filling) Reclamation shall prepare a summary monitoring report that describes the condition of the wetland/riparian mitigation area relative to the mitigation success criteria.			<p>earthwork and partial revegetation was completed in late 2004 with the remaining revegetation of the restoration area completed in 2005 to include minor remediation following 2005 spring flood damage. Ongoing wetland/riparian weed management and monitoring have taken place in 2007. Reclamation has reached the important milestone of 95% completion of wetland/riparian mitigation development and full mitigation success in 2007.</p> <p>Reclamation is preparing a final wetland/riparian mitigation completion report it will be available to the public on request. It will be accessible on the ALP web site at www.usbr.gov/uc (then click on the Animas-La Plata icon).</p>
4-6	Monitor Animas River riparian corridor to determine effects of pumping regime on downstream resources; also include Basin Creek wetlands.	2000 FSEIS	5-12	Reclamation initiated development of a monitoring strategy for the Animas River riparian corridor in 2007 and will be finalized in 2008. Specific monitoring activities may not take place until full operation for the reservoir and DPP are realized. The commitment to monitor Basin Creek wetlands, as they cannot be affected by DPP operations, may be erroneous and the commitment will be re-examined for applicability by Reclamation in 2008.
4-7	Limit ground disturbance due to construction of the Navajo Nation Municipal Pipeline (NNMP) and other pipelines and replace riparian trees lost due to construction at 2:1 ratio.	2000 FSEIS	5-12	No construction took place on the NNMP during 2006 and 2007. In 2007 construction specifications for the NNMP were completed and discussions with the City of Farmington were formalized in a memorandum of understanding. Future construction specification will include language requiring replacement of lost riparian vegetation. .

4-8	For the construction of the non-binding end uses, only the minimum construction areas will be used to minimize the construction impacts to wetlands and riparian areas. If avoidance is not possible, a wetland/riparian mitigation and monitoring plan will be developed to compensate for the loss of vegetation.	2000 FSEIS	5-12	No construction associated with non-binding end uses occurred during 2007.
5 - Wildlife Commitments				
5-1	<p>Mitigate direct and indirect loss of approximately 2,700-2,900 acres of wildlife habitat through purchase, enhancement and management of 2,700-2,900 acres of suitable habitat; amount of land acquired will depend on wildlife potential of those acquired lands. Priority will be given to lands in La Plata River drainage and Ridges Basin vicinity. Large contiguous unfragmented parcels will be given priority. The land will be managed for wildlife purposes with coordination with the Fish and Wildlife Service (Service), Colorado Division of Wildlife (CDOW) and SUIT. Other uses will not be allowed if they interfere with wildlife habitat benefits. The wildlife mitigation lands will be acquired prior to award of contract for construction of RBD, and mitigation development will be concurrent with dam construction.</p> <p>Site development of the wildlife habitat lands to include: long-term management of area; soil/water inventory, development plan preparation; boundary survey& fencing; rehab of fences and unneeded roads, controlled access, parking, signage; weed control, erosion control, vegetation and habitat enhancement.</p>	2000 FSEIS	5-12 & 5-13	<p>Acquisition of the lands for the compensation of wildlife habitat was completed in September 2002. Approximately 6,000 acres was purchased in the La Plata River drainage to be used for wildlife and wetland/riparian mitigation</p> <p>An interim management plan was developed in 2003 which will be used until a long term management plan can be developed. Boundaries have been surveyed and signs posted. Habitat enhancement occurred under construction funding from 2002 through 2007. Fencing of the tracts containing the riparian corridor for the mitigation area occurred in 2007.</p> <p>Reclamation participated in discussions for long-term management options with the Southern Ute Indian Tribe and Colorado Division of Wildlife. In mid 2007, a decision was made within Reclamation that a contract with the SUIT for long-term management could be pursued under the Indian Self Determination Act (Public Law 92-638). Transfer of the mitigation property from construction status to operation and maintenance managed by the WCAO Resource Division occurred on October 1, 2007.</p>

				A long-term management plan and contract may not be established for 1-2 years.
5-2	Construction specifications will be developed to include noise, traffic, and human restrictions to minimize disturbance to wildlife near construction zone of RBD. Carbon Mountain gas pipeline route, that could affect Golden Eagles, will not be considered. Efforts will be made to avoid construction in the vicinity of elk calving areas during the May-July period.	2000 FSEIS	5-13	Noise, traffic, and human restrictions to minimize disturbance to wildlife were included in the specifications of all awarded construction contracts. The pipeline route referred to in this commitment was not used resulting in avoidance of prime elk calving areas and golden eagle nests. In 2007, construction specifications for the Ridges Basin Inlet Conduit included standards for the protection of raptors (transmission lines) and golden eagle nests on Carbon Mountain.
5-3	Reclamation will ensure that recreation facilities and realignment of County Road 211 (CR 211) are sited or restricted in such a way to minimize impacts to elk and deer habitat utilization and design of road crossings will minimize impact to wetland/riparian resources. Indirect impacts will be managed through a plan that will support the minimization or elimination of those conflicts/impacts. Recreation facilities will not be permitted on the west and south sides of reservoir to reduce big game migration corridor impacts and trails will be restricted to foot traffic only. Wildlife related activities will be encouraged. Future use of Reclamation lands for cabin sites or similar use will not be allowed. Sufficient land will be acquired on the west side (at least a one quarter mile) and along the south side of the reservoir to maintain a wildlife mitigation corridor around the reservoir and to winter ranges to the south.	2000 FSEIS	5-13	<p>No decision has been made on the type and magnitude of recreation facilities that will be constructed in the Ridges Basin area. Reclamation continues to conduct informal discussions with the Colorado Division of Parks concerning potential future recreation at Ridges Basin.</p> <p>The design of CR 211 has been finalized and the road will avoid wetland/riparian areas except where it will cross Wildcat Creek. At that location, it is expected that the flow of ground and surface water will not be impeded and only minimal disturbance to wetland vegetation will occur.</p> <p>Property to the west and southwest side of the reservoir was acquired in 2005 to maintain a wildlife migration corridor. In 2007, legal research occurred concerning acquisition of property owned by Trappers Crossing which</p>

	<ul style="list-style-type: none"> • Seasonal closures from November 30-March 30 in all reservoir and recreation plans to protect wintering wildlife; in some areas critical habitats closure could extend from November 15-May in accordance with the Service's recommendations. Snowmobile and off-highway vehicle will be prohibited to protect wildlife; mountain bike access will be limited to areas that do not impact wildlife. If land is transferred, deed restrictions will be included to protect wildlife values. • The Rafter J route to connect CR 211 to County Road 141 (CR 141) is recommended. Secondary roads off of the new alignment of CR 211 will be blocked to motorized traffic. All closed roads will be revegetated with the exception of secondary roads for recreation areas access and utility access. 			<p>would complete the western buffer migration corridor for wildlife. It is expected that acquisition of this parcel would be completed in 2008.</p> <p>No decision has been made on the type and magnitude of recreation facilities that will be constructed in the Ridges Basin area. Seasonal closures and stipulations concerning snowmobile, off-road vehicle, and mountain bikes will be included within the overall recreation plan.</p> <p>The design for CR 211 has been finalized. The connection for the new CR211 with CR 140 will be at a location 3/8 mile south of the Rafter J intersection.</p>
5-4	<p>Reclamation will collaborate with the Service and CDOW on methods that will be implemented to minimize effects on golden eagles and nests on Carbon Mountain; all reasonable means will be taken to eliminate human activity on Carbon Mountain during the nesting season. All constructed power lines will be raptor-proof.</p>	2000 FSEIS	5-13	<p>Reclamation has coordinated with the Service and CDOW to minimize the effects on golden eagles and nests on Carbon Mountain. Temporary power lines needed for contractor and government office facilities have been constructed in accordance with raptor proof standards. In 2006, general environmental commitments and specific requirements for protection of the golden eagles were conveyed to Western Power Administration (WAPA) and will be included within WAPA's construction</p>

