Appendix A

Notice of Intent

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Arkansas Valley Conduit (AVC) and Long-Term Excess Capacity Master Contract, Fryingpan-Arkansas Project (Fry-Ark Project) Colorado

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare a draft Environmental Impact Statement (EIS).

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality's (CEQ) regulations for implementing the procedural provisions of NEPA, the Bureau of Reclamation (Reclamation) proposes to prepare a draft EIS that analyzes effects associated with construction of the AVC, a proposed feature of the Fryingpan-Arkansas (Fry-Ark) Project, and the issuance of an Excess Capacity Master Contract to Southeastern Colorado Water Conservancy District (Southeastern). The proposed Federal action is to construct the pipeline to provide treated water to the service area in southeastern Colorado. Towns in the service area need to construct new or improved water treatment systems, supplement their current water supply, and/or purchase other water supplies to replace poor quality water. Some also need more water to meet demands of a growing population. The proposed Federal action associated with the Excess Capacity Master Contract is to issue a long-term contract to Southeastern for storage of non-Fry-Ark Project water in Pueblo Reservoir, a feature of the Fry-Ark Project. The water would be used by several water providers within Southeastern's boundaries.

DATES: Written or e-mailed comments will be accepted through September 13, 2010. Public scoping meetings will be held in August 2010. See the Supplemental Information section for dates and locations of these meetings.

ADDRESSES: Written comments and requests to be added to the mailing list may be submitted to Bureau of Reclamation, Dakotas Area Office, Attention: J. Signe Snortland, P.O. Box 1017, Bismarck, ND 58502.

FOR FURTHER INFORMATION CONTACT: J. Signe Snortland, telephone (701) 221–1278; facsimile (701) 250–4326. You may submit comments, requests, and/or other information by e-mail to *jsnortland@usbr.gov.*

SUPPLEMENTARY INFORMATION:

Dates of Public Scoping Meetings

- August 16, 2010, 6:30 p.m.–8 p.m., Salida, CO
- August 17, 2010, 6:30 p.m.–8 p.m., La Junta, CO
- August 18, 2010, 6:30 p.m.–8 p.m., Lamar, CO
- August 19, 2010, 1 p.m.–3 p.m., Fountain, CO
- August 19, 2010, 6:30 p.m.–8 p.m., Pueblo, CO

Locations of Public Scoping Meetings

- Salida Community Center—305 F Street, Salida, CO 81201
- Koshare Indian Museum—115 West 18th Street, La Junta, CO 81050–3302
- Lamar Community Center—610 South 6th Street, Lamar, CO 81052
- Lorraine Education and Community Center—301 E. Iowa Avenue, Fountain, CO 80817
- Southeastern Colorado Water Conservancy District—31717 United Avenue, Pueblo, CO 81001

Meeting facilities are accessible to people with disabilities. People needing special assistance to attend and/or participate should contact Kara Lamb at (970) 962–4326, Bureau of Reclamation, Eastern Colorado Area Office, as soon as possible. To allow sufficient time to process special requests, please call no later than one week before the public meeting of interest.

Background Information

The AVC, an authorized feature of the Fry-Ark Project, would transport water about 135 miles east from Pueblo Dam along the lower Arkansas River to near Lamar, Colorado. It was not constructed after Fry-Ark was authorized primarily because of the inability of project beneficiaries to repay allocated construction costs. On March 30, 2009, however, the Omnibus Public Land Management Act of 2009 (Pub. L. 111–11) amended the original Fry-Ark authorization. Public Law 111–11 authorized annual appropriations as necessary for construction of the AVC, and included a cost sharing plan. Construction costs would be paid from Federal appropriations, with 65 percent non-reimbursable and 35 percent reimbursable from other sources. These other sources include crediting revenues from Fry-Ark Project excess capacity and exchange contracts and payments from the local beneficiaries if the AVC would be completed. Approximately 40 municipalities or water districts have expressed interest in participating in the AVC Project.

Recently, water users in the Lower Arkansas Valley have expressed renewed interest in the AVC due to higher water treatment costs because of poor groundwater quality and changes to the Safe Drinking Water Act. The Colorado Water Conservation Board and State Legislature approved a $60.6 million loan to meet part of the local share of AVC Project cost. In 2009, the Environmental Protection Agency awarded Southeastern a State and Tribal Assistance Grant to begin project planning. Southeastern, a cooperating agency for the draft EIS, has assumed an administrative role, including securing grants and loans for local funding, supporting legislation, and working with project beneficiaries.

The proposed Excess Capacity Master Contract is being pursued by Southeastern to provide about 28,200 acre-feet of excess capacity storage in Pueblo Reservoir for entities within its boundaries in the Upper Arkansas basin, Lower Arkansas basin, and Fountain Creek basin, including AVC participants. This excess capacity storage space would be available for use by participating entities. Non-Fry-Ark Project water stored in Fry-Ark reservoirs would be subject to spill priorities in accordance with a proposed contract between the United States and Southeastern.

Reclamation has scheduled five scoping meetings to determine potentially significant issues, alternatives, and impacts to be considered in the draft EIS. Through these meetings, Reclamation is inviting agencies, tribes, non-governmental organizations, and the public to participate in an open exchange of information and to provide comments on the proposed scope of the EIS.

Preliminary Identification of Relevant Environmental Issues

Reclamation invites you to comment on the following potentially significant issues thought to be of widespread public interest about the proposed Federal action. We encourage comments about other potentially significant issues that you believe should be addressed in the draft EIS. This list is preliminary and is intended to facilitate public comment.

- Short-term and long-term impacts on water quality in the Arkansas River from reduced stream flow
- Changes in storage levels and water quality at Pueblo Reservoir due to AVC and Excess Capacity Master Contract operations and potential contributions to flooding
- Relevant cumulative environmental impacts to the Arkansas River and Pueblo Reservoir from past, present, and reasonably foreseeable future actions

Notice of Intent

- Water quantity associated with AVC and Excess Capacity Master Contract operations and climate change
- Arkansas River Compact, change in water quantity at the Colorado/Kansas state border
- Aquatic communities and habitats in the lower Arkansas River, particularly downstream of Pueblo Reservoir
- Changes in Arkansas River flow upstream from Pueblo Reservoir
- Changes in aquifer and groundwater levels and soil saturation as a result of altered well use and pumping
- Water-based recreation, such as changes to fishing and boating and other river-associated activities, such as hiking and observation of riparian wildlife
- Water rights and irrigated agriculture, such as impacts from exchange of agricultural water for domestic use by project participants
- Spread of invasive species, such as salt cedar (tamarisk) growth
- Floodplain, wetland, playa, and riparian communities
- Aquatic and terrestrial plants and animals and their habitats, including species that are federally or State-listed as threatened or endangered, proposed, candidate, or of special concern and/or critical habitat
- Social and economic conditions in affected communities associated with repayment responsibility for water provided by the AVC
- Environmental justice, particularly whether or not water delivery activities have a disproportionate adverse effect on minority and low-income populations
- Changes in social and economic conditions from improved domestic water supplies and construction
- Cultural resources such as historic, archaeological, architectural, or traditional properties
- Construction effects on local communities and coordinating the AVC Project with improvements to Highway 50
- Private property: how would the proposed project impact private property
- Compliance with all applicable Federal, State, and local statutes and regulations and with international agreements and required Federal and State environmental permits, consultations, and notifications
- Compliance with all applicable executive orders

Preliminary Alternatives

As required by Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1502.2[e]), a range of reasonable alternatives will be evaluated in detail in the EIS. These alternatives will include No Action and may include alternatives such as development of alternative project configurations, water supplies, and types of water treatment. A preferred alternative has not been identified yet.

Public Disclosure Statement

To assist Reclamation in determining issues related to the proposed Federal action, comments made during formal scoping and later on the draft EIS should be as specific as possible. It is very important that those interested in this proposed Federal action participate by the close of the scoping period so that substantive comments are made available to Reclamation at a time when the agency can meaningfully consider and respond to them.

If you wish to comment, you may mail or e-mail your comments as indicated under the Addresses section. Before including your name, address, phone number, e-mail address, or any other personal identifying information in your comment, you should be aware that your entire comment (including your personal identifying information) may be made available to the public at any time. While you can request in your comment for us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: July 27, 2010.

Robert Quint,

Acting Deputy Commissioner-Operations, Bureau of Reclamation.

[FR Doc. 2010–18779 Filed 7–29–10; 8:45 am]

BILLING CODE 4310–MN–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCO921000–L13200000–EL0000, COC–74235]

Notice of Invitation To Participate; Exploration for Coal in Colorado; License Application COC–74235

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: All interested parties are hereby invited to participate with Bowie Resources, LLC, on a pro rata cost-sharing basis, in a program for the exploration of coal deposits owned by the United States of America in lands located in Delta County, Colorado.

DATES: Any party electing to participate in this exploration program must send written notice to Bowie Resources, LLC and the Bureau of Land Management (BLM) as provided in the **ADDRESSES** section below by August 30, 2010 or 10 calendar days after the last publication of this notice in the *Delta County Independent* newspaper, whichever is later. This notice will be published once a week for two consecutive weeks in the *Delta County Independent,* Paonia, Colorado.

ADDRESSES: The exploration plan, as submitted by Bowie Resources, LLC is available for review in the BLM, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215 and the BLM, Uncompahgre Field Office, 2505 S. Townsend Avenue, Montrose, Colorado 81401 during normal business hours (9 a.m. to 4 p.m.), Monday through Friday. Any party electing to participate in this exploration program shall notify the BLM State Director, in writing, at the BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215 and Bowie Resources, LLC, Attn: Art Etter, P.O. Box 483, Paonia, Colorado 81428. The written notice must include a justification for participation and any recommended changes in the exploration plan with specific reasons for such changes.

FOR FURTHER INFORMATION CONTACT: Kurt M. Barton at 303–239–3714, *Kurt_Barton@blm.gov;* or Desty Dyer at 970–240–5302, *Desty_Dyer@blm.gov.*

SUPPLEMENTARY INFORMATION: The authority for the notice is section 2(b) of the Mineral Leasing Act of 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976 and the regulations adopted as 43 CFR part 3410. The purpose of the exploration program is to gain additional geologic knowledge of the coal underlying the exploration area for the purpose of assessing the reserves contained in a potential lease. The Federal coal resources are located in Delta County, Colorado.

T. 12 S., R. 91 W., 6th P.M.,
Sec. 29, S1/2;
Sec. 31, Lots 12 to 26, inclusive;
Sec. 32, All;
Sec. 33, W1/2NW1/4.
T. 12 S., R. 92 W., 6th P.M.
Sec. 36, S1/2.
T. 13 S., R. 91 W., 6th P.M.
Sec. 5, Lot 3, inclusive, N1/2SW1/4, and SW1/4SW1/4.

These lands contain 2,200 acres, more or less.

The proposed exploration program will be conducted pursuant to an exploration plan to be approved by the BLM. The plan may be modified to

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Appendix B

News Releases

News Release RECLAMATION *Managing Water in the West*

Eastern Colorado Area Office
Loveland, Colorado

Media Contact: Kara Lamb (970) 962-4326
For Immediate Release: August 10, 2010

Reclamation Invites Public Comment on AVC

LOVELAND, Colo. - The Bureau of Reclamation is holding a public comment process and series of public open houses on the proposed Arkansas Valley Conduit and Long-Term Excess Capacity Master Contract.

The public comment period will open July 30 and close September 13, 2010. During this time, Reclamation is accepting public comments and will host five meetings:

- *Monday, August 16:* Salida Community Center, 305 F Street, Salida, Colo.
- *Tuesday, August 17:* Koshare Indian Museum, 115 W. 18th Street, La Junta, Colo.
- *Wednesday, August 18:* Lamar Community Center, 610 South 6th Street, Lamar, Colo.
- *Thursday, August 19:* Lorraine Education and Community Center, 301 E. Iowa Ave, Fountain, Colo.
- *Thursday, August 19:* Southeastern Colorado Water Conservancy District, 31717 United Avenue, Pueblo Colo.

Each open house will consist of informational displays, a brief presentation and opportunities for providing comments. They will run from 6:30-8 p.m., with the exception of the Fountain meeting which will be held from 1-3 in the afternoon.

The Arkansas Valley Conduit is a feature of the Fryingpan-Arkansas Project. It would provide treated water to communities in southeastern Colorado. The Excess Capacity Master Contract would be a long-term contract issued by Reclamation to the Southeastern Colorado Water Conservancy District for storage of water in Pueblo Reservoir.

Reclamation is preparing an Environmental Impact Statement in compliance with the National Environmental Policy Act. Public comments help Reclamation identify: (1) issues relevant to the proposal; (2) elements of the environment that could be affected by the proposal; and (3) possible alternatives to the proposal.

Written comments on the scope of the project should be provided via regular mail, fax or e-mail. Please address comments to the attention of Ms. J. Signe Snortland, Environmental Specialist, Bureau of Reclamation, P.O. Box 1017, Bismarck, ND 58502-1017, *fax:* (701) 250-4326, *e-mail:* jsnortland@usbr.gov. Additional information is also available at www.usbr.gov/avceis.

# # #

Reclamation is the largest wholesale water supplier in the United States, and the nation's second largest producer of hydroelectric power. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits. Visit our website at http://www.usbr.gov.

U. S. Department of the Interior
Bureau of Reclamation

Appendix C

List of Organizations and Agencies Sent News Releases

Organizations and Agencies Sent News Releases	
96 Pipeline Company	City of Pueblo, Colorado
Action 22	City of Trinidad, Colorado
American Whitewater	Classon Ditch
Amity Canal	Cogan Farms
Amity Mutual Irrigation Company	Collier Ditch
Applegate Group, Inc.	Colorado Canal Company
Arkansas Headwaters Recreation Area	Colorado Department of Agriculture
Arkansas River Compact Association	Colorado Department of Corrections
Arkansas River Outfitters Association	Colorado Department of Health and Environment
Arkansas Valley Research Center	Colorado Department of Natural Resources
Army Corps of Engineers	Colorado Division of Water Resources
Audubon Society	Colorado Division of Wildlife
Aurora Range Project	Colorado Environmental Coalition
Avondale Water	Colorado Foundation for Water Education
Beaver Park Water, Inc.	Colorado Northwest Council of Governments
Beehive Water Association	Colorado River Water Conservation District
Bent County, Colorado	Colorado Rural Water Association
Bent's Fort Water Company	Colorado Springs Gazette
Bessemer Ditch	Colorado Springs Independent
Bureau of Reclamation	Colorado Springs Utilities
Canaday Canal	Colorado State Parks
Canon City and Oil Creek Ditch Company	Colorado State University
Canon City, Colorado	Colorado Supreme Court
Canon Heights Irrigation	Colorado Trout Unlimited
Canyon Marine	Colorado Water Congress
Carlson, Hammond & Paddock, L.L.C	Colorado Water Conservation Board
Catilin Canal Company	Colorado Water Protective and Development Assoc.
CH2M Hill	Colorado, 10th District Court
Chaffee County Times Newspaper	Crowley County Water Association
Chaffee County, Colorado	Crowley County, Colorado
City of Aurora Water	CSU Cooperative Extension
City of Aurora, Colorado	CSU Pueblo - Biology Department
City of Colorado Springs, Colorado	CSU Pueblo-Science & Math Department
City of Florence, Colorado	CSU-Pueblo Library
City of Fountain, Colorado	Custer County Extension
City of La Junta, Colorado	DeWeese Ditch and Reservoir Company
City of Lamar, Colorado	District Court Water Division 2, Colorado
City of Las Animas, Colorado	Division Engineer's Office
City of Manitou Springs, Colorado	Division of Water Resources