	<p>Noise and visual controls will be utilized during construction to minimize impacts between December and June when eagles are nesting. If no practical way to avoid affecting nests then Reclamation will apply for a federal permit under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (Takings Permit) to allow the adverse impact on nesting to occur and will follow required mitigation measures.</p>		<p>specifications.</p> <p>During November of 2002 Reclamation applied for a take permit which was denied by the Service. Through consultation and coordination with the Service it was determined that construction activity should continue as much as possible through the winter months to possibly discourage the golden eagles from using the nests on Carbon Mountain. A monitoring process was put into place to monitor the golden eagle activity in Ridges Basin.</p> <p>In 2006, monitoring occurred from approximately January 15, 2006 through the end of July 2006. A pair of golden eagles did nest on Carbon Mountain during 2006 near the construction site and successfully reared and fledged one young. Results of the monitoring indicated that construction with the ALP did not negatively affect the golden eagles on Carbon Mountain during their breeding season. The results of the monitoring were forwarded to the Service and the CDOW and are available for review at Reclamation's Western Colorado Area Office, Four Corners Division in Durango. 2006 monitoring was scaled back to focus monitoring days at critical nesting periods after consultation with CDOW and the Service.</p> <p>In 2007, monitoring occurred during the nesting season. No negative effects on the golden eagles were identified. It has been determined that no further monitoring of the golden eagle will occur</p>
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				until reservoir filling commences.
5-5	Reclamation will require that a 0.25-mile buffer around the existing golden eagle nests be identified and that all reasonable measures are pursued to preclude human activity on Carbon Mountain during the nesting period of golden eagles (December 1 through July 15).	2000 FSEIS	5-13	See response to 5-4. All construction specifications and contracts included language prohibiting construction-related human activity on Carbon Mountain from December 1 through July 15. Reclamation has also prohibited its work force from going near the nests during this period.
5-6	Reclamation will ensure that development of Non-binding end uses and conveyance systems avoid or minimize impacts to wetlands and riparian vegetation habitat and if avoidance is not possible, require that a riparian/wetland habitat mitigation and monitoring plan is developed to compensate for the loss of habitat value. Construction zones will be minimized; implementation of mitigation for wetland/riparian vegetation will compensate for habitat losses; shield and shroud equipment to minimize noise; signage and restricted access will be put in place to control access; restrictions will be put on nighttime construction and lighting.	2000 FSEIS	5-14	No activity on construction of non-binding end uses during 2007. In 2007, Reclamation has participated in planning efforts with the La Plata West Water Authority on the development of an intake and pumping facility at Lake Nighthorse. It is expected that geologic testing and facility design will be completed in 2008. Reclamation will require that construction specifications include these protective commitments.
6 - Aquatic Resources				
6-1	Reclamation will fund a detailed evaluation of Lake Nighthorse's expected limnological conditions to determine if water pumped to Lake Nighthorse needs to be delivered at an elevation below the thermocline. This activity will be completed in coordination with the Service as part of the design data collection activities.	2000 FSEIS	5-14	In 2005, Reclamation conducted an evaluation of limnological conditions for the future reservoir and determined that modification to the design of the inlet structure at the reservoir did not require a multilevel intake structure. Additionally, the study indicated that Reclamation could reduce potential anoxia conditions in the reservoir in the future by relocating the City of Durango (COD) outfall structure for the CODs sewage treatment plant. In 2007, Reclamation commenced negotiation with the COD for relocating the

				sewage outfall structure, and determined that no additional NHPA (National Historic Preservation Act) and NEPA compliance actions are necessary. The COD design and outfall relocation construction will be completed in 2008 prior to pumping.
6-2	Develop and implement a monitoring program for bioaccumulation of trace elements in fish at Lake Nighthorse. The monitoring program will be initiated 2 years after Lake Nighthorse is filled and will last 4 consecutive years. As part of construction, vegetation in the reservoir basin will be largely cleared to reduce the magnitude of productivity and reduction potential (methylated mercury). If significant bioaccumulation effects are determined, Reclamation will work with the appropriate local, state and federal agencies to either minimize the impact or otherwise offer protection to potentially impacted fish and wildlife species and to possibly post human consumption advisories. Trout will be the only fish stocked in Lake Nighthorse.		5-14	<p>In 2007 Reclamation initiated contracting for development of a monitoring program for bioaccumulation for Lake Nighthorse. The monitoring program design will be finalized in 2008.</p> <p>The Four Corners Construction office developed construction specifications for clearing the reservoir basin in 2007. Contracting for the clearing will occur in 2008. Large portions of the reservoir basin have been cleared of vegetation. This clearing, combined with other tree clearing to be done in 2008, reduces the potential methylation of mercury in Lake Nighthorse.</p> <p>It is expected that in 2008 further planning and actions with participation of CDOW (Colorado Department of Wildlife) and the Service will occur to refine the process of reducing future impacts to Lake Nighthorse fish populations and human consumption effects.</p>
6-3	To minimize downstream stranding of fish due to pumping plant operations, changes in pumping rates will be staged: when river flow are 500 cfs or greater--increase in pumping not to exceed 50 cfs/hr and decrease in pumping not to exceed 100 cfs/hr. When river flows are below 500 cfs, increased pumping not to exceed 25cfs/hr and decrease in	2000 FSEIS	5-14	<p>Procedures outlined in this commitment will be included in the standard operating procedures for the pumping plant.</p> <p>Final refinement of the pumping design at the DPP resulted in pumps sized at incremental rates of 14 cfs, 28 cfs, and 56 cfs. This will result in a</p>

	<p>pumping not to exceed 50 cfs/hr.</p> <p>Seasonal bypass flows of 225 cfs (April-September), 160 cfs (October-November) and 125 cfs (December-March) will be honored.</p>			<p>slight variance from the stage changes for pumping rates identified in the FSEIS. The staged changes would be as follows: when river flow are 500 cfs or greater--increase in pumping not to exceed 56 cfs/hr and decrease in pumping not to exceed 112 cfs/hr. When river flows are below 500 cfs, increased pumping not to exceed 28cfs/hr and decrease in pumping not to exceed 56 cfs/hr.</p> <p>Commitments will be honored once the pumping plant goes into operation. In 2007, no action occurred on the development of DPP standard operating procedures.</p>
6-4	<p>Monitoring of the Animas River for native fish and trout will begin prior to project operation and continue for at least 4 year after project pumping begins. The studies are to be designed to understand native fishery, native sucker recruitment, and monitor trout population. If Project operations have a significant adverse effect, every reasonable effort will be made to reduce or eliminate impacts. In 2000, investigations will be initiated to determine whether or not fish barriers exist, whether small fish /young of the year are lost through entrainment in canals, and whether effects to trout fishery may occur. A recommendation for mitigation on possible effects to native fish will be made by 2005. Once the recommendation is approved by Service, CDOW, New Mexico Division of Game & Fish (NMG&F), and possibly the SUI implementation will begin immediately.</p>	2000 FSEIS	5-14 & 5-15	<p>Due to the drought and persistent low flows of 2002 and 2003 a decision was made to extend the monitoring of the Animas River through 2005 and delay making a recommendation for mitigation for Animas River native fish until late 2005.</p> <p>The aquatic monitoring of the Animas River did occur in 2005 and an aquatic monitoring report was developed by SUI. In 2006, Reclamation decided to perform further examination of the fisheries data to more clearly present fisheries mitigation issues and to better explain their recommendations. A final report “Animas River Fish Passage and Canal Entrainment Evaluation and Recommendations”, was completed and distributed to Colorado and New Mexico wildlife management agencies and the U.S. Fish and Wildlife Service in April of 2007. The agencies</p>

				provided no comments and Reclamation considers this commitment complete. The report can be viewed on the ALP Project website.
6-5	Reclamation will review and adopt established guidelines for screening facilities to minimize fish entrainment and impingement at DPP and utilize Best Available Technologies for the facility to meet those requirements.	2000 FSEIS	5-15	The DPP design included screening facilities to be utilized to minimize fish entrainment at the intake. Construction specifications included this requirement. In 2007, the fish screen facility was completed. Testing of the structure will occur once the DPP initiates pumping under construction status.
6-6	Screens or other physical structures will be utilized to prevent the release of live fish from Lake Nighthorse. To prevent the release of fish from Lake Nighthorse, the dam outlet structure will be designed to take water from deep water zones (hypolimnetic water). Basin Creek and Lake Nighthorse will be monitored to determine any fish escapement.	2000 FSEIS	5-15	State of the art design has been included in the design of the RBD outlet works to prevent release of fish from Lake Nighthorse. In a letter from the Service, the Service recommended that a monitoring plan be put in place once the outlets works goes into operation to monitor for any type of fish escapement from the reservoir. The design for the outlet works includes the use of an energy dissipating sleeve valve to prevent live fish escapement. The dam outlet structure has been designed to take water from the deep water zones. In 2007 the outlet works dissipation sleeve was installed. Completion of the outlet works is expected in 2008. Testing of the device will occur prior to transfer to O&M status.
6-7	Reclamation will fund acquisition and stocking of wild strains of trout annually in the Animas River within the boundaries of SUIT. Stocked trout will be marked and monitored according to age class in coordination with SUIT, CDOW, NMDGF and the Service. The success will be assessed after four years. If it is deemed a success the stocking program will continue.	2000 FSEIS	5-15	Activities during 2006 included investigating the availability of trout from the Service's Hotchkiss Hatchery and contracting a study conducted by SUIT on the feasibility of construction of a fish hatchery that could be used by both the Tribe and Reclamation. The first phase of the contract was completed in December 2006. In February 2007, the fish hatchery feasibility study was finalized. It was determined that the construction of a

				hatchery at basin creek below the Ridges Basin Dam was not feasible. In May 2007, Reclamation notified the Service of its need for acquisition of trout from a Service hatchery. In November 2007, the Service responded to Reclamation that trout could be provided for ALP Project commitments. However, the Service requested additional construction funding for upgrading the hatchery to prevent whirling disease and predation. Reclamation initiated discussion on this request. Completion of this decision is expected in early 2008.
6-8	Reclamation will stock Lake Nighthorse with trout for a recreational fishery.	2000 FSEIS	5-15	Procurement of trout from the Service is discussed in the above commitment. Lake Nighthorse trout for a recreational fishery will be acquired from the Service, or other entities as available.
6-9	Reclamation will acquire at least two new public access points on the Animas River for fishing and other recreation use. See 11-2 for more information.	2000 FSEIS	5-15	During 2005, an agreement was finalized with the City of Durango to help fund two public access points on the Animas River. Construction proceeded in 2006 and 2007. Both public access points (Dallabetta Park and High Bridge access area) were completed and dedicated in 2007. Reclamation formally closed out the cooperative agreement with the City of Durango in 2007. "COMPLETED".
7 - Special Status Species Commitments				

7-1	<p>Reclamation will implement conservation measures found in the ALP Biological Opinion issued by the Service on June 19, 2000. The measures address the Colorado pikeminnow, razorback sucker, and bald eagle. The conservation measures include;</p> <ul style="list-style-type: none"> Operate Navajo Reservoir to mimic the natural hydrograph of the San Juan River to benefit endangered fishes and their critical habitat. Mimicry of the natural hydrograph will be achieved by following the San Juan River flow recommendations and subject to completion of the Navajo Reservoir Operations Environmental Impact Statement and execution of a Record of Decision. <p>Before construction of RBD or within one year of the date of the biological opinion, Reclamation will develop criteria to determine a positive population response for concurrence by the Service. If the flow recommendations or other recovery actions do not result in a positive population response for both species within the time frames established in the criteria and as determined by the Service, re-initiation of section 7 consultation will be required.</p> <ul style="list-style-type: none"> The San Juan River Recovery Implementation Program designated the responsibility of maintaining and updating the model to Reclamation. Reclamation is now the "keeper of the model". As such, Reclamation is to be responsible for maintaining the model and its 	2000 FSEIS	5-15	<p>Reclamation obtained a final Biological Opinion (BO) from the Service in 2005. A final version of the EIS went to government printing in the March 2006. A Record of Decision for the EIS was received in September 2006. In 2007, Reclamation operated the Navajo Dam and Reservoir meeting commitments provided for in the ROD, which will mimic the natural hydrograph for the benefit of endangered fish as brought forward in the SJR flow recommendations.</p> <p>The criteria that determine a positive response was developed in 2001 by Reclamation and concurred with by the Service.</p> <p>Any activity on the commitment to re-initiate section 7 consultation as committed to with the ALP BO will be dependent on the results achieved by the San Juan River Basin Recovery Implementation Program (SJRBRIP).</p> <p>Reclamation continues to maintain the model and its' data. A third generation model is being developed. Final completion of the new Model is subject to resolution of some outstanding issues as well as the development of new flow recommendations currently being discussed by the Biology Committee. No change in implementation of this commitment in 2007.</p>
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<p>data, within the guidelines provided by the Recovery Program's committees</p> <ul style="list-style-type: none"> • In order to insure accuracy of the Model, Reclamation will take actions necessary to have an independent review of the model conducted within one year of the biological opinion. Reclamation will complete a review of the Riverware model and then coordinate with the Service to receive concurrence on the results of Reclamation's findings. • The October 1991 Memorandum of Understanding and Supplemental Agreement to protect the releases from Navajo Reservoir for endangered fish will remain in effect. • DPP will be operated in a manner that insures that its operations do not interfere with meeting the target flows recommended for the San Juan River. Pumping at the DPP will honor the bypass flows: October-November 160 cfs, December-March 125 cfs, April-September 225 cfs. • Reclamation will implement all actions necessary to prevent escapement of non-native fish from Lake Nighthorse in any water leaving the reservoir. Reclamation will monitor the water leaving the reservoir. If escapement is occurring, Reclamation will develop a plan of correction and have the plan concurred with by the Service. Develop and implement monitoring program for bioaccumulation of trace elements in 			<p>The review by Reclamation was completed in September 2000, and discussed in a memo to the Service (October 12, 2000 Memo to the Lee Carlson--Colorado Field Sup. Ecological Services, USFWS from Pat Schumacher--Four Corners Division Manager, WCAO. The memo specifically discussed the "Conservation Measures for the June 19, 2000 Biological Opinion for the ALP Project.</p> <p>The October 1991 Memorandum remains in effect through 2007.</p> <p>Operation procedures will be included in the standard operation procedures for the DPP. The bypass flows (October-November 160 cfs, December-March 125 cfs, April-September 225 cfs) have been adopted as a formal component of the model utilized to develop construction filling and future operations.</p> <p>Design of the outlet works at the RBD included installation of outlet components that ensure destruction of all fish (native and non-native) being carried through the facility. Additionally, Reclamation will develop a plan to monitor releases for escapement of fish in 2008. As required if escapements occur in the future, Reclamation will develop corrective action with concurrence from the service.</p>
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	<p>bald eagle food chain in Lake Nighthorse. Develop and implement an action plan for corrective action as appropriate.</p> <ul style="list-style-type: none"> • Incorporation of bypass flows into ALP operations to promote natural recruitment of cottonwoods on the Animas River. • Electrical transmissions lines will be designed to avoid injury to raptors, including the bald eagle. 			<p>In 2007, Reclamation initiated a contract for the development of bioaccumulation studies for Lake Nighthorse. Included in this monitoring plan will be provisions to develop corrective action if required. The monitoring plan will be put in place in 2008.</p> <p>The Standard Operation Procedures for the DPP will incorporate bypass flows that will promote natural recruitment of cottonwood on the Animas River. Contracting for the development of a monitoring program to determine potential effect resulting from operation on downstream cottonwood recruitment began in 2007.</p> <p>Construction specifications for the ALP construction include provision that electrical transmission lines are designed to be raptor proof. Temporary power lines to contractor and Government office facilities located in Ridges Basin were constructed using raptor proof standards. In 2007 the design of the WAPA power lines for the DPP included this provision. Installation of the WAPA lines will be accomplished in 2008.</p>
7-2	Wildlife and wetland/riparian areas should provide high quality protected habitat for species such as willow flycatcher and bald eagle.	2000 FSEIS	5-16	Work continued during 2007 on the restoration, protection and enhancement of the wetland/riparian area on the La Plata River. The wetland/riparian area will provide a high quality protected habitat for species such as willow flycatcher and bald eagle. At the end of fiscal year 2007, the management of the mitigation property located on the La Plata River was