Organizations and Agencies Sent News Releases	
Eads Water and Sanitation	KVAY
Earthjustice	KXRM
East End Water Company	La Junta Tribune Democrat
East Florence Water Association	Laguna Ditch
El Paso County Water Authority	Lake County Commissioner
Environmental Protection Agency	Lake County, Colorado
Eureka Water	Lamar Canal
Ewing-Koppe Ditch	Lamar Ledger
Fayette Water Association	Las Animas Consolidated
Felt, Houghton, Monson	Leadville Herald Democrat
Fishing and Hunting News	Lower Arkansas Valley Water Conservation District
Fort Lyon Canal Company	Lower Arkansas Water Management Association
Fort Lewis College	Lower Arkansas Valley Conservancy District
Fountain Livestock	May Valley Water Association
Fowler City Council	McClave Water Association
Fremont Conservation District	Merrick Company
Fremont County, Colorado	Michigan Ditch, Colorado
Frost Livestock	Natural Resource Conservation Service
Fruitland Ditch	Nature Conservancy, The
GEI Consultants	Newdale Grand Valley/Hilltop Water Co.
Gummar Ditch	Ninyo and Moore
Hancock Water Inc.	North Holbrook Water Company
Hanna Ranches	O'Neal Water Works
Hasty Water Company	Ordway Water Department
Helena Ditch	Otero County, Colorado
Helton & Williamsen, P.C.	Otero Ditch Company
Herman Klinkerman Ditch	Otero Junior College
High Line Canal Company	Oxford Ditch Company
Hill & Robbins	Park Center Water District
Holbrook Center Soft Water Association	Parkdale Water Association
Holbrook Mutual Irrigating Company	Patterson Valley Water Company
Holland and Hart	Penrose Water District
Housing and Building Assoc. of Colorado Springs	Petros & White
Jacobs Engineering	Platte River Power Authority
Joseph Corporation	Potter Ditch
Kiowa County, Colorado	Prowers County, Colorado
KKTV	Pueblo West Metro District
KMGH	Pueblo Board of Water Works
KOAA	Pueblo Chieftain
Krassa & Miller, LLC	Pueblo City Council

Organizations and Agencies Sent News Releases	
Pueblo County Commissioner's Office	Town of Swink, Colorado
Pueblo County, Colorado	Town of Wiley, Colorado
Pueblo West Metro District	Trout Unlimited
Purgatoire River Water Conservancy District	Turkey Creek Conservation District
Riverside Dairy Ditch	Twin Lakes Canal Company
Riverside Water Association	U.S. Air Force
Riverside Water Company	U.S. Department of the Interior
Rocky Ford Ditch Company	U.S. Forest Service
Security Water District	U.S. Representative Betsy Markey
Sierra Club	U.S. Representative Doug Lamborn
Southern Ute Tribe	U.S. Representative John Salazar
South Side Water Association	U.S. Rural Development
South Swink Water Company	U.S. Senator Mark Udall
Southeastern Colo. Water Conservancy District	U.S. Senator Michael Bennett
Southwest Farms, Inc.	United Stated Department of Agriculture
State of Kansas	University of Colorado
State Representative McKinley	Upper Arkansas Water Conservancy District
State Representative Sal Pace	URS Consultants
State Senator Ken Kester	US Army
Steele Ditches	US Army Corps of Engineers
Stratmoor Hills Water District	USGS Water Resources Division
Sundance Investments	Ute Mountain Ute Tribe
Sunset View Water Company	Volunteers for Outdoor Colorado
T Cross Ranch	Vroman Water Company
Tamarisk Coalition	Wagner Ditch
The Nature Conservancy	West Grand Valley Water Inc.
The Wilderness Society	West Holbrook Pipeline
Totten Ranch	West Maysville Ditch
Town of Boone, Colorado	Western Resources Advocates
Town of Buena Vista, Colorado	Widefield Water/Sanitation District
Town of Cheraw, Colorado	Wood Valley Ditch
Town of Crowley, Colorado	WW Wheeler & Associates
Town of Eads, Colorado	XCEL Energy
Town of Fowler, Colorado	
Town of Manzanola, Colorado	
Town of Olney Springs, Colorado	
Town of Ordway, Colorado	
Town of Poncha Springs, Colorado	
Town of Rocky Ford, Colorado	
Town of Sugar City, Colorado	

Appendix D

Paid Advertisements

RECLAMATION

Managing Water in the West

Please Join Us

ARKANSAS VALLEY CONDUIT AND EXCESS CAPACITY MASTER CONTRACT ENVIRONMENTAL IMPACT STATEMENT

Public Scoping Meetings

The U.S. Department of the Interior, Bureau of Reclamation is holding five public meetings to receive comment on an environmental impact statement (EIS) being prepared for the Arkansas Valley Conduit (AVC) and Excess Capacity Master Contract (Master Contract). The EIS will evaluate the effects associated with construction of the AVC, a proposed feature of the Fryingpan-Arkansas (Fry-Ark) Project, and issuance of a Master Contract to the Southeastern Colorado Water Conservancy District.

The proposed AVC is needed to augment or replace poor quality water and to meet a portion of the Participant's projected demands. Without the AVC some communities would have to construct new water treatment systems and purchase other supplies to replace their existing municipal water supplies of poor quality. In addition, some communities require additional water supplies to meet the demands of a growing population.

The proposed Master Contract is for storage of non Fry-Ark Project water in Pueblo Reservoir, a feature of the Fry-Ark Project. This contract is proposed for use by several water providers within Southeastern Colorado Water Conservancy District's boundaries.

For additional questions about the public open houses and public involvement process, please contact Signe Snortland at (701) 221-1278 or jsnortland@usbr.gov

Providing Comments

Comments regarding the project may be submitted at the public meetings or by mail, fax, or e-mail to:

J. Signe Snortland
Bureau of Reclamation
Dakotas Area Office
P.O. Box 1017
Bismarck, ND 58502

E-mail: jsnortland@usbr.gov
Fax: (701)250-4326

Reclamation welcomes all comments

Written comments will also be accepted at the following meetings. Meetings will begin with an open house, followed by a brief presentation:

AUGUST 16
Salida Community Center
6:30-8:00 PM
305 F Street
Salida, CO

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Koshare Indian Museum
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31717 United Avenue
Pueblo, CO

Paid Advertisement

Newspaper	Number of Advertisements Published	Date of Publication
Salida Mountain Mail	1	Friday, August 6, 2010
La Junta Tribune Democrat	1	Friday, August 6, 2010
Fowler Democrat	1	Thursday, August 5, 2010
Bent County Tribune	1	Thursday, August 5, 2010
Lamar Ledger	1	Friday, August 6, 2010
Fountain News	1	Wednesday, August 11, 2010
Colorado Springs Gazette	1	Sunday, August 8, 2010
Pueblo Chieftain	1	Sunday, August 8, 2010

Publication and Dates of Paid Advertisement

NATION BRIEFS

Rocker aids Haiti

MEDIA, Pa. (AP) — Since he picked up a bass guitar and dropped out of 10th grade to hit the road with underground legends The Replacements in 1983, Tommy Stinson has sold millions of records and performed all over the world.

As he prepares to embark on a European tour with Guns N' Roses, the 43-year-old musician is devoting his time and money to a new passion: helping children left homeless by the Haitian earthquake.

This summer, Stinson will hold an online fundraiser by auctioning personal and donated items that will be posted on his website, including an autographed bass guitar and two of his signature custom-made plaid suits.

Burglary foiled

CRESCENT CITY, Calif. (AP) — An attempted burglary at a California supply store was thwarted when the manager threw hot coffee in the face of a masked intruder.

Chris Hegnes, manager of the Englund Marine and Industrial Supply, was going into work early Monday morning when he encountered a man in a mask charging at him with a hammer.

Hegnes says he hurled his hot mocha at the man's face and ran for it.

The man came after him for a few steps, then ran to a vehicle parked behind the store.

Inmate weds

EASTON, Pa. (AP) — The bride wore a gray suit. The groom wore a prison jumpsuit — and handcuffs.

And a Pennsylvania judge was doing double-duty after having just handled proceedings in the groom's drug case.

Northampton County prison inmate Franklin Barndt and Takesha Piazza were married Friday after he tried to have evidence against him dismissed in a cocaine case.

Defense attorney Gary Asteak said he hatched the idea after seeing Piazza in the courtroom.

Ariz. prison escapees linked to N.M. killings

By AMANDA LEE MYERS
THE ASSOCIATED PRESS

PHOENIX — Two men who escaped from a private Arizona prison and a woman who helped them have been linked to the investigation of a couple's killing in New Mexico, authorities said Saturday.

New Mexico State Police spokesman Peter Olson said Tracy Province, John McCluskey and Casslyn Welch were linked through forensics but he declined to provide specifics.

He declined to say whether police believe the three were responsible for the killings, adding that "we don't know how involved they are."

Province, McCluskey and Daniel Renwick escaped from the medium-security Arizona State Prison near Kingman on July 30 after authorities say 44-year-old Casslyn Welch of Mesa threw wire cutters over the perimeter fence. Renwick was arrested in Colorado on Aug. 1.

The badly burned skeletal remains of Linda and Gary Haas, both 61, of Tecumseh, Okla., were found in a charred camper on Wednesday morning on a remote ranch in Santa Rosa in eastern New Mexico.

Olson said a car belonging to the couple was found 100 miles east in Albuquerque on Wednesday afternoon.

Province was serving a life sentence for murder and robbery out of Pima County.

McCluskey was serving a 15-year prison term for attempted second-degree murder, aggravated assault and discharge of a firearm out of Maricopa County. Renwick had been serving a 22-year sentence for second-degree murder.

A nationwide search was under way for McCluskey, Province and Welch. The group may be using a 1997 platinum gold Nissan Sentra with Arizona license plate 6-2-0-P-F-V.

AP PHOTO/JASON BRIDGE

Firefighters work at the scene where authorities say a twin-engine plane crashed into a house in Bell Township, Pa., on Saturday.

Small plane crashes into Pa. home; 2 die

FAA officials are unsure what caused the plane to crash.

THE ASSOCIATED PRESS

SALINA, Pa. — A twin-engine plane slammed into a house in western Pennsylvania minutes after takeoff on Saturday, killing two people, and narrowly missing a man sleeping on his couch with his dog and setting the residence on fire.

Westmoreland County spokesman Dan Stevens said the plane went through the house and landed in the garage, passing just to the right of the man when it came down in a rural area about 90 miles northeast of Pittsburgh.

"God was on his side, without a doubt," Stevens said.

Steve Yanko and the dog escaped from the house, according to his wife, Rose Yanko, 66, who was shopping at a flea market at the time, the Pittsburgh Post-Gazette said. She spoke briefly to thank emergency crews who responded to the fire. She and her husband were planning to stay with her mother, she said.

The Federal Aviation Administration said the BE58 Beech Baron took off from Arnold Palmer Regional Airport in Latrobe, Pa., at 9:08 a.m. Saturday and crashed 11 minutes later.

Stevens said the bodies were recovered from the wreckage shortly after 3 p.m. after rescuers unearthed the plane from the collapsed garage. He said officials believed only two people were aboard but were continuing the search and had not yet unearthed the tail section and confirmed the identification number.

The FAA said earlier that the aircraft was registered to a Westmoreland County materials testing firm, but Stevens said the number had not been confirmed. The bricks and concrete blocks making up the garage walls and roof had buried the plane, and rescuers were removing it brick by brick, he said.

Stevens said local officials believed they knew who the plane belonged to but would release no information until they could confirm the tail number.

RECLAMATION
Managing Water in the West

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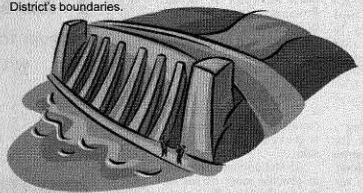

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Lamar, CO

AUGUST 19
Lorraine Education and Community Center
1:00-3:00 PM
301 East Iowa Avenue
Fountain, CO

AUGUST 19
Southeastern Colorado Water Conservancy District
6:30-8:00 PM
31717 United Avenue
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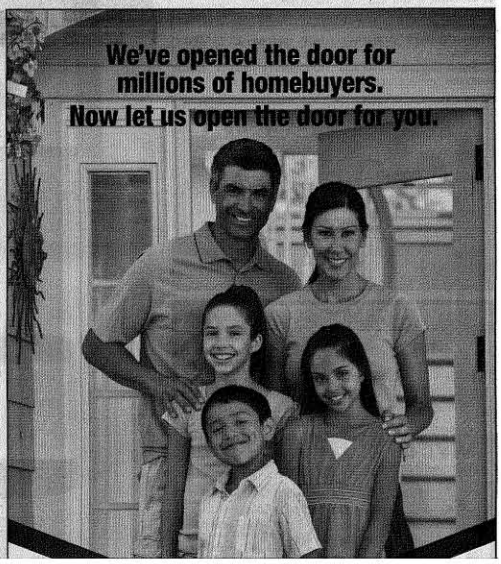

Consumer Wellness Series

Overcoming Neuropathy Pain Without Drugs

For those suffering from Diabetes Mellitus II, Fibromyalgia, Idiopathic Peripheral Neuropathy

6:00pm-8:30pm TUESDAY, August 10th
SIRCLE Pain Relief Center
1941 Lake Avenue—Pueblo

Today, millions of Americans are suffering from neuropathic pain of all types, and have no idea how they got to this point. Consequently, conditions such as fibromyalgia, rest-

toral research committees on a variety of vital health topics. He is also profoundly deaf and a cochlear implant user, and a widely published author. He is an internationally recognized keynote speaker at profes-

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is accepting applications for two- and three-bedroom apartments. HUD-subsidized low income. Applications may be picked up at the Normandy office at 400 E. College Rd., Lamar
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Chevy Impala 1984: 4-door, in good condition. $500 obo. Call 719-336-8164.

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(719) 829-4806 • (719) 829-4805 Fax

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This vehicle has 113,515 miles. It needs a master cylinder and power brakes. Please contact Wiley School District at (719) 829-4806 to set up a time to look at this vehicle. Please send sealed bids to P.O. Box 247, Wiley, CO 81092

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phere with kids and adults cheering for each other and husbands and wives having friendly competitions. Each contestant pays an entry fee and after the office charge is withheld, the money is jackpotted back to top three placers. Volunteers from the Vaqueros run the office, gate, flagging, and arena duties. More information can be obtained from Lynn Schwartz at336-7090. Results from June 19 are as follows:0-5 years Barrels

Jayce Parker 1st place
Devion Eaton, 2nd place
Faith Headlee, 3rd placePoles
Jayce Parker, 1st place
Devin Eaton, 2nd placeFlags
Jayce Parker, 1st place
Devin Eaton, 2nd place
Stake
Jayce Parker, 1st placePotato
Faith Headlee, 1st place
Hope Headlee, 2nd place6-8 yearsBarrels
Morgan Widener, 1st place
Bianca O'Bryan, 2nd place
Chanlee Pennington, 3rd place
Katy DeWitt, 4th placePoles
Morgan Widener, 1st place
Katy DeWitt, 2nd place
Chanlee Pennington, 3rd place
Bianca O'Bryan, 4th placeFlags
Morgan Widener, 1st place
Braxton O'Bryan, 2nd place
Chanlee Pennington, 3rd place
Tyler Widener, 4th placeStake
Morgan Widener, 1st place
Katy DeWitt, 2nd place
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Tyler Widener, 4th placePotato
Morgan Widener, 1st place
Chanlee Pennington, 2nd place
Tyler Widener, 3rd place
Braxton O'Bryan, 4th place9-11 yearsBarrels
Christiana Dickson, 1st place
MacKenna Parker, 2nd place
Nolan Sharp, 3rd place
Colten Mauch, 4th placePoles
Nolan Sharp, 1st place
Christiana Dickson, 2nd place
Colten Mauch, 3rd place
MacKenna Parker, 4th placeFlags
Colten Mauch, 1st place
Chylyn Fulton, 2nd place
Kylee Wright, 3rd place
Christiana Dickson, 4th place

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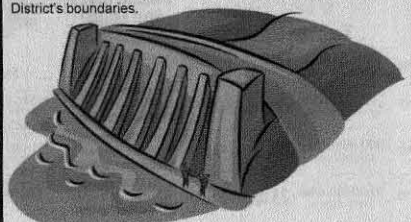

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Newspaper Advertisement Copy

Eye opening thoughts about our food supplies

You Said It...
LETTERS TO THE EDITOR

The oil spill has made our dependence on oil quite obvious, and hopefully some good will somehow come out of this great tragedy.