				<p>formally transferred out of construction status to operation and maintenance status managed by the WCAO Resource Division.</p> <p>Additionally in 2007 restoration of sections of the Ridges Basin Inlet Conduit and Basin Creek drainage included restoration of small wetland areas disturbed by construction that are considered to be significant habitat for wildlife.</p>
8 - Geology and Soil Commitments				
8-1	Reclamation will reduce or eliminate the potential for earthquake damage to the RBD site through specific design specifications.	2000 FSEIS	5-16	Reclamation has designed and constructed the RBD to reduce or eliminate the potential for earthquake damage to the maximum extent possible by designing the dam to be completely founded on bed rock and use of earthquake resistant embankment materials. No change to meeting this commitment in 2007. "COMPLETED".
8-2	Reclamation will develop a controlled program for filling Lake Nighthorse to reduce potential for induced seismic impacts.	2000 FSEIS	5-16	Filling of the reservoir is a part of the design for the dam and reservoir and will depend upon factors such as hydrology of the Animas River at the start of filling of the reservoir. No action on development of the filling program in 2007.
8-3	Reclamation will develop and implement a facilities operation program that includes monitoring the reservoir shoreline and slope for landslide and slumping and provide for public notification and control public access in areas where high landslide and slumping potential exists.	2000 FSEIS	5-16	A plan will be put in place at the start of filling of the reservoir to implement this commitment. This is an activity that will be developed and implemented as a function of operations and maintenance. No action in 2007.
8-4	Reclamation will develop an engineered process plan to limit, control and manage dam site methane gas releases during construction. Also, Reclamation will monitor the area for gas releases during operation.	2000 FSEIS	5-16	The construction specification required the development of a plan to limit, control and manage gas releases during construction. No construction activity in potential gas release areas was conducted during 2007. See 8-5 for more

				information.
8-5	<p>Reclamation will investigate potential for gas release due to man-made intrusions in Ridges Basin and dam site involving abandoned wells and coal mines. Reclamation will implement prescribed mitigation such as plugging abandoned mines and wells.</p>	2000 FSEIS	5-16	<p>The final design for Ridges Basin Dam has avoided possible intrusion into any existing coal beds/mines. The plugging of gas wells in the reservoir basin was part of dam and reservoir construction/development. The RBD was complete in 2007; and planning and design for the clearing was developed in 2007. The reservoir basin will be cleared in 2008 and will not impact sites of potential gas releases.</p>
8-6	<p>Construction contractors will utilize erosion control guidelines and BMPs to control soil erosion. Mitigation to reduce erosion for from construction areas of Lake Nighthorse, RBD, DPP, and NNMP and end-use conveyance structures will include:</p> <ul style="list-style-type: none"> • using water trucks to minimize wind erosion and dust • conduct soil disturbing activities only May 1- October 15 • avoid disturbing steep slopes when feasible • construct fill slopes to a 2/1 ratio or flatter • construct V-ditches above cut or fill slopes to divert water • revegetate exposed slopes before rainy season • locate sediment traps (straw bale dikes/fabric barriers) down slope of disturbed areas 	2000 FSEIS	5-16	<p>Erosion control procedures and BMPs have been included in the specification of all awarded contracts. All of the mitigation procedures are being used with the exception of conducting soil disturbing activities only through May 1 – October 15. Because of the project schedule, soil disturbing activities will occur all year where practicable. In 2007, construction specifications for the NNMP were finalized and included requirements for measures to control erosion.</p> <p>The requirements of this commitment were met in 2007 by the construction contractor for the RBD, RBIC and the DPP. No violations were noted.</p>

	<ul style="list-style-type: none"> • construct permanent/temporary sediment basins as needed • selective removing, stockpiling and replacement of topsoil • stabilize drainage channels using rock linings or similar material 			
8-7	Reclamation will develop a program to reduce erosion and sedimentation resulting from reservoir filling and drawdown rates.	2000 FSEIS	5-16	This program will depend upon reservoir operation procedures put in place at the time of filling. No action on this commitment in 2007.
9 - Cultural and Paleontological Resources Commitments				
9-1	<p>Reclamation will ensure compliance with historic/archeological treatment measures and disseminate results pursuant to Programmatic Agreement (PA)* to meet Section 106 of National Historic Preservation Act (NHPA) standards.</p> <p>Finalize a Historic Preservation Management Plan (HPMP) to implement the PA.</p> <p>Programmatic Agreement (PA) Commitments</p> <ul style="list-style-type: none"> • 1) Preferred mitigation of impacts will be avoidance, and in-place preservation; mitigation include completing resource data recovery; Mitigation of impacts accomplished through archeological excavation, study and publication; 	<p>2000 FSEIS, Attachment H*</p> <p>2002 PA*</p> <p>Technical Appendix 8, FSEIS</p> <p>2002 PA</p>	<p>5-17</p> <p>ES-12</p>	<p>*Executed PA is slightly different than that included in FSEIS (Attachment H). All references herein are in regard to the fully executed (2002) version of the PA.</p> <p>Requirements of PA are being followed. Consultations with PA signatories occur on a continuous basis to assure compliance with the PA.</p> <p>Completed. HPMP is included as Technical Appendix 8 to the FSEIS. Although labeled as "Draft", the document is considered sufficient and this commitment has been met.</p> <p>1) Ongoing. Avoidance of approximately 2/3 of sites within Ridges Basin project area has occurred. The final field season of mitigation of impacts to the remainder of sites in Ridges Basin has been completed. Mitigation plans/designs were developed and implemented through</p>

	<p>mitigation plan/design achieved through consultation with Advisory Council on Historic Preservation (ACHP), tribes, State Historic Preservation Office (SHPOs) and use of PA and HPMP</p> <ul style="list-style-type: none"> • 2) Historic American Building Survey (HABS) / Historic American Engineering Review (HAER) recordation, written/oral histories, site stabilization, ethnographic studies as appropriate; consulting tribes will be given opportunity to input on treatment and interpretation of data; tribal consultation on data collection is recommended at specific cultural resource sites. • 3) Annual Report and Review Requirements • 4) Public Outreach programs will be part of mitigation program. • 5) Curation of all records and materials at the Anasazi Heritage Center. 		<p>consultation with ACHP, Tribes, and SHPOs. Study and publication of findings are anticipated to take another two years. First four (of an anticipated 15) volumes have been completed and printed.</p> <p>2) Ongoing. HABS/HAER recordation of Bodo Ranch was done in 2003. A draft report of this and other historic period resources was submitted and has been reviewed. The final will be included in an historic site volume in 2008. Ethnographic studies are in progress. Particular emphasis is being given to the Old Ute/Old Spanish Trail running through Ridges Basin. Consulting Tribes are providing input on data recovery project. Final data to be included in an ethnographic volume in 2009.</p> <p>3) Reclamation provides annual review documentation to PA signatories each Spring for duration of PA</p> <p>4) Outreach Plan was completed in 2003. Educational programs and public access to excavations were an active part of the mitigation plan through completion of field investigations; an. Since then, public and special interest group presentations, papers, and the development of an internet website continue to occur.</p> <p>5) Curation transfer projected to occur in CY 2010.</p>
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	<p>6) Within 2 years of completion of Lake Nighthorse, Reclamation will develop a Cultural Resource Management Plan (CRMP) to provide long term management which will include:</p> <ul style="list-style-type: none"> • provision for in-place preservation • management of future recreational development • operation & maintenance of facilities • public interpretation and public involvement <p>7) A CRMP (with similar provisions) is also to be developed and implemented for the Mitigation Area, to be incorporated in an RMP.</p>			<p>Ridges Basin CRMP will be initiated in FY 2011.</p> <p>Mitigation Area CRMP has been drafted and reviewed internally.</p>
9-2	Reclamation will ensure that areas to be disturbed are field surveyed prior to construction disturbance and will ensure that construction monitoring is conducted where deemed appropriate.	2000 FSEIS, 2002 PA	5-17	All construction areas were surveyed prior to disturbance and if cultural resources were found, appropriate action was taken. Monitoring as appropriate is being conducted as construction proceeds; follow discovery provisions of the PA (Stipulation V) in the instance of a discovery.
9-3	Ensure compliance with NAGPRA and Executive Order 13007; development of project specific NAGPRA plan. Avoidance and in-place preservation of graves and sacred sites; for mitigation, Reclamation will consult with tribes and develop methods to be followed to deal with human remains and artifacts.	2000 FSEIS, Attach-A of 2002 PA	5-17	NAGPRA Plan has been developed and implemented in consultation with Tribes. Consulting Tribes have been sent notifications upon discovery of NAGPRA items. The Cultural Affiliation Studies to determine custody of some NAGPRA items have been completed and transfer of custody (via reburial) to representative affiliate Tribes has been accomplished (2005-2007). Additional reburials to occur in 2008. Consultation with potentially affiliated Tribes is ongoing.
9-4	Paleontological survey of all properties to be	2000	5-17	Reclamation continues to perform paleontological