I decided to share some information given me by Mary Humphrey. This comes from the book DEEP ECONOMY: The Wealth of Communities and the Durable Future, by Bill McKibben, 2007.

Some of these are disturbing facts. I will end this writing with a POSITIVE fact.

1. Consider our farm subsidies for wheat, corn, cotton, soybeans and rice. Farmers are encouraged to plow up apple orchards and quit growing truck crops. One third of all federal farm payments go to the largest 2% of farms. Do we care that American farmers over the age of 65 outnumber those under 35 by six to one?

2. We are running out of the two basic ingredients needed for growing crops on an industrial scale. OIL AND WATER. Those produce the cheap food. They are not unlimited. We have substituted oil for people on our farms.

3. Do we care that human beings have used more raw materials since WWII than in all previous recorded history? Only one in three in the U.S. report being very happy; and alcoholism, suicide and depression rates have soared. And we have more people in prison. CEO's of large corporations earn 200 times as much as their workers. Think of the rich members of the Walton family. Their home town is Bentonville, Ark.; their town is not able to afford a needed new sewer system. WHY, because Americans who make between $50 and $100,000 give 2 to 6 times as much in percentage terms to good causes as people who make 10 million.

4. Consider our food supply. The average bite of American food has traveled more than 1500 miles using oil to run trucks. A box of cereal requires seven times as much energy to produce as the cereal itself contains.

The last item I am including from McKibbens book is one that shows there is still hope. My intent is not to make us all feel guilty, but to make us aware, and to change in small, but significant ways.

5. Farmers Markets are the fastest growing sector of our food economy. Local foods are fresher and tastier and have less impact on the environment. We have been over sold on fast and cheap which has ruined rural areas and our over reliance on processed food is contributing to obesity.

PATRONIZE FARMERS MARKETS and grow a garden, if possible! As many of you know, growing gardens is difficult; we still try. There are two farmers markets in the Fountain Valley.

The first is at City Hall on Tuesdays beginning at 4 p.m., and the second at First United Methodist Church of Fountain on Saturdays from 10 a.m. to 2 p.m.

(Editor's Note: There is also a newer Farmers Market operating every Saturday from 10 a.m. - 2 p.m. in front of the Big R at the Widefield Square Shopping Center on Fontaine Blvd. in Widefield.)

(Editor's Note: There is also a year-round indoor Farmer's Market at 4360 Bradley Rd. in Security. Please see ad on page 8.

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Newspaper Advertisement Copy

Sports

Spartan sports practice begins with golf today

by Kevin Hoffman
Mail Staff Writer

Spartan fall sport practices are set to begin with boys' golf athletes today and other fall sports including football, volleyball, boys' soccer and cross country beginning formal practice Aug. 16.

Athletes must have paperwork and athletic physicals completed before the first day of practice. Assistance is available for students who can prove financial hardship.

Activity passes are available for all regular season home games. They cost $40 for adults, $15 for students and $80 for families.

The school athletic office is open Monday through Friday from 8 a.m. to 3 p.m. The phone number is 530-5406.

Salida High School athletics director Jim Coscarella said he wants to begin the upcoming season in the light of accomplishments Spartans made during the last school year.

Coscarella said the sheer number of Salida accomplishments was impressive and he "expects nothing less of the upcoming season."

He said, "I'm extremely proud of the way things went last year and it all comes back to support from parents, community and staff."

During the 2009 fall season the boys' cross country team won a state title while the girls' team was third overall. Coach Kenny Wilcox was named cross country coach of the year.

Spartan football advanced to the playoffs after the team claimed a title as co-league champions in the Mountain Division. Head coach Phil Gardunio was named football coach of the year.

Spartan boys' golf team advanced through regionals sending members to compete in the 4A state tournament.

Volleyball players qualified for post season and advanced to district competition.

Spartan boys' soccer finished its season 7-5 and seeks to gain momentum this season, Coscarella said.

During winter sports last year Salida sent five wrestlers to the state tournament where Clint Myers won the 189-pound championship.

Spartan boys' and girls' basketball teams continued into post season where each advanced to the sweet 16 at state.

Salida swimmers had four qualifiers who, with three alternates, participated in the state swim meet.

During the spring athletics season, graduate Spartan golfer Emily Wood won her second 4A state golf championship.

In track and field competition five runners qualified for state while Myers walked on late in the season to take another state championship in shot put.

Spartan girls' track team sent seven members of two relay teams to compete at state in addition to individual events.

Although Salida baseball, girls' soccer and tennis failed to advance to post season, each team will be building, Coscarella said.

"As a department we're into another fall sports season. We've got kids holding continuous fund-raisers to support sport and athletic programs," Coscarella said. "It's all about the kids, but we couldn't do it without the community support we receive."

"Real Estate Corner"

LIFE ON A CUL-DE-SAC

Sylvia Foster - First Colorado Land Office

Cul-De-sac is French for a saclike cavity, giving life to the description of a residential street closed at one end. Many Americans believe cul-de-sac translates into safety, community and property value.

Cul-de-sacs typically have less traffic, making them safer for children at play.

Since the front yards tend to get more use, neighbors know each other better. The combination of neighborliness and limited access/egress makes the homes less enticing to a burglar. All these factors ad to the perceived value of a home, making a cul-de-sac property an appealing investment. ©

Feel free to contact Sylvia Foster @ First Colorado Land Office, INC. 719-539-6682 or e-mail at foster@firstcolorado.com

BARN DANCE & STEAK FRY

(in the barn of Willie and Virginia Travnicek
9920 Feather Lane)

FRIDAY, SEPTEMBER 10TH

Dinner: 5:00-7:00 p.m. Dance: 7:00-9:00 p.m.
$15.00/person
Purchase tickets: 539-6422

Proceeds to benefit The *Read Naturally* program at Longfellow Elementary

Sponsored by the First Presbyterian Church

ESTATE AUCTION
WED. AUGUST 11, 2010 10:00 A.M.
CHAFFEE COUNTY FAIRGROUNDS
PONCHA SPRINGS, COLORADO

AUCTIONEER'S NOTE: Merchandise for this Auction comes from Estates and individuals through out the area. This is a PARTIAL LISTING. There will be numerous Collectibles, Household, Furniture and other items.
There will be 75 cigar boxes with belt buckles, coins, brass rings, amusement coins, military items, military buttons, tax tokens, pass keys, rhinestone jewelry, pocket watches, cigarette lighters, toy license plates, political pins, spoon souvenirs, ration stamps, stereoptic cards, vintage atom vehicles, cast & porcelain banks. THERE WILL BE a LAGER LOT of Antique & Collectible Jewelry, many different stones, sterling, gold, pins, necklaces and more. Collectors Plates, Glassware (all kinds). Furniture Items, Books, Small Tools, Arrowheads AND LOTS MORE.

Auction Conducted by
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7700 CR 111, Salida, CO.
AUCTIONEERS: E.W. "Fritz" Rundell, 719-539-8940
Cody Buffalo, 719-221-9993

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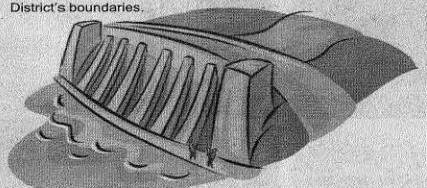

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STATE

BRIEFLY

Secret interviews raise concerns

AURORA • The Aurora City Council plans to interview five candidates for city manager in closed sessions despite questions about the legality of interviewing them in secret meetings.

Colorado Press Association legal counsel Chris Beall says it is illegal under the state open meetings law to conduct interviews for executive positions in closed meetings.

But City Attorney Charlie Richardson says Aurora is complying with state rules. He says city officials have been interviewing candidates in closed sessions for 30 years.

Local governments must release finalists' names when the field of candidates is narrowed to three. Richardson says because the pool has been cut to five instead of three, the city won't name the finalists.

Aurora will replace Ron Miller, who retired in February after 13 years as city manager.

Work starts on Denver bridges

DENVER • The Colorado Department of Transportation started rebuilding the Federal Boulevard Bridge under U.S. 285 in the southwest Denver area by first demolishing the bridge.

Crews expected to start dismantling the north section of the bridge at 7 p.m. Saturday. Work will continue until 5 a.m. Monday, weather permitting.

Federal Boulevard will be closed over Hampden Avenue. A lane on westbound Hampden will also be closed.

The $40.1 million project will rebuild about four miles of U.S. 285 between Federal and Kipling Parkway, add through lanes and replace bridges on the highway over Wadsworth Boulevard, Pierce Street and Federal.

Garcia could stay at CSU-Pueblo

PUEBLO • Joe Garcia said he plans to continue to serve as president of Colorado State University-Pueblo through at least the November election, The Pueblo Chieftain reports.

Garcia, who has been president since 2006, was named Thursday as the running mate for Democratic gubernatorial candidate John Hickenlooper. "I hope to continue to work part time as the university president, not just through the election, but after, as the new governor doesn't take office until January," Garcia said in a memo.

State shutters Denver day care

DENVER • Colorado Department of Human Services officials closed Denver's Park Hill United Methodist Children's Center effective Friday because they said they found "serious and significant supervision issues" during a site visit the day before, The Denver Post reports.

On Wednesday, Denver police arrested a 20-year-old school aide accused of child sex abuse.

And on Friday, the suspect was accused in an incident involving a second girl.

Police spokesman John White said there might be other victims.

Benjamin Janiciki was arrested Wednesday for an alleged assault Tuesday at the Park Hill center.

On Friday, a second case — involving alleged sexual contact with a young girl in June — was forwarded to the Denver district attorney's office, Denver police said.

Janiciki made a court appearance Friday and his bail was raised from $150,000 to $500,000.

Search continues for missing man

REDSTONE • A Colorado National Guard helicopter helped sheriff's investigators Saturday search for a 61-year-old man who has been missing since July 30 near Redstone.

The Army says two guardsmen aboard the helicopter searched an area of 5 square miles in Pitkin County.

Authorities were initially searching an area of 50 square miles for William Worley, of Redstone.

Worley's car was discovered Aug. 3 on the East Creek trailhead, two days after he was reported missing. Redstone is about 35 miles southwest of Aspen.

Mom pleads guilty in baby's death

BRIGHTON • The mother of a child whose mummified remains were found in a suitcase faces up to 32 years in prison after pleading guilty to the death.

Twenty-five-year-old Melinda Hudson is expected to be sentenced in October after pleading guilty Friday to criminally negligent child abuse resulting in death.

Prosecutors say a suitcase filled with clothes, towels and paper towels also contained the baby's remains. The documents in the case have been sealed.

An Adams County grand jury in July indicted Hudson, of Westminster.

Rodeo promoters cancel event

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REMAINING DANIEL'S INVENTORY MUST GO! MAKE ROOM FOR THE NEW!
Brand New Chevys
UP TO 40% OFF MSRP
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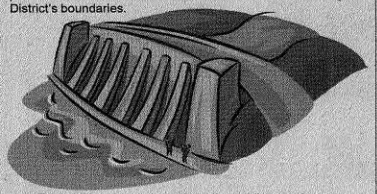
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Written comments will also be accepted at the following meetings. Meetings will begin with an open house, followed by a brief presentation:
AUGUST 16
Salida Community Center
6:30-8:00 PM
305 F Street
Salida, CO
AUGUST 17
Koshare Indian Museum
6:30-8:00 PM
115 West 18th Street
La Junta, CO
AUGUST 18
Lamar Community Center
6:30-8:00 PM
610 South 6th Street
Lamar, CO
AUGUST 19
Lorraine Education and Community Center
1:00-3:00 PM
301 East Iowa Avenue
Fountain, CO
AUGUST 19
Southeastern Colorado Water Conservancy District
6:30-8:00 PM
31717 United Avenue
Pueblo, CO

Everybody Welcome
a celebration of culture & diversity
Diversity & Inclusion Awards Luncheon
August 10 • 11:30 am
UCCS Conference & Events Center
Hosted by Colorado Springs Business Journal
Presented by Adams Bank & Trust
TICKETS $35
online at www.csbj.com/events

SECURITY SERVICE FIELD
AMERICA'S GAME, YOUR TEAM
SKY SOX BASEBALL
FOR TICKETS & INFO: 591-SOXX
PRINT YOUR TICKETS FROM HOME! VISIT WWW.SKYSOX.COM
SKYSOX.COM
$11 DINNER & A BALLGAME EVERY SATURDAY HOME GAME!
PACKAGE INCLUDES RESERVED SEAT TICKET & MEAL VOUCHER (HOT DOG, CHIPS & SODA)
KKTV 11

DATE	EVENT	PRESENTED BY
AUGUST 8 SUNDAY VS OKLAHOMA CITY REDHAWKS (TOP AFFILIATE OF THE TEXAS RANGERS)	SUNDAY FAMILY DAY WITH 50¢ HOT DOGS! & ROCKIES MASCOT DINGER! GATES OPEN: 4:00 P.M. GAME TIME: 5:05 P.M.	Cheyenne Mountain Zoo
AUGUST 9 MONDAY VS OKLAHOMA CITY REDHAWKS (TOP AFFILIATE OF THE TEXAS RANGERS)	KID'S EAT FREE MONDAY! (CHILDREN 12YRS. AND UNDER RECIEVE MEAL VOUCHER WITH PAID TICKET TO THE GAME) GATES OPEN: 5:00 P.M. GAME TIME: 7:05 P.M.	arc
AUGUST 10 TUESDAY VS OKLAHOMA CITY REDHAWKS (TOP AFFILIATE OF THE TEXAS RANGERS)	$2 TUESDAY! ($2 TICKETS, PARKING & COORS LIGHT) GATES OPEN: 6:00 P.M. GAME TIME: 7:05 P.M.	KAISER PERMANENTE
AUGUST 11 WEDNESDAY VS OKLAHOMA CITY REDHAWKS (TOP AFFILIATE OF THE TEXAS RANGERS)	MILITARY APPRECIATION NIGHT! (TICKETS AT BASE MWR OFFICES) GATES OPEN: 6:00 P.M. GAME TIME: 7:05 P.M.	Kraft foods

AUGUST 21 SATURDAY	AUGUST 22 SUNDAY	AUGUST 23 MONDAY	AUGUST 24 TUESDAY
VS FRESNO GRIZZLIES (FIREWORKS) 7:05PM	VS FRESNO GRIZZLIES ($0.50 CENT HOT DOGS) 1:05PM	VS FRESNO GRIZZLIES (KID'S EAT FREE) 6:05PM	VS FRESNO GRIZZLIES ($2 TUESDAY) 6:05PM

PRINT TICKETS AT HOME ONLINE AT SKYSOX.COM

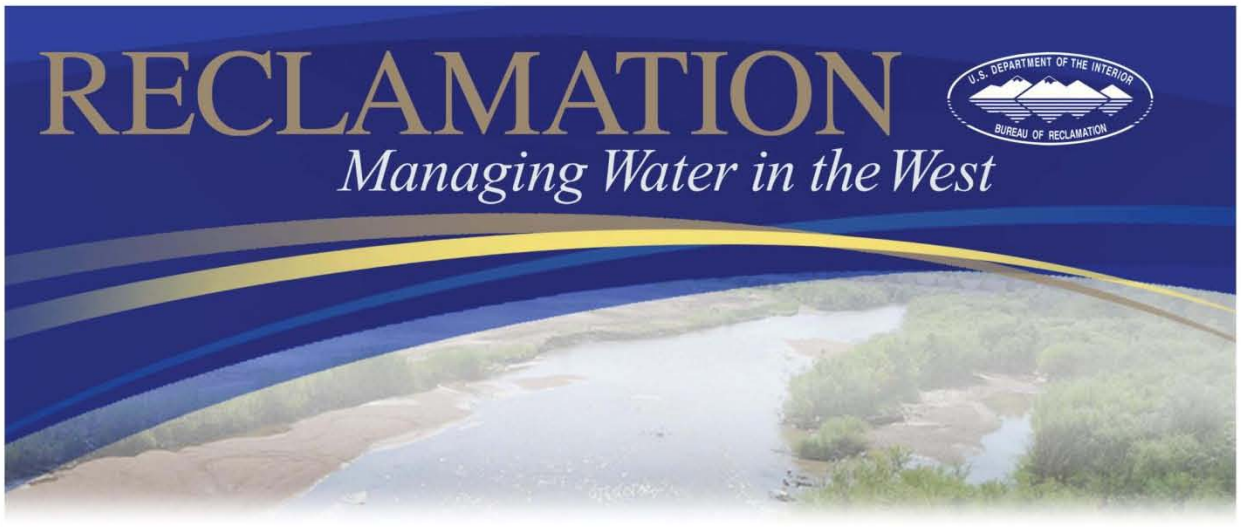
FOCUS ON THE FAMILY
With Dr. James Dobson THE CULTURE AT LARGE AFFECTS QUALITY OF KIDS' EDUCATION
Q You've been somewhat critical of America's public schools in recent years. Who do you hold accountable for what has gone wrong?
Dr. James Dobson

in front, and to do English when she feels like doing soccer. I would also like to see our schools readopt reasonable dress codes, eliminating suggestive clothing, T-shirts with profanity, etc. Guidelines concerning good grooming and cleanliness should also be enforced.

Newspaper Advertisement Copy

Appendix E

Public Scoping Meeting Materials



Welcome

Public Scoping Open House

Arkansas Valley Conduit and Long-term Excess Capacity Master Contract Environmental Impact Statement

Presentation Board – Public Scoping Meetings

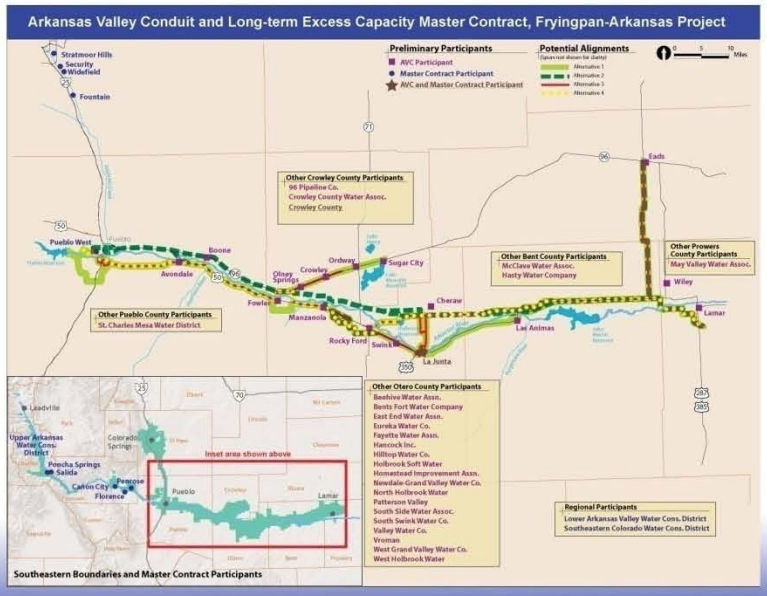
RECLAMATION

Managing Water in the West

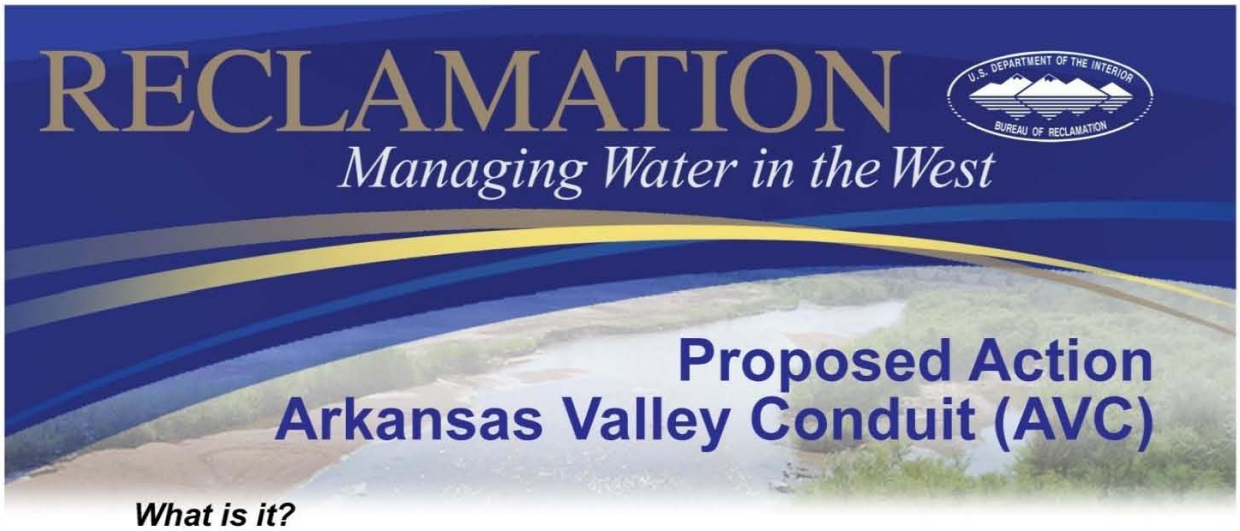
Project Purpose and Need

The purpose of the Arkansas Valley Conduit (AVC) is to provide bulk water for municipal and domestic water use in the AVC service area. This water supply is needed to supplement or replace poor quality water and to meet a portion of the Participants' projected water demands through 2070.

The purpose of the Excess Capacity Master Contract (Master Contract) is to provide long-term storage of non-Fry-Ark Project water in Fry-Ark system storage space. The water would be used to meet current and future municipal, domestic, industrial, and agricultural water demands throughout Southeastern Colorado Water Conservancy District's service area (Southeastern).



Presentation Board – Public Scoping Meetings



What is it?

- An authorized feature of the Fryingpan-Arkansas (Fry-Ark) Project
- A new conduit/pipeline from Pueblo Dam to near Lamar (about 135 miles)
  - Would supply municipal/domestic water
  - Woyld use Fry-Ark allocations and other water supplies
  - Would include water treatment plant

Why wasn't it constructed with the Fry-Ark Project?

- Primarily because of the inability of project beneficiaries to repay costs.

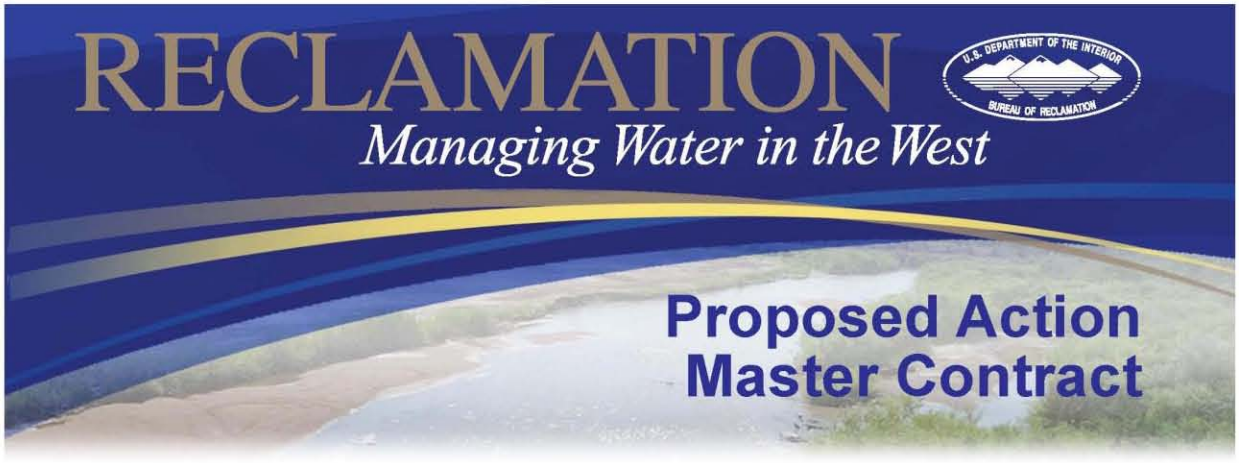
Why is the AVC Project being considered for construction now?

- Renewed local interest and concern
  - Poor water quality in the lower Arkansas Valley
  - Need for additional reliable water supplies for future demand
- Omnibus Public Land Management Act of 2009
  - Authorized 65 percent federal, 35 percent local cost share
  - Local cost share from:
    - Fry-Ark Project miscellaneous revenue
    - Payments from Participants
- A $60.6 million state loan to finance the local cost

Who is participating

- Approximately 40 water providers have expressed interest
- Southeastern Colorado Water Conservancy District is the Project Sponsor
  - 2009 Environmental Protection Agency (EPA) State and Tribal Assistance Grant (STAG) for project planning and feasibility
  - Cooperating agency for the EIS
  - Administrative role in securing funding, supporting legislation, and working with project beneficiaries.

Presentation Board – Public Scoping Meetings



What is it?

- A long-term contract pursued by Southeastern to provide about 28,200 acre-feet of excess capacity storage space in the Fry-Ark system for non-Fry-Ark Project water

- The non-Fry-Ark Project water stored in Fry-Ark reservoirs would be subject to existing spill priorities

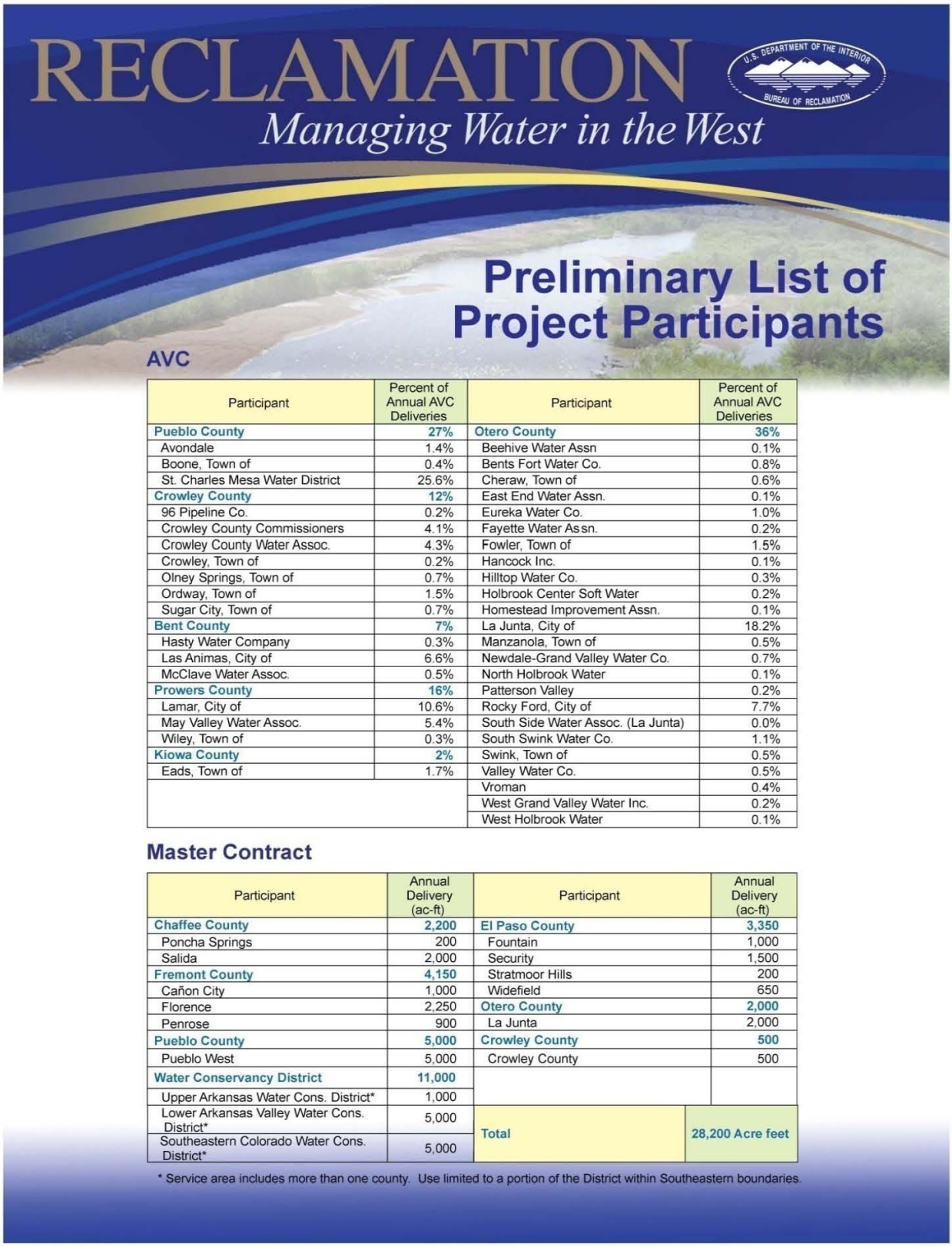
Who is participating?

- The stored water would be available for use by 15 participating entities within Southeastern's service area boundaries in the upper Arkansas basin, Fountain Creek Basin, and lower Arkansas basin, including AVC Participants.

Why is NEPA being conducted for both projects together?

- An overlap in Participants, affected environment, and project timing.
- To effectively evaluate the impacts of these actions, the NEPA processes for both projects were combined.

Presentation Board – Public Scoping Meetings



AVC

Participant	Percent of Annual AVC Deliveries	Participant	Percent of Annual AVC Deliveries
Pueblo County	**27%**	**Otero County**	**36%**
Avondale	1.4%	Beehive Water Assn	0.1%
Boone, Town of	0.4%	Bents Fort Water Co.	0.8%
St. Charles Mesa Water District	25.6%	Cheraw, Town of	0.6%
Crowley County	**12%**	East End Water Assn.	0.1%
96 Pipeline Co.	0.2%	Eureka Water Co.	1.0%
Crowley County Commissioners	4.1%	Fayette Water Assn.	0.2%
Crowley County Water Assoc.	4.3%	Fowler, Town of	1.5%
Crowley, Town of	0.2%	Hancock Inc.	0.1%
Olney Springs, Town of	0.7%	Hilltop Water Co.	0.3%
Ordway, Town of	1.5%	Holbrook Center Soft Water	0.2%
Sugar City, Town of	0.7%	Homestead Improvement Assn.	0.1%
Bent County	**7%**	La Junta, City of	18.2%
Hasty Water Company	0.3%	Manzanola, Town of	0.5%
Las Animas, City of	6.6%	Newdale-Grand Valley Water Co.	0.7%
McClave Water Assoc.	0.5%	North Holbrook Water	0.1%
Prowers County	**16%**	Patterson Valley	0.2%
Lamar, City of	10.6%	Rocky Ford, City of	7.7%
May Valley Water Assoc.	5.4%	South Side Water Assoc. (La Junta)	0.0%
Wiley, Town of	0.3%	South Swink Water Co.	1.1%
Kiowa County	**2%**	Swink, Town of	0.5%
Eads, Town of	1.7%	Valley Water Co.	0.5%
		Vroman	0.4%
		West Grand Valley Water Inc.	0.2%
		West Holbrook Water	0.1%

Master Contract

Participant	Annual Delivery (ac-ft)	Participant	Annual Delivery (ac-ft)
Chaffee County	**2,200**	**El Paso County**	**3,350**
Poncha Springs	200	Fountain	1,000
Salida	2,000	Security	1,500
Fremont County	**4,150**	Stratmoor Hills	200
Cañon City	1,000	Widefield	650
Florence	2,250	**Otero County**	**2,000**
Penrose	900	La Junta	2,000
Pueblo County	**5,000**	**Crowley County**	**500**
Pueblo West	5,000	Crowley County	500
Water Conservancy District	**11,000**		
Upper Arkansas Water Cons. District*	1,000		
Lower Arkansas Valley Water Cons. District*	5,000	**Total**	**28,200 Acre feet**
Southeastern Colorado Water Cons. District*	5,000		

* Service area includes more than one county. Use limited to a portion of the District within Southeastern boundaries.