	disturbed prior to construction; construction monitoring as deemed appropriate. Area underlain by Animas, Kirtland, Fruitland, and Picture Cliff sandstone/foundation will be surveyed prior to construction; Areas underlain by Lewis Shale will be spot checked following construction, prior to filling; immediate notification during construction if fossils are uncovered.	FSEIS		surveys before and during construction activities. This commitment is incorporated into all construction contracts and specifications.
9-5	Periodic shoreline monitoring for paleontological resources as part of facilities operations.	2000 FSEIS	5-17	There will be no action on this commitment until the reservoir begins filling. This will become an operation and maintenance function of the operating entity for the reservoir basin.
10 - Agricultural Commitments				
10-1	Location, design, and construction timing of NNMP will protect agricultural lands. Schedule construction during no-production time to eliminate impacts.	2000 FSEIS	5-17	<p>Firming up the alignment of the NNMP occurred during 2003. Design data collection occurred during 2004. No activity in 2005 and 2006.</p> <p><u>In 2007 an agreement with the City of Farmington (COF) was developed and approved for construction of the Farmington Reach of the NNMP. Environmental and cultural resource commitment implementation as part of Farmington Reach construction was discussed with the COF and preliminarily planned for by the COF. Additionally, the construction specification for the NNMP were developed and approved; and the Farmington Office of the Four Corners Construction initiated development of contract procedures for the pipeline features.</u></p> <p>The construction specifications include requirements to ensure protection of agricultural lands.</p>
11 - Recreation Commitments				

11-1	Reclamation will pursue a pumping regime to reduce adverse effects on boating in the Animas River, such as altering pumping regimes during competitive/other events to minimize affect of pumping on the event.	2000 FSEIS	5-17	The Standard Operating Procedures for the DPP will ensure that a pumping regime is developed to comply with this commitment. No action on this commitment in 2007.
11-2	Reclamation will provide funding (not to exceed \$500,000) for the acquisition of public access at a minimum of two points on the Animas River between the High Bridge and Basin Creek.	2000 FSEIS	5-17	During 2005, an agreement was finalized with the City of Durango to help fund two public access points on the Animas River. Construction proceeded in 2006 and 2007. Both public access points (Dallabetta Park and High Bridge access area) were completed and dedicated in 2007. Reclamation formally closed out the cooperative agreement with the City of Durango in 2007. "COMPLETED".
12 - Socioeconomic Commitments				
12-1	No environmental commitments are made for Socioeconomic Resources	2000 FSEIS	5-17	N/A—No actions in 2007.
13 - Land Use Commitment				
13-1	No environmental commitments are made for Land Use	2000 FSEIS	5-18	N/A—No actions in 2007.
14 - Hazardous Materials Commitments				
14-1	The DPP will be designed to minimize disturbance of contaminated materials. Procedures will be put in place for radiological monitoring of excavated soils and groundwater encountered and that remedial procedures are planned in advance to counteract the potential exposure and for the prevention of contaminated groundwater release from the construction site. The human exposure to contaminated soils and the potential for release of contaminated groundwater from the site will be mitigated by the following measures: <ul style="list-style-type: none"> • review remediation reports and current monitoring data to understand existing subsurface 	2000 FSEIS	5-18	Construction specification for the DPP required that: construction actions and methods be employed which would minimize disturbance to locations that potentially could have contaminated materials; that procedures are in place requiring radiological monitoring; and remedial procedures are in place to counteract exposure and prevent releases of contaminated ground water. Areas of known high levels of contamination were isolated and not disturbed during

	<p>conditions in respect to radioactive material</p> <ul style="list-style-type: none"> • obtain preconstruction soil and water samples at site for lab testing • develop site safety and health management plan with radiation protection for workers and public • develop construction plan to deal with hazardous conditions of excavated soil and groundwater • utilize analytical data to design treatment system for contaminated water • receive Colorado Discharge Permit (CDP) for treated water. • pumping plant design and construction management plans are to be approved by Environmental Protection Agency (EPA) and state regulatory agencies. 			<p>construction; and requirements for disposal of contaminated soil were included in contract specifications.</p> <p>Preconstruction sampling was following in compliance with construction specifications.</p> <p>The contractor developed safety and health procedures including protection of workers and public from radiological exposure. Radiological monitoring of excavated soil and rock was performed daily basis; and all site workers were provided with training in radiological hazards and safety.</p> <p>A treatment plan was developed; however, monitoring indicated that no treatment of contaminated water was necessary during 2004.</p> <p>A discharge permit in compliance with Section 402 and 401 of the Clean Water Act is in place from EPA.</p> <p>Pumping plant design and management plans were approved by Department of Energy and Colorado Department of Public Health and Environment in 2003.</p> <p>In 2007, the construction contractor complied with all requirements relating to this commitment and no violations were identified.</p>
14-2	Reclamation will ensure that all federal & state requirements pertaining to the handling and	2000 FSEIS	5-18	Requirements to follow for handling and management of hazardous materials, mixed

	management of hazardous materials, mixed wastes, and radioactive wastes are followed. Those requirements will be included in the construction contract for construction safety and environmental compliance.			wastes, and radioactive wastes were included in all construction specifications. Permits requirements and environmental compliance adequacy was monitored by Reclamation construction inspectors and compliance technicians. The construction contractor was in full with these requirements compliance in 2007.
14-3	Contract specification for all parts of the project will ensure that the Bodo Canyon disposal cell is not disturbed. The disposal cell will have appropriate signage communicating associated hazards.	2000 FSEIS	5-18	All contractors were instructed to avoid disturbing the Bodo Canyon UMTRA site and requirements to do the same are included in construction contracts. The construction contractor was in full compliance with these requirements in 2007.
14-4	Reclamation will confer with Department of Energy on the Long-Term Surveillance and Maintenance Program (LTSMP) for the Bodo Canyon disposal cell; ensure the cells integrity; reactive sampling and monitoring of wells DH-228/DH-229 for indicator parameters, to include but not be limited to Molybdenum, Selenium, & Uranium.	2000 FSEIS	5-18	Reclamation continues to communicate with the DOE to assess the UMTRA cell integrity through monitoring of observation wells. Reclamation observation well DH-228 is dry and no sampling was performed in 2007. Observation well DH-229 standpipe was destroyed by vandals in 2003 and the well was not tested this year. Reclamation remains in full compliance with this commitment in 2007.
14-5	Reclamation will require that preconstruction surveys of non-binding end-use facilities and conveyance systems be conducted to meet hazardous material requirements. If hazardous waste sites are found, site surveys and sampling will be conducted to determine site history, and appropriate containment cleanup will be conducted.	2000 FSEIS	5-18	The Resource Division of WCAO will work closely with developers of non-binding end-use facilities and conveyance systems to ensure that construction standards include proper management of hazardous materials and appropriate standard operating procedures on how to manage uncovered waste materials and deal with hazardous spills. In 2007, no activity in relation to this commitment occurred.
14-6	In order to avoid adverse effects to surface waters and ground water in the project area, as well as impacts to endangered species from petroleum	June 2002 FRFEA	5-5	The Resource Division of the WCAO will work closely with the operator of gas line(s) that in the future are converted from gas to a liquefied

<p>products spills, Reclamation will implement or have implemented the following measures that will apply to the 10-inch diameter MAPCO pipeline if it is converted to a petroleum products pipeline:</p> <ul style="list-style-type: none"> • BMPs will be used by crews to minimize spills of hazardous materials during construction that could get into water ways. • Spill avoidance technology will be implemented to minimize the risk of a spill in the petroleum product line. • Appropriate technology will be implemented to minimize the volume of a spill from the petroleum product line. • An Emergency Response Plan for operations will be developed that details measures to contain spills and prevent further disposal. <ul style="list-style-type: none"> • A petroleum product monitoring element will be incorporated into the water quality monitoring program for potential adverse bioaccumulation of 		<p>petroleum product. The purpose of the coordination will be to inform the pipeline operator of the commitment to protection of endangered species, groundwater and surface water made by Reclamation. Reclamation will endeavor to influence the operator to develop and implement standard operating procedure that would protect those resources. Specifically, Reclamation will request that the operator adopt the following:</p> <ul style="list-style-type: none"> • BMPs will be used by crews to minimize spills of hazardous materials during construction that could get into water ways. • Spill avoidance technology will be implemented to minimize the risk of a spill in the petroleum product line. • Appropriate technology will be implemented to minimize the volume of a spill from the petroleum product line. • An Emergency Response Plan for operations will be developed that details measures to contain spills and prevent further disposal. <p>In 2007, Reclamation initiated development procedures for the water quality monitoring program for Lake Nighthorse. This plan will be formally adopted in 2008.</p> <p>The pipeline operators conduct surface and aerial inspections of pipeline corridors, as required under operating provision governed by the Federal Energy Regulatory Commission and the</p>
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	<p>trace element in bald eagle food items in Lake Nighthorse.</p> <ul style="list-style-type: none"> • Periodic surface and/or aerial inspections will be conducted along the pipeline corridor and the Lake Nighthorse shoreline to provide early detection of small leaks that go undetected by small pressure loss in the pipeline. 			<p>Federal Department of Transportation.</p> <p>Reclamation will require that operators of the Ridges Basin Dam and Reservoir (Lake Nighthorse) conduct inspections of shorelines to detect leaks from converted gas pipeline(s). This will be an operation and maintenance function for the facility.</p>
15 - Transportation Commitments				
15-1	<p>Reclamation will conduct a transportation survey prior to construction of Ridges Basin Dam and Reservoir and implement methods to reduce traffic related impacts.</p>	2000 FSEIS	5-18	<p>A traffic survey was completed prior to construction and where feasible, procedures such as starting work earlier than the general public and carpooling have and are being put in place to minimize impacts related to traffic.</p>
15-2	<p>Reclamation will maintain CR 211 roadway, shoulder, drainage and roadside to standards adequate to avoid noticeable degradation. CR 211 will be maintained by the following guidelines;</p> <ul style="list-style-type: none"> • Roadway maintained to moderate degree of user comfort and protects the county's investment and resource values. Surfacing, where present to be replaced to the depth required for blade maintenance and to prevent wear of the base course. Dust suppression using dust/surface palliative. • Road drainage will be maintained as necessary to prevent unacceptable environmental damage. • Roadway slides and slumps will be repaired or 	2000 FSEIS	5-18	<p>CR 211 from where it leaves US Highway 550/160 to a point near it's intersect with CR 212 was paved during 2004. A determination was made that it would be more economical to pave this section of road than try to maintain the road as a gravel road through 2010, the time required for construction of Project facilities.</p> <p>The right of way for the paved section of CR 211 was turned over to La Plata County following completion of construction. The County then assumed maintenance of that section of the road. The portion of the road west of the pavement is</p>

	<p>removed to provide passage by prudent drivers in standard passenger cars and to allow unimpeded travel by construction trucks.</p> <ul style="list-style-type: none"> Roadside litter will be cleaned in accordance with road management objectives. Hazards will be abated as needed with minimal environmental damage. 			<p>maintained by the construction contractor. Maintenance measures include: grading, watering/magnesium chloride, and litter cleanup.</p> <p>In 2007, the contractor periodically cleaned paved sections of CR 211 affected by traffic from construction of Ridges Basin Inlet Conduit.</p> <p>No violations of transportation related commitments were identified in 2007.</p>
15-3	<p>Third party developers of recreation facilities at Lake Nighthorse to conduct traffic engineering impact analysis studies and to mitigate facilities according to state and county standards. Associated costs will be the responsibility of the developing entity.</p>	2000 FSEIS	5-18	<p>The Resource Division of WCAO will work with developers of recreation facilities at Lake Nighthorse and require that prior to development traffic analyses are conducted and if required mitigation is developed that meets State and County standards.</p> <p>In 2007, no formal discussion relating to recreation development occurred.</p>
16 - Air Commitments				
16-1	<p>Construction contractor will implement measures to control fugitive dust and exhaust emission during construction.</p> <ul style="list-style-type: none"> Dust will be controlled through spraying of roads and stockpiles; foundation. Stripping/embankment will be sprayed. Dust emission from the DPP will be controlled 	2000 FSEIS	5-19	<p>All construction specifications require that measures be implemented to control fugitive dust and emission during construction.</p> <p>Throughout construction, dust has been controlled through the wetting of roads, stockpiles, foundation stripping/excavation and embankment areas.</p> <p>Throughout construction stripped and denuded surfaces have been sprayed to control dust.</p> <p>The DPP contractor has undertaken stringent measures to control dust and prevention its</p>

	<p>by water and other measures designed to reduce health hazards.</p> <ul style="list-style-type: none"> • Seeding of disturbed areas will occur immediately after final grading • Personal protective devices provided to workers as required by Occupational Safety & Health Standards. 			<p>movement off-site.</p> <p>All construction contracts require site stabilization following construction which includes seeding following final grading and placement of top soiling.</p> <p>Seeding of the areas disturbed by the gas pipelines relocation contractor was initiated in the fall of 2003 and continued in the spring of 2004. Regrowth continues through 2007. In 2007, restoration grading including placement of top soil and seeding occurred on sections of the: Ridges Basin Inlet Conduit, Basin Creek drop structures, Wheeler waste area, and Borrow B.</p> <p>All construction specifications require that personal protective devices that limit exposure to air borne contaminants be utilized by workers on-site. Throughout construction, personal protective devices have been provided to workers as required by Occupational Safety & Health Standards.</p> <p>In 2007, all specifications and standard operating procedures have been complied with by the contractor and no violations have been identified.</p>
16-2	Third party developers of non-binding end uses will be required to meet standards to control fugitive dust and other emissions.	2000 FSEIS	5-19	The Resource Division of WCAO will work with developers of non-binding end uses to require that specifications and standard operating procedures for construction include methods to minimize fugitive dust and emission. In 2007, there was no activity relating to construction of non-binding end uses.
17 - Noise Commitments				

17-1	<p>Pumping plant construction contractor will restrict operations at the DPP during evening hours. Provisions governing nighttime construction will be included in the construction specifications. The contractor will be required to meet Durango noise ordinance and to obtain permits for unavoidable noise levels. Signs will be placed on the west side of Animas River notifying boaters of construction.</p>	2000 FSEIS	5-19	<p>Contractor has restricted operations (construction) at the DPP during evening hours. Provisions governing night time construction were included in the construction specifications. All necessary permits have been obtained from the City of Durango. Signage was placed on the Animas River to inform boaters of the construction and associated blasting schedule. During 2007 the construction contractor complied with all construction specifications, and required night time restriction and City of Durango noise ordinance requirements.</p>
17-2	<p>Pumping plant construction contractor will provide blasting notification to residents, sound pre-blast alarms, and follow safety plans.</p>	2000 FSEIS	5-19	<p>Construction specifications required pre-blast planning and public notification. During construction, blasting notification was provided to residents, was published weekly in the local newspaper and was posted on the internet. Signs were placed on the highway that passes the pumping plant site to notify the public of any blasting that was taking place. A safety plan and pre-blast alarms were used. In 2007, constructions specifications were complied with, and no construction blasting occurred on-site.</p>
17-3	<p>Construction and operation of the DPP will be carried out to reduce noise impact. Noise reduction will be provided in the form of sound insulation within the plant and vegetation screening on the outside.</p>	2000 FSEIS	5-19	<p>The Construction Specifications require that noise reduction methods be implemented to reduce noise and subsequent impacts. Construction at the DPP is being carried out in such a way as to reduce noise impacts. The plant has been designed to include sound insulation within the plant to reduce/eliminate operational noise outside the plant. In addition, landscaping around the plant will also help to absorb activities and related noise in and around the plant. In 2007, construction specifications were complied with</p>