Presentation Board – Public Scoping Meetings

What is it?

- Existing trans-mountain diversion, storage, and delivery project
- Signed into law in 1962; constructed 1964-1982
- Major Features
  - Five Major Dams and Reservoirs
  - West Slope Collection System and Boustead Tunnel
  - Mt. Elbert Pumped Storage Powerplant (200 MW)
- Operations
  - Historical Average West Slope Diversion 54,800 acre-feet/year
  - Provides Agricultural, Municipal, and Industrial water to:
    - 12 counties
    - 200,000 acres of irrigated land
    - 650,000 people

Presentation Board – Public Scoping Meetings

RECLAMATION

Managing Water in the West

No Action Alternative

Arkansas Valley Conduit

Represents "Future Without the Project"

The following table shows the range of no action options from a questionnaire sent to the preliminary Participants:

No Action Alternative*	Number of Water Users
No change in current water operations	18
Purchase other water supplies	7
Construct a new or additional water delivery system	4
Construct a new or additional water treatment system	9
Regionalization (i.e., purchase water from another supplier or combine water providers)	7
Haul water	1
Individual treatment at the tap	5
No response	7

* Some Participants are currently under enforcement actions by Colorado Department of Public Health and Environment or high levels of radionuclides in their drinking water. CDPHE has recommended preliminary treatment alternatives under the Colorado Radionuclide Abatement and Disposal Strategy for most of these Participants, which could become part of the No Action Alternative.

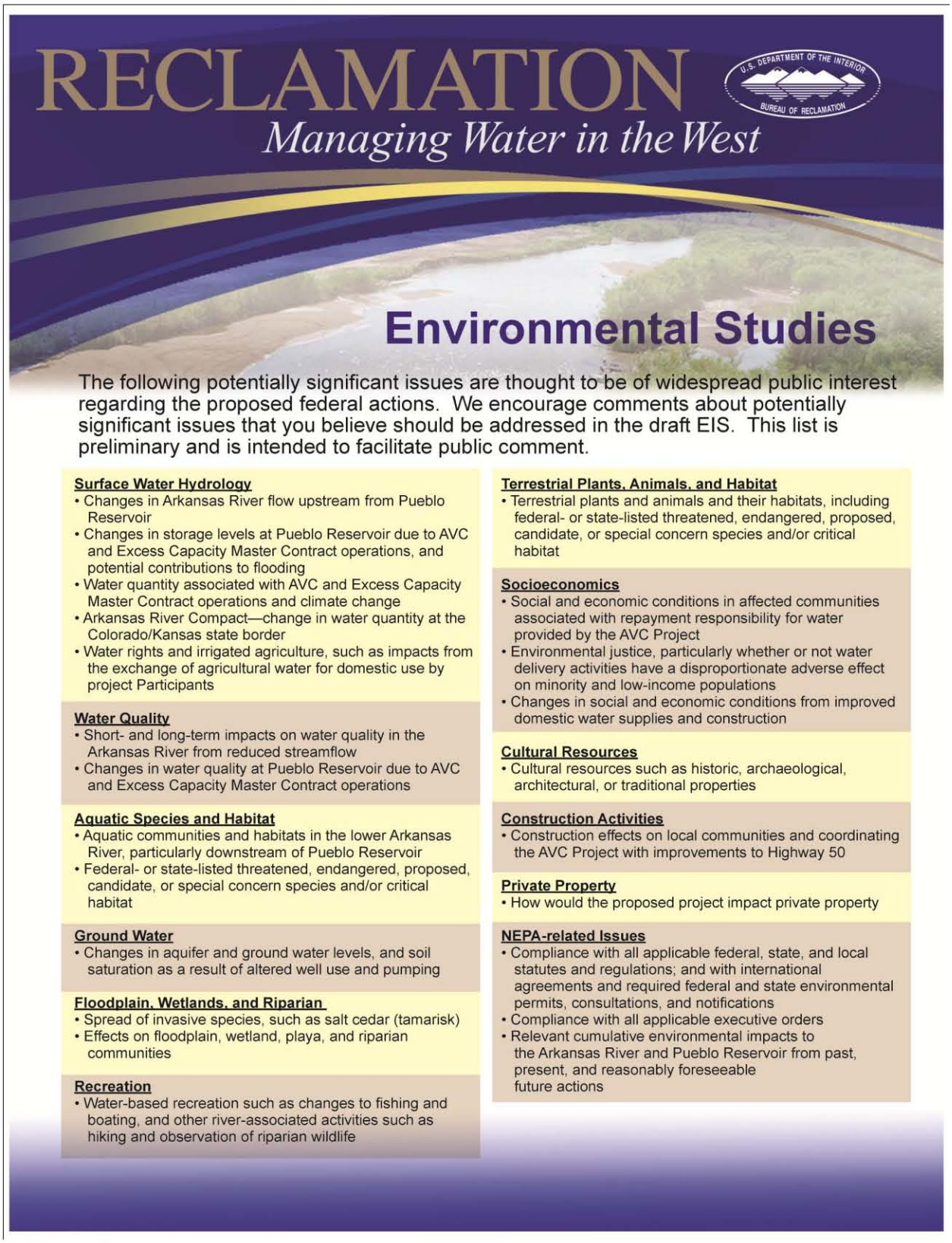
A formal No Action Alternative that uses this information will be developed as part of the NEPA analyses.

Long-term Excess Capacity Master Contract

No Master Contract (Status Quo)

Reclamation would issue short-term contracts to each water provider. NEPA review would be conducted every 5 years for each short-term contract.

Presentation Board – Public Scoping Meetings



Presentation Board – Public Scoping Meetings

RECLAMATION

Managing Water in the West

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

National Environmental Policy Act (NEPA)

What NEPA does:

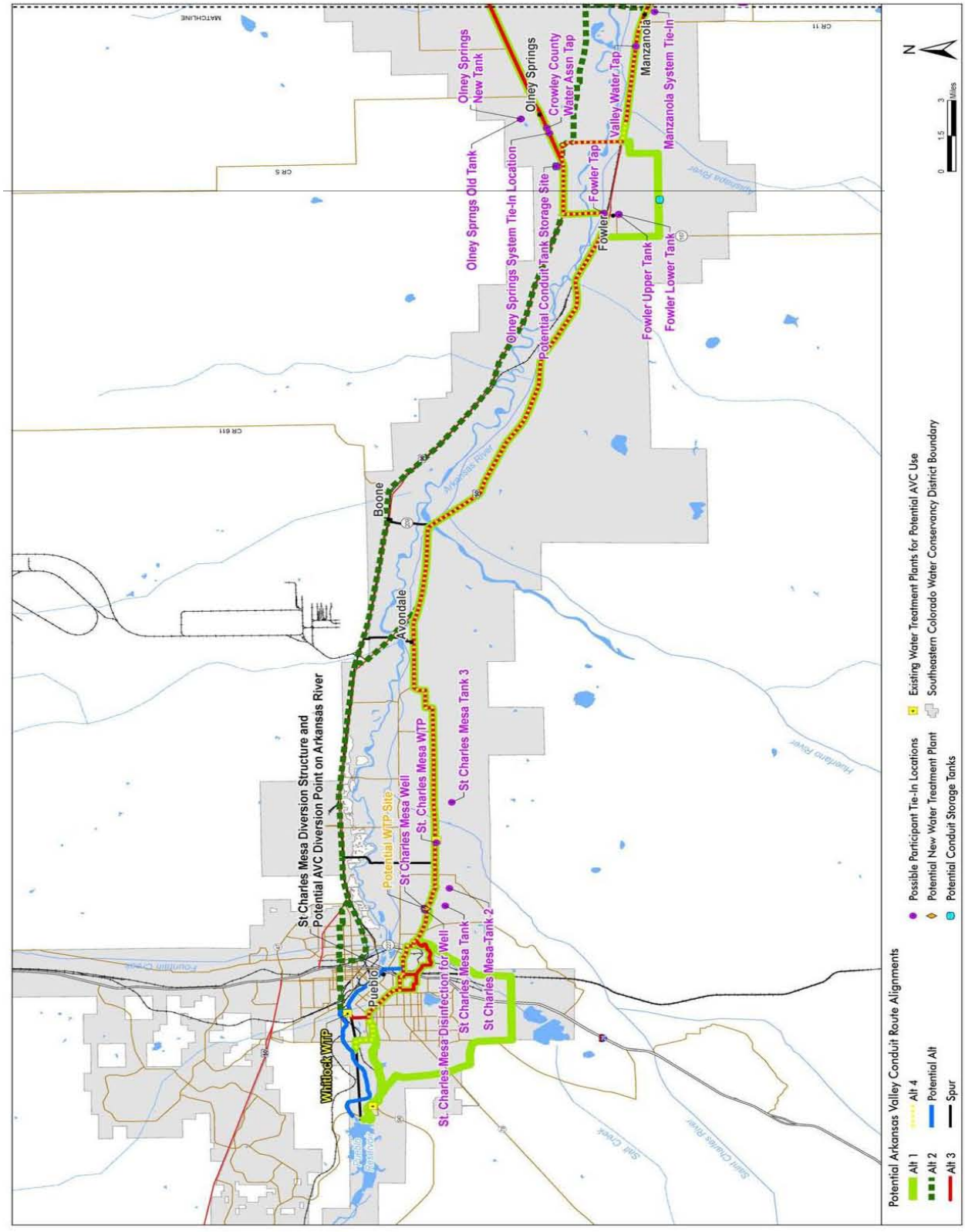
- Requires full disclosure about major actions taken by federal agencies and accompanying alternatives, impacts, and possible mitigation
- Requires that environmental concerns and impacts be evaluated during planning and decision making

What NEPA does NOT do:

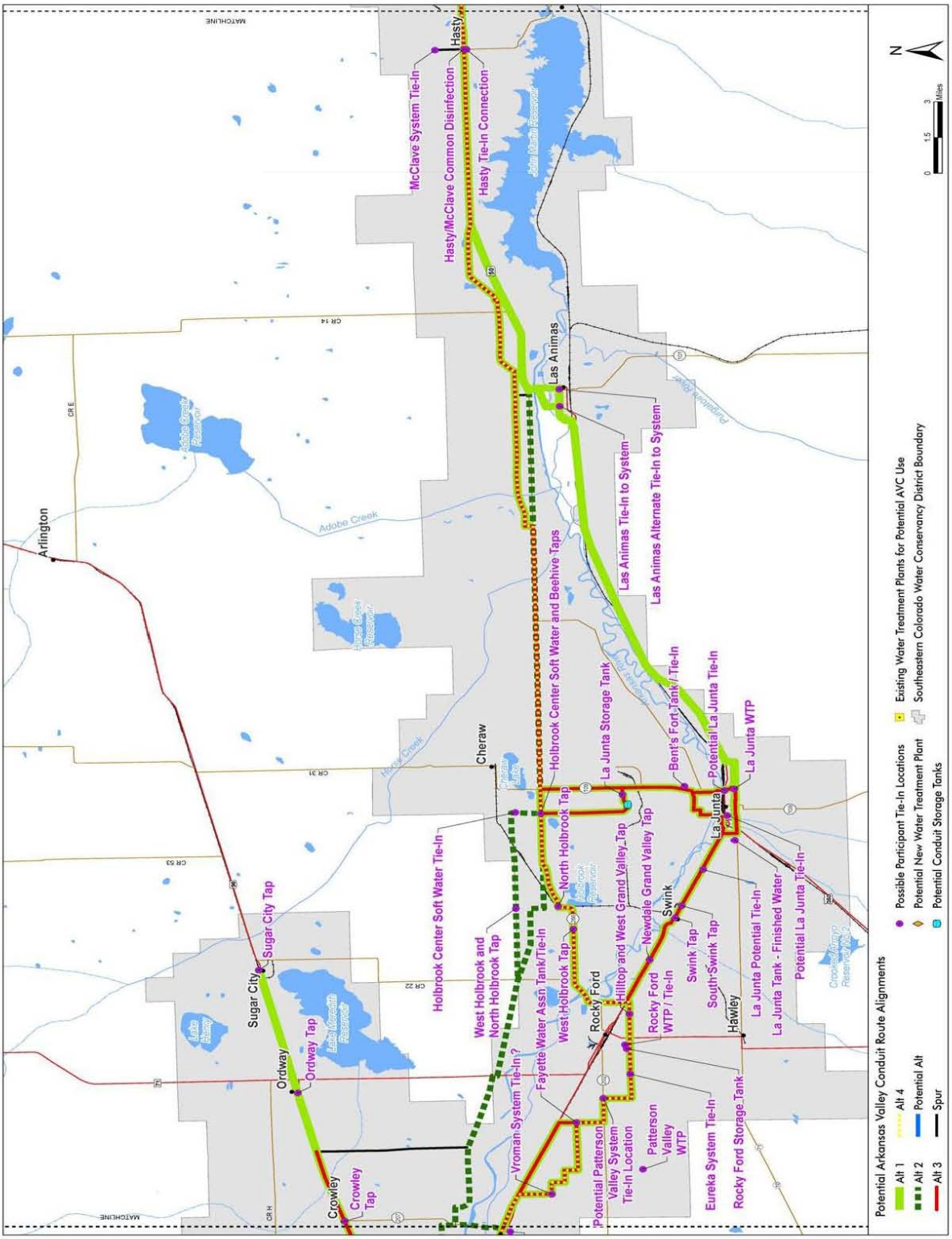
- Decide which alternative to choose
- Prevent environmental impacts from occurring
- Prohibit any actions
- Justify a predetermined action

Environmental Impact Statement Process (EIS)

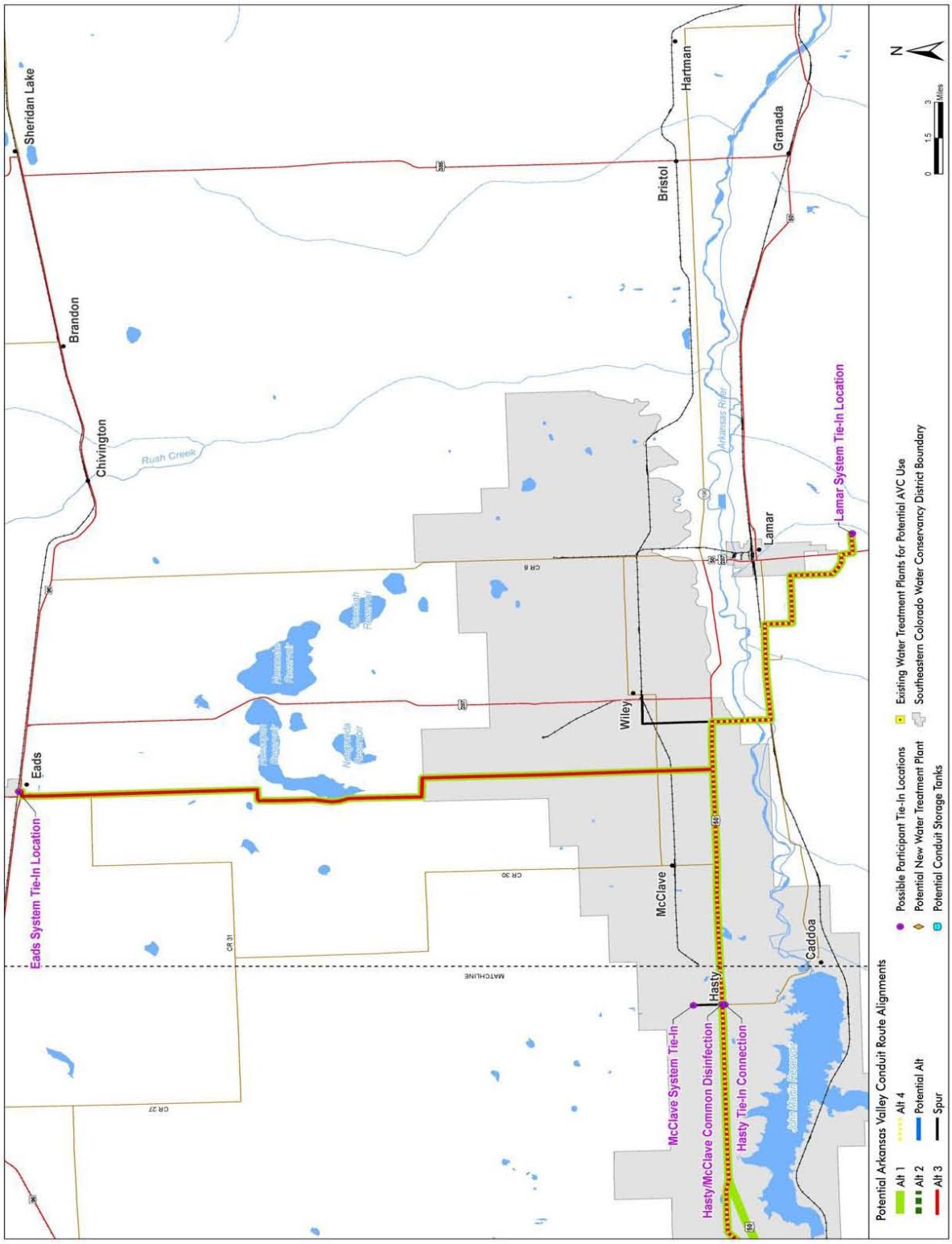
Presentation Board – Public Scoping Meetings



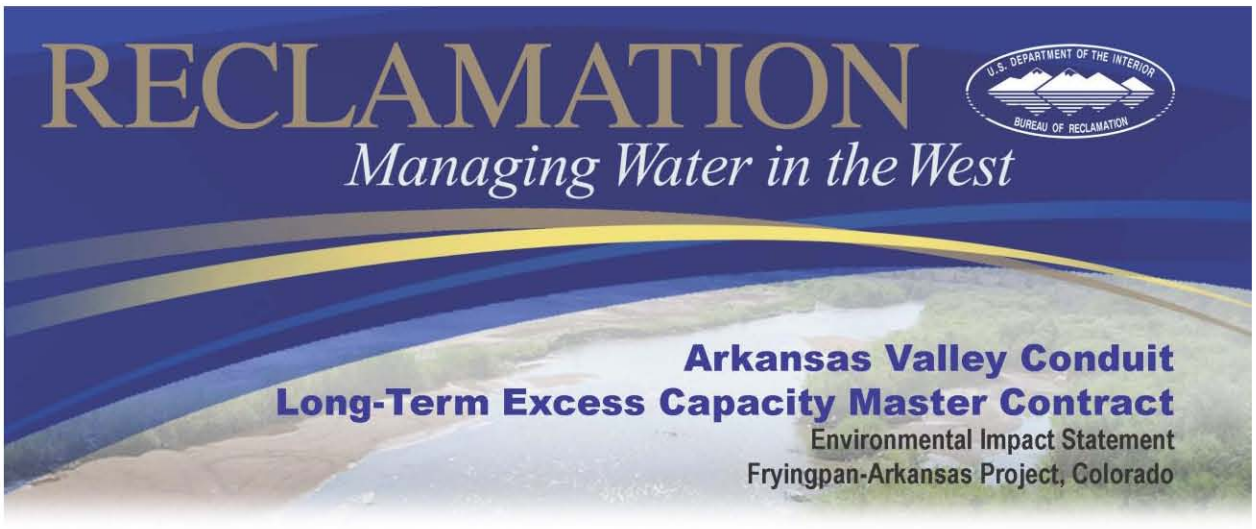
Presentation Board – Public Scoping Meetings



Presentation Board – Public Scoping Meetings



Presentation Board – Public Scoping Meetings



Consensus-Based Management

The Department of the Interior's regulations for implementing the National Environmental Policy Act (NEPA) require Reclamation to incorporate consensus-based management in the NEPA process where practicable. Consensus-based management involves outreach to persons, organizations, or communities who may be interested in, or affected by, a proposed action with an assurance that their input will be given consideration in selecting a course of action.

Reclamation will consider consensus-based alternative(s) submitted by interested parties or those affected by the proposed action. While there is no guarantee that any particular consensus-based alternative will satisfy the project's purpose and need or be identified as the proposed course of action, Reclamation will describe and evaluate any consensus-based alternative(s) during the NEPA compliance process.

Reclamation is providing informal community-based training for parties that have an interest in the process or feel they may be affected by the proposed action during the public scoping process. To be most effective, participating parties may want to discuss consensus-based management and alternatives with Reclamation staff early in the NEPA compliance process.

RECLAMATION

Managing Water in the West

Arkansas Valley Conduit
Long-Term Excess Capacity Master Contract
Environmental Impact Statement
Fryingpan-Arkansas Project, Colorado

Reclamation is preparing an environmental impact statement (EIS) to evaluate the effects associated with construction of the Arkansas Valley Conduit (AVC), an authorized feature of the Fryingpan-Arkansas (Fry-Ark) Project, and issuance of an Excess Capacity Master Contract (Master Contract) to the Southeastern Colorado Water Conservancy District (Southeastern).

Arkansas Valley Conduit

What is it?
The AVC is an authorized feature of the Fry-Ark Project that was never constructed. A new pipeline would be used to convey water about 135 miles from Pueblo Dam or a downstream diversion point to water providers in the lower Arkansas River basin.

Why is it needed?
The purpose of the AVC is to provide bulk water for municipal and domestic water use in the AVC service area. This water supply is needed to supplement or replace poor quality water and to meet a portion of the Participant's project water demands through 2070.

Who is participating?
Approximately 40 municipalities and water districts have expressed interest in the AVC Project. Southeastern has an administrative role in securing grants and loans for local funding, supporting legislation, working with project beneficiaries, and would be responsible for AVC project repayment.

Master Contract

What is it?
The Master Contract is being pursued by Southeastern to provide about 28,200 acre-feet of excess capacity storage space in Fry-Ark Project reservoirs for non-Fry-Ark Project water. The non-Fry-Ark project water stored in Fry-Ark reservoirs would be subject to spill priorities in accordance with the proposed contract between the United States and Southeastern.

Why is it needed?
The water stored in the Master Contract storage space would be used to meet existing and future municipal, domestic, industrial, and agricultural water demands throughout Southeastern's service area through 2060.

Who is participating?
The storage space would be used by 15 participating entities within Southeastern's service area boundaries in the Upper Arkansas basin, Lower Arkansas basin, and Fountain Creek basin, including AVC Participants.

Reclamation encourages submission of substantive comments. Substantive comments are specific in their criticism of analysis methods, identify new information or an issue, propose a new alternative, or explain how an alternative could be modified.

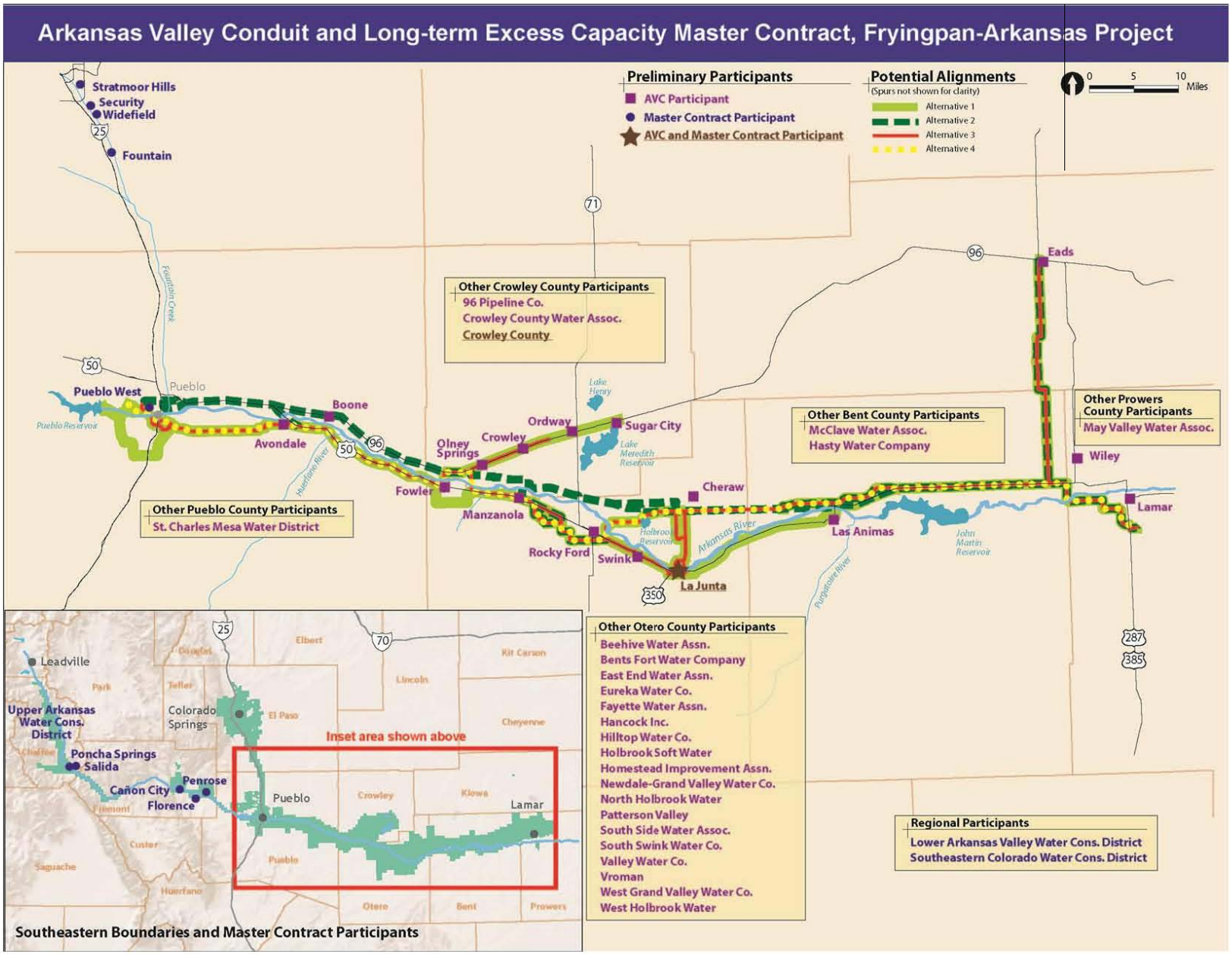
To ensure consideration in the EIS scoping process, please submit comments by September 13, 2010 to:

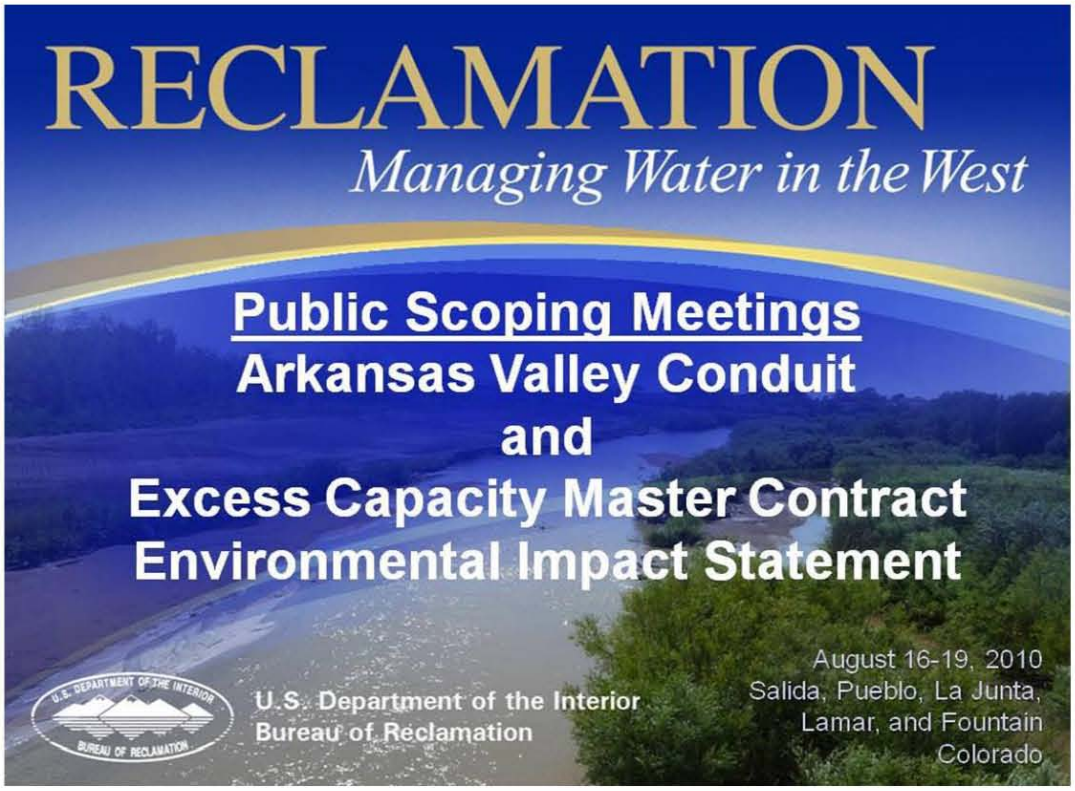
J. Signe Snortland, Bureau of Reclamation, Dakotas Area Office
P.O. Box 1017, Bismarck, ND 58502
Email: jsnortland@usbr.gov