				and no violations were identified.
17-4	Lake Nighthorse construction and operation specifications will provide for noise control relating to protection of golden eagle nesting sites. Construction will be scheduled to avoid high noise level activities in the vicinity of golden eagle nest during nesting season and nesting areas will be off limits to construction workforce and visitors.	2000 FSEIS		Through consultation with the Service and the CDOW, the approach to protect the golden eagle nesting sites has changed from that committed to in the FSEIS. The approach was to have construction occurring year-round if possible, in order to allow the eagles to become accustomed to the construction noise or to use alternative nesting sites outside of Ridges Basin. The nesting sites on Carbon Mountain remain off limits to the work force and visitors. Also, eagle nesting activity in Ridges Basin was monitored during the nesting seasons of 2003 through 2007, and monitoring reports were prepared and distributed to the Service, CDOW and other interested parties. In 2007, construction specifications relating to protection of golden eagle nests were complied with and no violations were identified.
17-5	Require third-party developers of recreation facilities at Lake Nighthorse incorporate in their plan the requirements to prohibit particularly loud forms of water craft and to include signing to advise people of eagle sensitivity to human presence and noise.	2000 FSEIS	5-19	The Resource Division of WCAO will work with recreation development organizations to include standard operating procedures which include prohibitions for loud forms of water craft and signage to inform public of noise sensitive areas in the reservoir basin. In 2006 and 2007 informal discussion have taken place between Reclamation and the State of Colorado concerning recreation development. No formal actions have been initiated in 2007.
17-6	Contractors associated with development of non-binding end uses will implement methods to minimize noise during construction and operation.	2000 FSEIS	5-19	The Resource Division of WCAO will work with developers of future water treatment and conveyance systems to standardize requirements during construction that minimize noise during construction. In 2007, the Environment and

				Planning Group of WCAO-Durango attended planning sessions for the La Plata West Water Authority. No formal requests were brought forward to Reclamation by the Authority in 2007.
18 - Public Health and Safety Commitments				
18-1	Public access to structural component construction areas will be controlled by signage and fencing.	2000 FSEIS	5-19	Construction specifications for all ALP construction contracts require that public access to structural components and construction areas be controlled by signage and fencing. An agreement was obtained from La Plata County to close CR 211 to through traffic until the end of the construction period. In 2007 all requirements were complied with.
18-2	Contractors will configure haul routes and access roads to prevent public vehicular entry including placement of signs warning against entry.	2000 FSEIS	5-20	Construction specifications for all ALP construction contracts require that no public vehicular entry be allowed at construction sites. In 2007 all requirements were complied with.
18-3	Gas companies will be notified of construction crossings of gas pipelines and locations/routes of pipelines will be marked in the field and on construction specifications.	2000 FSEIS	5-20	Construction specifications required that gas companies will be notified of all construction crossings. In 2007, notifications and coordination took place with gas companies as required..
18-4	Construction sites for end-use and delivery systems will have public access controlled through signage and fencing.	2000 FSEIS	5-20	There was no construction activity on non-binding end uses during 2007.
18-5	Reclamation will investigate the potential of gas release due to man-made intrusions, prior to construction and will monitor excavations for coal bed methane gas. Investigations for gas emissions at abandoned exploration wells, Gates Coal Mine, foundation trench and outlet works tunnel, and along works in Basin Creek. If levels are detected that exceed safety standards, appropriate actions will be taken to protect public and workers.	2000 FSEIS	5-20	Preconstruction investigations evaluated the potential for gas releases which potential could be man-made. The RBD was designed to eliminate the need for intrusion into coal beds and mines and thereby reduce potential of gas releases. In 2007, monitoring of construction activities in the outlet works and basin creek areas for release took place, and no reportable/exceedance of acceptable levels were identified.
18-6	Access to operation areas that pose a threat to	2000 FSEIS	5-20	See response to 18-1 and 18-2. In 2007 all

	public safety will be controlled.			requirements were complied with.
18-7	Safety and accident management techniques are to be utilized during recreation planning, design of facilities, and development of reservoir access points.	2000 FSEIS	5-20	In 2007 no formal discussions have taken place between Reclamation and the State of Colorado concerning development of Recreation facilities. However, the State of Colorado has informally examined two locations within Ridges Basin which could be utilized for future boating access to the reservoir. Reclamation will require that specifications for development include provision to protection the public and improve safety.
19 - Public Service and Utilities Commitments				
19-1	Contractors will adequately secure work sites, patrol work areas, and coordinate with city/county law enforcement.	2000 FSEIS	5-20	Construction specifications for all ALP construction contracts contain language requiring that secure work sites and coordination with local municipalities. Through 2007, the construction contractor (Weeminuche Construction Authority) and the Four Corner Construction Office have worked with the City of Durango and La Plata County to patrol and secure work sites.
19-2	Contractors will mark location of buried utilities and develop a notification system for coordination with affected utilities during construction.	2000 FSEIS	5-20	All construction specification for the ALP Project have required that buried utilities are marked and notification/coordination with affected utilities occur. In 2007, all buried utilities have been marked and very close coordination has been maintained with the utility companies.
20 - Visual Resource Commitments				
20-1	Reclamation will ensure that as part of design, the DPP blends into natural land form and that following construction site is revegetated. The form, color, and lines of the plant will compliment natural form, colors, and lines on the west side of the Animas River. The design elements will blend with surrounding vegetation and river terrace topography, and color. Native species will be used	2000 FSEIS	5-20	The DPP has been designed to comply with this commitment. The design was coordinated with the City of Durango. A revegetation /seeding plans is part of the final stage of the DPP, and it utilizes native species. The construction specifications have the structure blending into the native landscape and topography. Elements of the restored perimeter have been designed in

	for revegetation. Blended form, color, and vegetation design elements will limit views of the pumping plant facilities.			2007, and will obscure views of the plant from the off site highway corridor.
20-2	Design of project structural facilities will incorporate, to the extent practicable, non-intrusive design elements. Reclamation will utilize the services of a qualified landscape architect to develop and supervise implementation of a landscaping plan that specifically focuses on minimizing impacts of project structure components and project disturbed areas.	2000 FSEIS	5-20	The services of a landscape architect were utilized and the design of the project facilities has been designed to comply with this commitment, to the extent practicable. In 2007, the Western Power Administration (WAPA) contracted for the construction of the substation at the DPP. The facility design was reviewed by the City of Durango for its visual appearance from offsite locations. Installations at the substation will be completed in early 2008. WAPA included Reclamations' criteria for landscaping within its' construction specifications.
20-3	<p>To minimize the temporary, short-term loss of vegetation cover and visual impacts from pipeline construction Reclamation committed to the following measures:</p> <ul style="list-style-type: none"> • In visually sensitive areas, restoration of the construction right-of-way shall include the revegetation and establishment of small trees and shrubs, using locally native species wherever possible, to buffer the cleared right-of-way (NPC and MAPCO will be responsible). 	2003 FRFEA	5-4	<p>Reclamation worked closely with the Northwest Pipeline Company (NPC) in developing measure for the reroute of three gas and gas product pipelines from within Ridges Basin to the north of the basin on Wildcat Canyon Ridge just south of CR 141.</p> <p>Requirements for this commitment were included in the agreement between Reclamation and NPC and MAPCO. A re-vegetation plan was developed which includes a weed management plan and implementation of the commitment requirements.</p> <p>Revegetation of the right-of-way included seeding for native grasses, and small wood plants, shrubs and trees.</p>

	<ul style="list-style-type: none"> Noxious weeds will be identified prior to construction of the pipelines, and control measures during construction (eg. pre-construction herbicide spraying, equipment clearing) will be implemented to reduce the potential spread of such noxious weeds within the right-of-way and into adjacent disturbed lands (NPC and MAPCO will be responsible). A weed management plan will be prepared as part of the Plan to minimize the risk of weed infestations by eliminating existing weeds through scarification of the right-of-way before seeding and further weed control measures (NPC and MAPCO will be responsible). To minimize the clearing of ponderosa pines, the final route alignment, construction right-of-way configuration and placement of extra work space will be planned to minimize impacts on ponderosa pine parkland. 			<p>NPC environmental staff and consultants evaluated the pipeline corridor prior to construction, and developed measures/SOPs to control noxious weeds during and following construction. Methods adopted met FERC (Federal Energy Regulatory Commission) permitting requirements</p> <p>A weed management plan was developed by NPC prior to construction and met FERC requirements. Implementation of the plan became apart of NPC and MAPCO operations following completion of the construction and pipeline reroute.</p> <p>Clearing of ponderosa pine trees in temporary work spaces was limited to only those trees that would unavoidably be impacted.</p> <p>Reclamation has met its' commitment on this issue, and the 2007 annual review completes all required actions.</p>
21 - Indian Trust Assets and Environmental Justice				
21-1	Interior will support the modification of the Settlement Agreement to recognize new limits placed on the use and amount of water provided to the Colorado Ute Tribes and establish a water acquisition fund.	2000 FSEIS	5-21	Interior supported the new limits and a water acquisition fund was established. Reclamation has met its' commitment on this issue, and the 2007 annual review completes all required actions. "COMPLETED".
21-2	Interior will pursue the development of operation plans for Lake Nighthorse and Navajo Reservoirs	2000 FSEIS	5-21	In 2007, Reclamation continued to operate Navajo Reservoir to attempt to meet the flow