Reclamation Welcomes All Comments

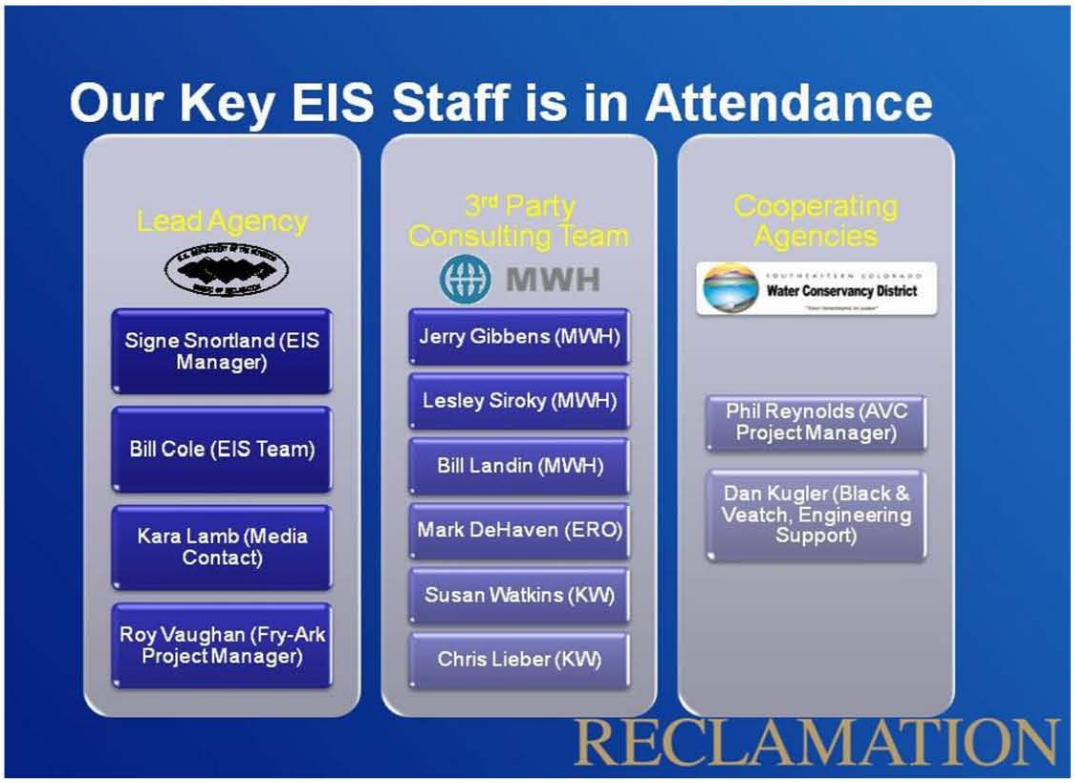
Handout – Public Scoping Meetings

Handout – Public Scoping Meetings

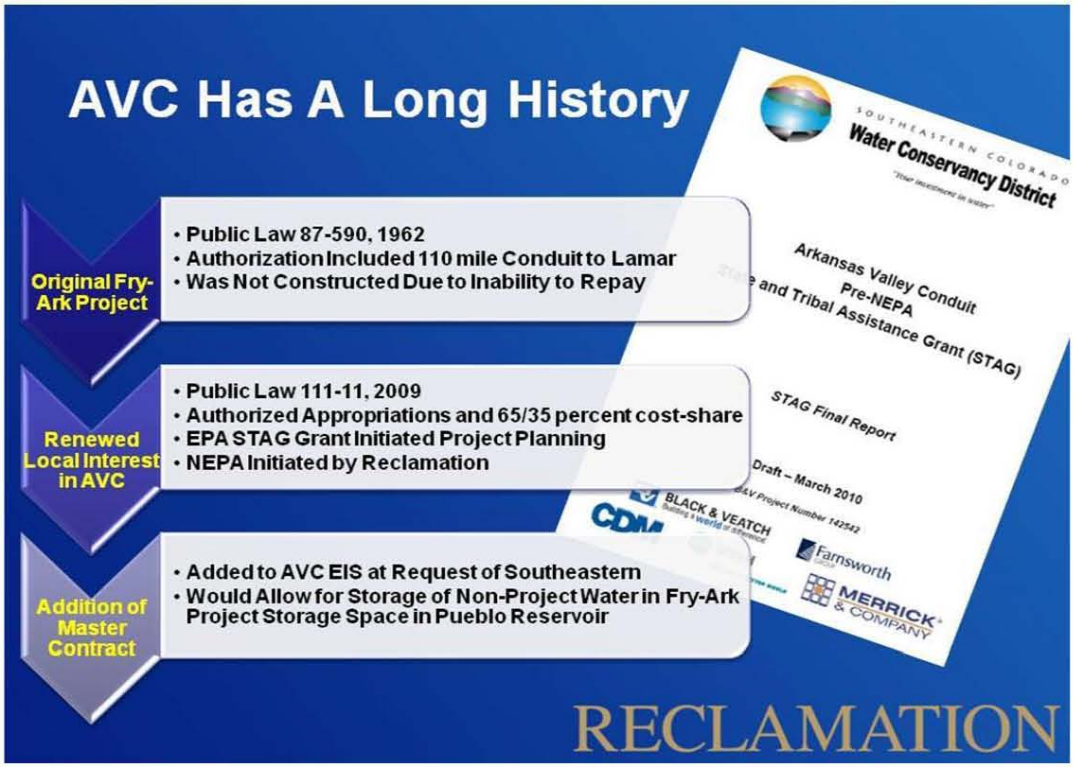




Presentation Slides – Public Scoping Meetings



Presentation Slides – Public Scoping Meetings



Presentation Slides – Public Scoping Meetings

The EIS Will Be Conducted Based On NEPA Framework

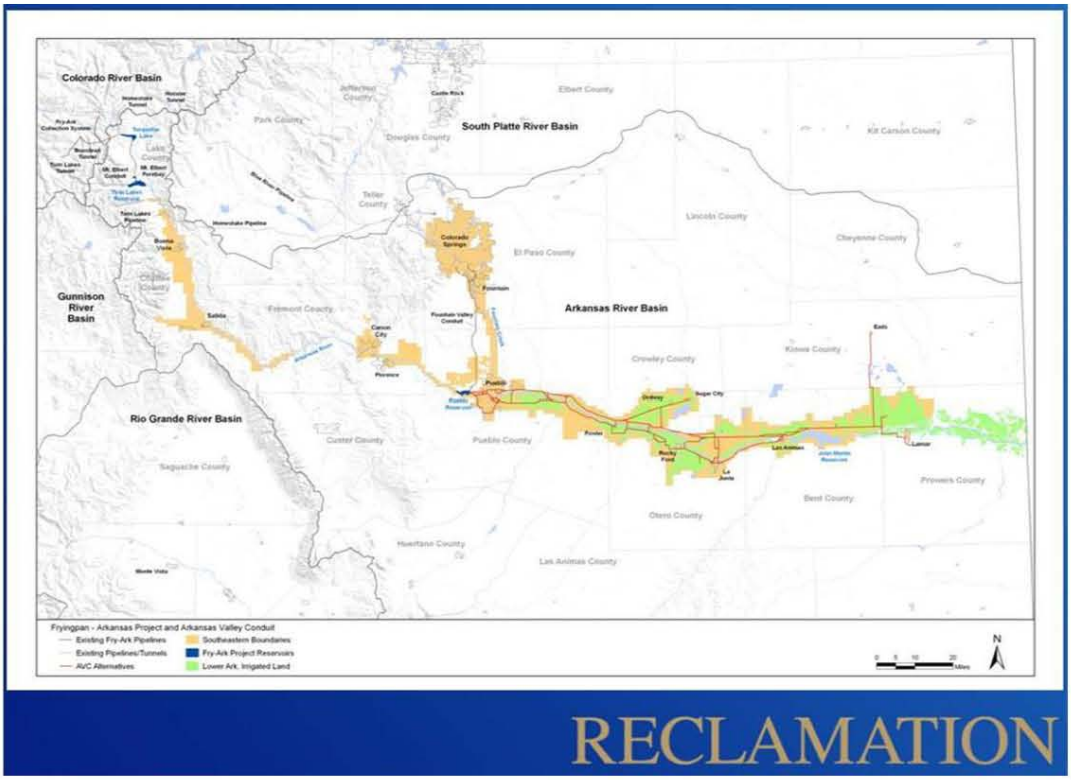
- NEPA Requirements
  - Disclose Environmental Effects of Federal Actions
  - Assess and Consider Environmental Effects in Decision Making
- Environmental Impact Statement (EIS)
  - Purpose and Need
  - Alternatives Analysis (Including No Action)
  - Analyze Full Range of Direct, Indirect and Cumulative Effects
  - Public Comment (Scoping , Draft EIS)

RECLAMATION

Fry-Ark Project Made AVC Possible

- Trans-mountain diversion, storage and delivery project
- Signed into Law 1962; constructed 1964-1982
- Major Features
  - Five Major Dams and Reservoirs
  - Western Slope Collection System and Boustead Tunnel
  - Mt. Elbert Pumped Storage Powerplant
- Operations
  - Historical Average Annual Boustead Tunnel Diversion 54,800 acre-feet/year
  - Provides Agricultural, Municipal and Industrial Water to
    - 12 counties
    - 200,000 acres of irrigated land
    - 650,000 people

RECLAMATION



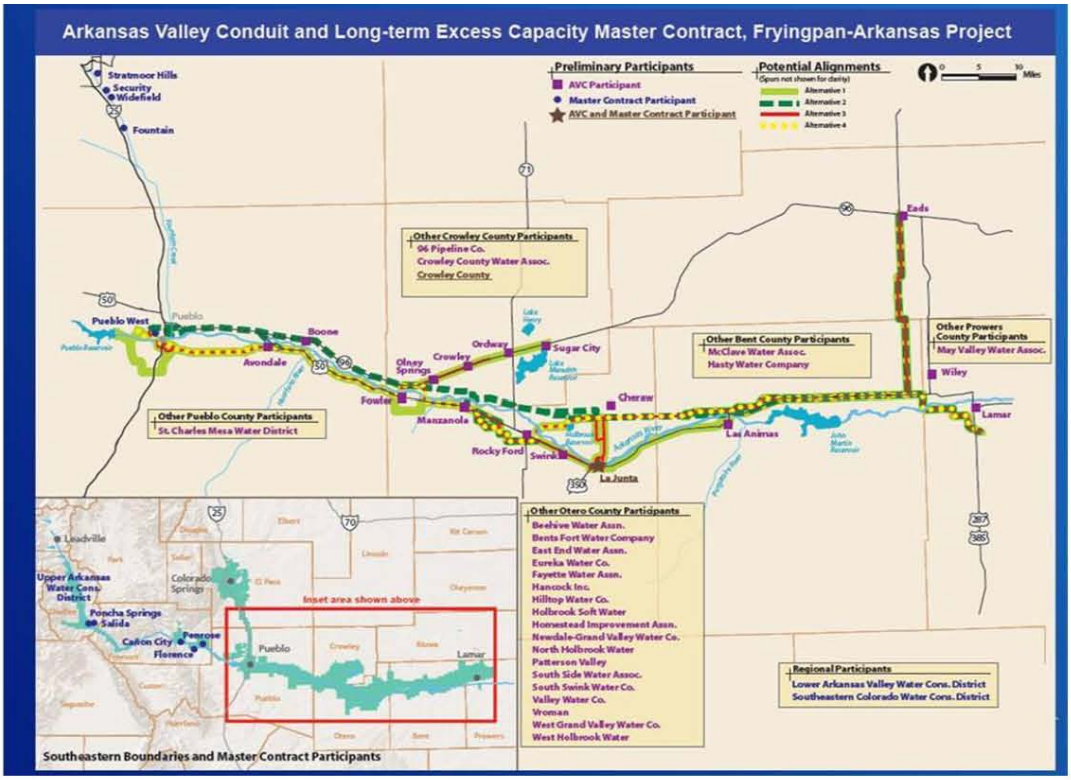
AVC Will Serve the Lower Arkansas Valley

- Municipal Water Supply Pipeline
- Pueblo Reservoir to Lamar, Spurs to Other Users
- 41 Participants (Municipalities and Water Districts)
- Mainline
  - 135 miles
  - 42-inch to 18-inch
- Spurs
  - 91 miles
  - 16-inch to 4-inch
- Capacity (TBD)
  - 14 mgd – 20 mgd
  - 22 cfs – 31 cfs
- Treatment
  - Filtration without Disinfection

mgd = million gallons per day
cfs = cubic feet per second

RECLAMATION

Presentation Slides – Public Scoping Meetings



What Communities Will be Served by AVC?

Participant	% of Annual Deliveries
Pueblo County	**27%**
Avondale	1.4%
Town of Boone	0.4%
St. Charles Mesa Water District	25.6%
Crowley County	**12%**
96 Pipeline Co.	0.2%
Crowley County Commissioners	4.1%
Crowley County Water Assoc.	4.3%
Town of Crowley	0.2%
Town of Olney Springs	0.7%
Town of Ordway	1.5%
Town of Sugar City	0.7%
Bent County	**7%**
Hasty Water Company	0.3%
City of Las Animas	6.6%
McClave Water Assoc.	0.5%
Prowers County	**16%**
City of Lamar	10.6%
May Valley Water Assoc.	5.4%
Town of Wiley	0.3%
Kiowa County	**2%**
Town of Eads	1.7%
Total	**100%**

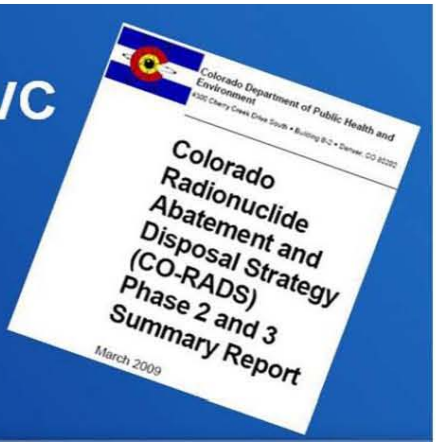
Participant	% of Annual Deliveries
Otero County	**35%**
Beehive Water Assn	0.1%
Bents Fort Water Co.	0.8%
Town of Cheraw	0.6%
East End Water Assn.	0.1%
Eureka Water Co.	1.0%
Fayette Water Assn.	0.2%
Town of Fowler	1.5%
Hancock Inc.	0.1%
Hilltop Water Co.	0.3%
Holbrook Center Soft Water	0.2%
Homestead Improvement Assn.	0.1%
City of La Junta	18.2%
Town of Manzanola	0.5%
Newdale-Grand Valley Water Co.	0.7%
North Holbrook Water	0.1%
Patterson Valley	0.2%
City of Rocky Ford	7.7%
South Side Water Assoc. (La Junta)	0.0%
South Swink Water Co.	1.1%
Town of Swink	0.5%
Valley Water Co.	0.5%
Vroman	0.4%
West Grand Valley Water Inc.	0.2%
West Holbrook Water	0.1%

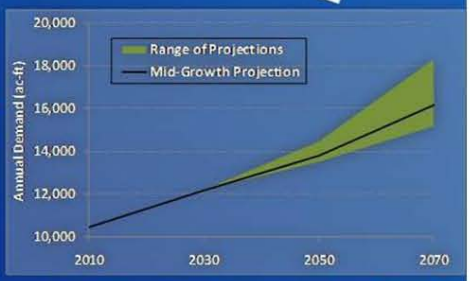
RECLAMATION

Presentation Slides – Public Scoping Meetings

Purpose and Need - AVC

- Replace Existing Poor Quality Supplies
  - 12 CDPHE Enforcement Actions (Radionuclides)
  - Remaining Participants Have Poor Quality Supplies
- Provide Supplemental Supplies for Future Demands
  - Additional Demand (af/yr)
    - 3,100 to 4,000 (2050)
    - 4,700 to 7,900 (2070)

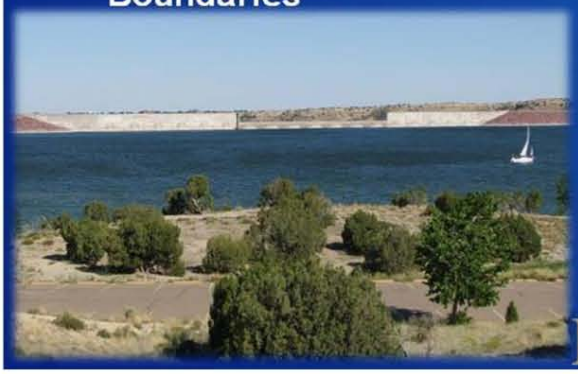




RECLAMATION

Master Contract Is About Storage

- Storage of Non-Project Water in Fry-Ark Project Storage Space
- Long-Term Master Agreement with Southeastern
- 15 Participants- All Use Within Southeastern Boundaries



RECLAMATION

Who Will the Master Contract Serve?

Participant	Annual Delivery (ac-ft)
Chaffee County	**3,200**
Poncha Springs	200
Salida	2,000
Upper Arkansas Water Cons. District *	1,000
Fremont County	**4,150**
Canon City	1,000
Florence	2,250
Penrose	900
Pueblo County	**5,000**
Pueblo West	5,000
El Paso County	**3,350**
Fountain	1,000
Security	1,500
Stratmoor Hills	200
Widefield	650
Otero County	**12,000**
La Junta	2,000
Lower Arkansas Valley Water Cons. District *	5,000
Southeastern Colorado Water Cons. District *	5,000
Crowley County	**500**
Crowley County	500
Total	**28,200**

* Service area includes more than one county. Use limited to portion of District within Southeastern boundaries.

RECLAMATION

Purpose and Need – Master Contract

- Meet Existing and Future Storage Needs
  - AVC
  - Municipal/Domestic
  - Well Augmentation
- Spill Priorities

Spill Order *	Storage Account
1	Entities Outside of District (Including Aurora)
2	If-and-When Storage
3	Winter Water (> 70,000 ac-ft)
4	Municipal non-Fry-Ark Project Water (including Master Contract)
5	Winter Water (< 70,000 ac-ft)
6	Native Arkansas River Basin Fry-Ark Project water

*First to spill is the first account in the list.

RECLAMATION

Alternatives Will Be Analyzed

Pipeline Alignments
- Routes through City of Pueblo
- Alternate Routes North and South of Arkansas River

Diversion Locations
- Pueblo Dam
- Arkansas River Below Pueblo Dam

Water Treatment Plant Locations/Treatment Levels
- Contracting with Board of Water Works of Pueblo
- New Water Treatment Plant

Various Water Supplies
- Fry-Ark Allocations/Return Flows
- Agriculture (Ditch Shares, Leases)

Storage of non-Project Water in Fry-Ark Space (Master Contract)

RECLAMATION

What If No Action Is Taken?