	that will optimize more efficient delivery of the flow recommendations for endangered fish in the San Juan River and limit certain project pumping to allow for making additional depletion and developable water available for other Indian Tribe's present and future water needs.			recommendations for endangered fish in the San Juan River. The Standard Operating Procedures for the DPP and Lake Nighthorse will ensure that a joint operating plan with Navajo Reservoir is developed to comply with this commitment.
21-3	Interior will facilitate discussions between the Jicarilla Apache Nation and other parties with interest in the San Juan River Basin to develop options of obtaining 25,500 afy depletion as authorized under the Jicarilla Apache Tribe Water Rights Settlement Act.	2000 FSEIS	5-21	In 2006 Reclamation sent a letter to the Jicarilla Apache Nation suggesting they take the lead in informal consultation with the Fish & Wildlife Service to determine the Service's level of support. Have not received any feedback from the Jicarilla Apache Nation on this subject. Additionally, Reclamation has supported the use of portions of the Jicarilla Apache Nation water for use as part of the pool for Navajo-Gallup Water Supply Project.
21-4	Continued active participation in the SJRBRIP to promote the dual goals of recovery of endangered fish and proceed with water development in the Basin.	Record of Decision – Appendix 2	11	Reclamation continued to participate in the SJRBRIP during 2007.
21-4.1	<ul style="list-style-type: none"> Reclamation will provide substantial technical support in the development and refinement of a comprehensive hydrology model to allow realistic, supportable projections of future water uses within the basin. 			Reclamation continued to provide technical support during 2007, including technical support to update the hydrology model to a generation 3 format.
21-4.2	<ul style="list-style-type: none"> Reclamation will continue to optimize the operating rules for the Navajo Dam to provide efficient fulfillment of the flow recommendations necessary for endangered species recovery. Reclamation will implement an adaptive 			The Record of Decision on the Navajo Reservoir Operations EIS was signed in July 2006. The operating rules to provide for the fulfillment of the flow recommendations for endangered fish have been adopted. This commitment has been completed.

21-4.3	management program associated with the operations of Navajo Reservoir to evaluate biologic responses to a more natural hydrograph.			In 2007, Reclamation has continued to work and coordinate with the SJRBRIP Biology Committee on actions supporting adaptive management needs.
21-5	Reclamation will operate the DPP to limit pumping during dry years, allowing more water to be available in Navajo Reservoir to meet project demands.	Record of Decision – Appendix 2	11	Methods and procedures for the operation of the DPP will be included in the standard operating rules for the pumping plant. (No action on SOPs in 2007)
21-6	Work with Navajo Nation and the Jicarilla Apache Tribe to combine resources in evaluating options for proceeding with the Navajo-Gallup project, the Navajo River Water Development Plan, and the restoration of the Hogback Project to try to minimize the likelihood that any single Tribe bears a disproportionate burden for the conservation of listed species under the ESA.	Record of Decision – Appendix 2	11	Reclamation continued to work with the Navajo Nation and the Jicarilla Apache Nation through 2007. Reclamation supported Jicarilla Apache Nation consultation for the Navajo River Water Development Plan, and the continued planning of the Navajo-Gallup Water Supply Project
21-7	Facilitate discussions among the parties with interests in the San Juan Basin. Discussions will aim to develop options for obtaining adequate water for the Navajo Nation and Jicarilla Apache Nation future needs.	Record of Decision – Appendix 2	11	This commitment is being addressed through the development of the Navajo Indian water rights settlement on the San Juan River in New Mexico and using Jicarilla Apache Nation water for the Navajo Gallup Water Supply Project. Reclamation continues to work with the Nation in providing future needs.
21-8	BOR will conduct an independent review of hydrologic model to ensure accuracy and a tool in future water planning activities.	Record of Decision – Appendix 2	11	This review was completed in 2000 (Oct. 12, 2000 memo to Service on “Conservation Measures”. As the model continues to be improved, its accuracy is continually being checked. ”COMPLETED”.
21-9	Reclamation will work with the Jicarilla Apache Tribe to facilitate their ability to independently utilize the SJRBRIP Hydrology Model.	Record of Decision – Appendix 2	11	Reclamation has continued to work with the Jicarilla Apache tribe to facilitate their ability to utilize the model through 2007. Reclamation has

				met its' commitment on this issue, and the 2007 annual review completes all required actions.
21-10	<p>Through the appraisal investigation of the Navajo –Gallup Project evaluate:</p> <ul style="list-style-type: none"> • An alternative project design that would take water from the San Juan River below its confluence with the Animas River which may increase the potential yield of the project while protecting flows for endangered fish. • Modify the Navajo-Gallup Project to reduce demands. • Utilizing a portion of the Navajo Indian Irrigation Project (NIIP) allocation to meet the needs for the Gallup Navajo Project. 	Record of Decision – Appendix 2	11	<p>STATUS as of December 2007: The PR/DEIS was distributed to the public on March 30, 2007. The preferred alternative diverts water below the Animas River confluence on the San Juan River which helps maintain flows for endangered fish. Project water demands are the lowest per capita in the SW United States. The Navajo Nation has agreed to reduce water use on NIIP and/or other Navajo projects as needed to provide endangered fish flows while providing NGWSP full water needs.</p> <p>Further project changes maybe needed before the project is authorized for construction.</p>
21-11	Consult with the Navajo Nation and the Jicarilla Apache Tribe on the implementation of the Indian Trust Assets mitigation measures and commence consultation early in the implementation process.	Record of Decision – Appendix 2	11	Consultation with the Navajo Nation and the Jicarilla Apache Nation has continued since the completion of the 2000 FSEIS. This commitment is considered to be fulfilled and is closed out with the 2007 annual review.
21-12	<p>The NNMP corridor will be routed to minimize disturbance or relocations of residences.</p> <p>If residences are required to be relocated, the residents and the Navajo Nation will be compensated.</p> <p>Project planners will work to avoid disturbances to the cemetery. Consultation will take place with the</p>	Record of Decision – Appendix 2	11	<p>The NNMP alignment and design specifications were finalized in 2007.</p> <p>No residences along the NNMP alignment are required to be relocated.</p> <p>Consultation with the Navajo Nation Historic Preservation Department continued in 2007. In 2007, steps were taken by Reclamation to avoid</p>

	<p>Navajo Nation Historic Preservation Department (NNHPD) and representatives from affected Navajo Chapters prior to disturbing any human remains or funerary objects.</p> <p>Mitigation measures will be used to minimize noise and vibration impacts. Construction activities will be scheduled during daytime hours when within 0.25 miles of a residence and would be scheduled during non-school hours when feasible.</p>			<p>cultural resource sites and human burials by realigning the NNMP right of way.</p> <p>Specifications for the NNMP construction include actions to minimize noise and vibration effects during future on the ground construction.</p>
21-13	<p>Non-binding Scenarios and relocation of the natural gas pipeline</p> <p>No construction will occur on Tribal lands without approval of the appropriate Indian tribe.</p> <p>BMPs will be implemented during construction. Impacts will be mitigated.</p>	2000 FSEIS	5-21	<p>In 2007, the La Plata West Water Authority initiated planning for constructing a diversion and treatment facility at Lake Nighthorse. The two Colorado Ute Tribes are participants in the authority and in future years will be part of the approval process for conveyance pipelines and facilities.</p> <p>The natural gas pipelines within Ridges Basin were relocated in 2002 and the new right of way lies on Reclamation lands and do not effect either Colorado Ute Tribe properties .</p> <p>As conveyance systems are built, the sovereign Tribal governments will have right of approval or denial.</p> <p>The Tribal governments will implement commitments for BMPs and mitigation as appropriate and within the authority held by the Tribal government for conveyance systems within their reservation properties.</p>