- Represents "Future Without Project"
- AVC
  - STAG Participant Survey

STAG Option	Number of Responses
Do Nothing, Continue Current Water Operations	18
Purchase other supplies	7
Construct a New or Additional Water Delivery System	4
Construct a New or Additional Water Treatment System	9
Regionalization	7
Haul Water	1
Individual Treatment at Tap	5
No Response	7

(Some Participants Had Multiple Responses)

  - CoRADS Study
- Master Contract
  - No Master Contract (Status Quo)

RECLAMATION

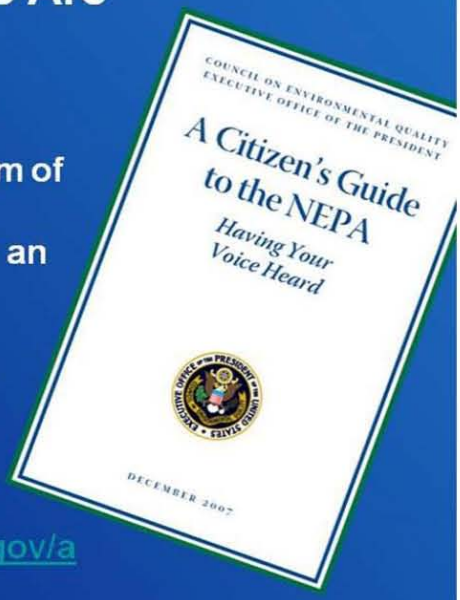
Presentation Slides – Public Scoping Meetings

Substantive Issues and Comments Will Be Evaluated Over the Next Two Years

RECLAMATION

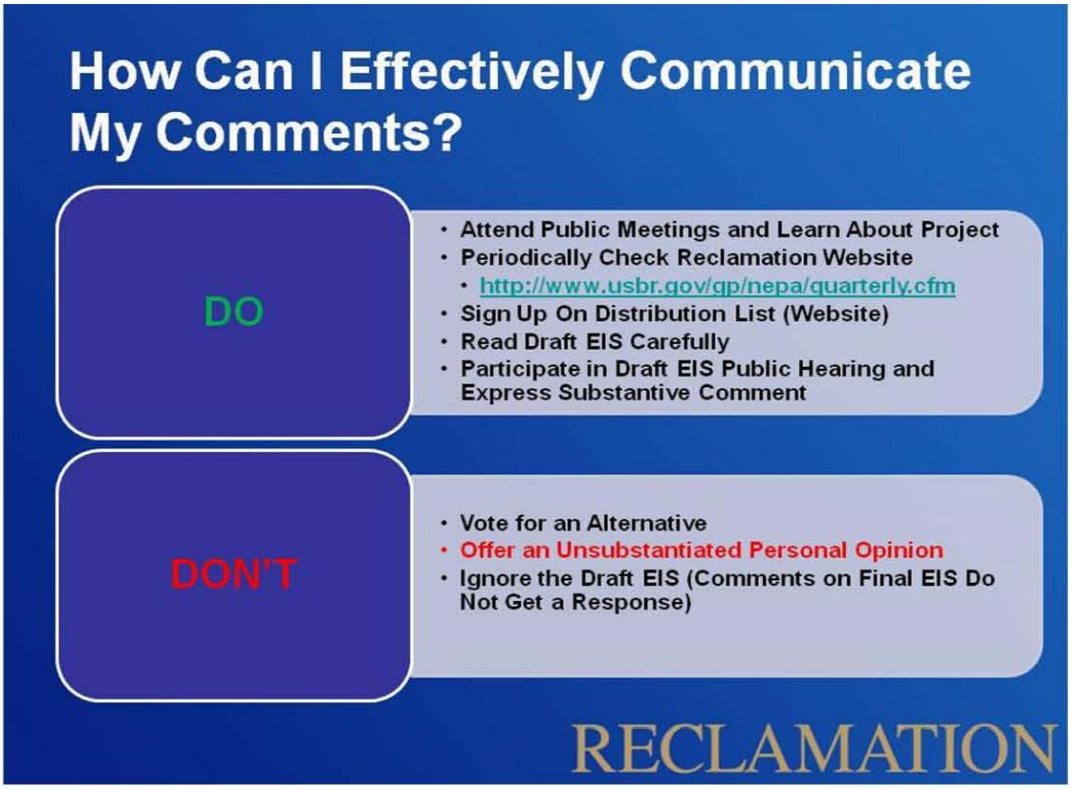
Your Specific Comments Are Encouraged

- Substantive Comments:
  - are specific in their criticism of analysis methods,
  - identify new information or an Issue,
  - raise a new alternative, or
  - explain how an alternative could be modified
- Resource - Council For Environmental Quality (CEQ)
  - http://www.whitehouse.gov/administration/eop/ceq/



RECLAMATION

Presentation Slides – Public Scoping Meetings



Presentation Slides – Public Scoping Meetings

Appendix F

Cooperating Agency Scoping Meeting Letter and Presentation

United States Department of the Interior

BUREAU OF RECLAMATION
Eastern Colorado Area Office
11056 W. County Road 18E
Loveland, Colorado 80537-9711

TAKE PRIDE IN AMERICA

ENV-6.00
DK-5000

Interested Party

Subject: Arkansas Valley Conduit and Long-term Excess Capacity Master Contract, Fryingpan-Arkansas Project, Colorado

Dear Ladies and Gentlemen:

Enclosed is a Notice of Intent announcing that the U.S. Department of the Interior, Bureau of Reclamation is preparing a draft environmental impact statement (draft EIS). It was published in the *Federal Register* on July 30, 2010. This draft EIS will analyze effects associated with construction of the Arkansas Valley Conduit, a proposed feature of the Fryingpan-Arkansas (Fry-Ark) Project, and issuance of an Excess Capacity Master Contract to Southeastern Colorado Water Conservancy District.

The proposed Federal action is to construct a pipeline to provide treated water to the service area in southeastern Colorado. Towns in the service area need to construct new or improved water treatment systems, supplement their current water supply, and/or purchase other water supplies to replace poor quality water. Some also need more water to meet demands of a growing population. The proposed Federal action associated with the Excess Capacity Master Contract is to issue a long-term contract to Southeastern Colorado Water Conservancy District for storage of non-Fry-Ark Project water in Pueblo Reservoir and in other features of the Fry-Ark Project. The water would be used by several water providers within Southeastern Colorado Water Conservancy District's boundaries.

Your participation is welcome at scoping meetings, which will be held in Colorado as follows:

- Monday, August 16, 6:30 – 8:30, Salida Community Center, 305 F Street, Salida
- Tuesday, August 17, 6:30 – 8:30, Koshare Indian Museum, 115 West 18th Street, La Junta
- Wednesday, August 18, Lamar Community Center, 610 South 6th Street, Lamar
- Thursday, August 19, 1:00 - 3:00 p.m, Lorraine Education & Community Center, 301 E. Iowa Ave, Fountain, CO
- Thursday, August 19, 6:30 – 8:30, Southeastern Colorado Water Conservancy District, 31717 United Avenue, Pueblo

Comments and input received at these meetings will be used to determine the range of alternatives to be evaluated and significant issues to be addressed in the draft EIS. If you cannot

Cooperating Agency Scoping Meeting Letter

attend one of the meetings, you may provide written comments for consideration. Written comments should be sent by September 13, 2010, to be most effective and be submitted to: Bureau of Reclamation, Dakotas Area Office, Attention: J. Signe Snortland, P.O. Box 1017, Bismarck, ND 58502.

If you have any questions, please feel free to contact J. Signe Snortland, Bureau of Reclamation, at 701-221-1278.

Sincerely,

Michael P. Collins
Area Manager

Enclosure

Cooperating Agency Scoping Meeting Letter

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Arkansas Valley Conduit (AVC) and Long-Term Excess Capacity Master Contract, Fryingpan-Arkansas Project (Fry-Ark Project) Colorado

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare a draft Environmental Impact Statement (EIS).

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality's (CEQ) regulations for implementing the procedural provisions of NEPA, the Bureau of Reclamation (Reclamation) proposes to prepare a draft EIS that analyzes effects associated with construction of the AVC, a proposed feature of the Fryingpan-Arkansas (Fry-Ark) Project, and the issuance of an Excess Capacity Master Contract to Southeastern Colorado Water Conservancy District (Southeastern). The proposed Federal action is to construct the pipeline to provide treated water to the service area in southeastern Colorado. Towns in the service area need to construct new or improved water treatment systems, supplement their current water supply, and/or purchase other water supplies to replace poor quality water. Some also need more water to meet demands of a growing population. The proposed Federal action associated with the Excess Capacity Master Contract is to issue a long-term contract to Southeastern for storage of non-Fry-Ark Project water in Pueblo Reservoir, a feature of the Fry-Ark Project. The water would be used by several water providers within Southeastern's boundaries.

DATES: Written or e-mailed comments will be accepted through September 13, 2010. Public scoping meetings will be held in August 2010. See the Supplemental Information section for dates and locations of these meetings.

ADDRESSES: Written comments and requests to be added to the mailing list may be submitted to Bureau of Reclamation, Dakotas Area Office, Attention: J. Signe Snortland, P.O. Box 1017, Bismarck, ND 58502.

FOR FURTHER INFORMATION CONTACT: J. Signe Snortland, telephone (701) 221–1278; facsimile (701) 250–4326. You may submit comments, requests, and/or other information by e-mail to *jsnortland@usbr.gov*.

SUPPLEMENTARY INFORMATION:

Dates of Public Scoping Meetings

- August 16, 2010, 6:30 p.m.–8 p.m., Salida, CO
- August 17, 2010, 6:30 p.m.–8 p.m., La Junta, CO
- August 18, 2010, 6:30 p.m.–8 p.m., Lamar, CO
- August 19, 2010, 1 p.m.–3 p.m., Fountain, CO
- August 19, 2010, 6:30 p.m.–8 p.m., Pueblo, CO

Locations of Public Scoping Meetings

- Salida Community Center—305 F Street, Salida, CO 81201
- Koshare Indian Museum—115 West 18th Street, La Junta, CO 81050–3302
- Lamar Community Center—610 South 6th Street, Lamar, CO 81052
- Lorraine Education and Community Center—301 E. Iowa Avenue, Fountain, CO 80817
- Southeastern Colorado Water Conservancy District—31717 United Avenue, Pueblo, CO 81001

Meeting facilities are accessible to people with disabilities. People needing special assistance to attend and/or participate should contact Kara Lamb at (970) 962–4326, Bureau of Reclamation, Eastern Colorado Area Office, as soon as possible. To allow sufficient time to process special requests, please call no later than one week before the public meeting of interest.

Background Information

The AVC, an authorized feature of the Fry-Ark Project, would transport water about 135 miles east from Pueblo Dam along the lower Arkansas River to near Lamar, Colorado. It was not constructed after Fry-Ark was authorized primarily because of the inability of project beneficiaries to repay allocated construction costs. On March 30, 2009, however, the Omnibus Public Land Management Act of 2009 (Pub. L. 111–11) amended the original Fry-Ark authorization. Public Law 111–11 authorized annual appropriations as necessary for construction of the AVC, and included a cost sharing plan. Construction costs would be paid from Federal appropriations, with 65 percent non-reimbursable and 35 percent reimbursable from other sources. These other sources include crediting revenues from Fry-Ark Project excess capacity and exchange contracts and payments from the local beneficiaries if the AVC would be completed. Approximately 40 municipalities or water districts have expressed interest in participating in the AVC Project.

Recently, water users in the Lower Arkansas Valley have expressed renewed interest in the AVC due to higher water treatment costs because of poor groundwater quality and changes to the Safe Drinking Water Act. The Colorado Water Conservation Board and State Legislature approved a $60.6 million loan to meet part of the local share of AVC Project cost. In 2009, the Environmental Protection Agency awarded Southeastern a State and Tribal Assistance Grant to begin project planning. Southeastern, a cooperating agency for the draft EIS, has assumed an administrative role, including securing grants and loans for local funding, supporting legislation, and working with project beneficiaries.

The proposed Excess Capacity Master Contract is being pursued by Southeastern to provide about 28,200 acre-feet of excess capacity storage in Pueblo Reservoir for entities within its boundaries in the Upper Arkansas basin, Lower Arkansas basin, and Fountain Creek basin, including AVC participants. This excess capacity storage space would be available for use by participating entities. Non-Fry-Ark Project water stored in Fry-Ark reservoirs would be subject to spill priorities in accordance with a proposed contract between the United States and Southeastern.

Reclamation has scheduled five scoping meetings to determine potentially significant issues, alternatives, and impacts to be considered in the draft EIS. Through these meetings, Reclamation is inviting agencies, tribes, non-governmental organizations, and the public to participate in an open exchange of information and to provide comments on the proposed scope of the EIS.

Preliminary Identification of Relevant Environmental Issues

Reclamation invites you to comment on the following potentially significant issues thought to be of widespread public interest about the proposed Federal action. We encourage comments about other potentially significant issues that you believe should be addressed in the draft EIS. This list is preliminary and is intended to facilitate public comment.

- Short-term and long-term impacts on water quality in the Arkansas River from reduced stream flow
- Changes in storage levels and water quality at Pueblo Reservoir due to AVC and Excess Capacity Master Contract operations and potential contributions to flooding
- Relevant cumulative environmental impacts to the Arkansas River and Pueblo Reservoir from past, present, and reasonably foreseeable future actions

Cooperating Agency Scoping Meeting Letter - Attachment

- Water quantity associated with AVC and Excess Capacity Master Contract operations and climate change
- Arkansas River Compact, change in water quantity at the Colorado/Kansas state border
- Aquatic communities and habitats in the lower Arkansas River, particularly downstream of Pueblo Reservoir
- Changes in Arkansas River flow upstream from Pueblo Reservoir
- Changes in aquifer and groundwater levels and soil saturation as a result of altered well use and pumping
- Water-based recreation, such as changes to fishing and boating and other river-associated activities, such as hiking and observation of riparian wildlife
- Water rights and irrigated agriculture, such as impacts from exchange of agricultural water for domestic use by project participants
- Spread of invasive species, such as salt cedar (tamarisk) growth
- Floodplain, wetland, playa, and riparian communities
- Aquatic and terrestrial plants and animals and their habitats, including species that are federally or State-listed as threatened or endangered, proposed, candidate, or of special concern and/or critical habitat
- Social and economic conditions in affected communities associated with repayment responsibility for water provided by the AVC
- Environmental justice, particularly whether or not water delivery activities have a disproportionate adverse effect on minority and low-income populations
- Changes in social and economic conditions from improved domestic water supplies and construction
- Cultural resources such as historic, archaeological, architectural, or traditional properties
- Construction effects on local communities and coordinating the AVC Project with improvements to Highway 50
- Private property: how would the proposed project impact private property
- Compliance with all applicable Federal, State, and local statutes and regulations and with international agreements and required Federal and State environmental permits, consultations, and notifications
- Compliance with all applicable executive orders

Preliminary Alternatives

As required by Council on Environmental Quality (CEQ) implementing regulations (40 CFR 1502.2[e]), a range of reasonable alternatives will be evaluated in detail in the EIS. These alternatives will include No Action and may include alternatives such as development of alternative project configurations, water supplies, and types of water treatment. A preferred alternative has not been identified yet.

Public Disclosure Statement

To assist Reclamation in determining issues related to the proposed Federal action, comments made during formal scoping and later on the draft EIS should be as specific as possible. It is very important that those interested in this proposed Federal action participate by the close of the scoping period so that substantive comments are made available to Reclamation at a time when the agency can meaningfully consider and respond to them.

If you wish to comment, you may mail or e-mail your comments as indicated under the Addresses section. Before including your name, address, phone number, e-mail address, or any other personal identifying information in your comment, you should be aware that your entire comment (including your personal identifying information) may be made available to the public at any time. While you can request in your comment for us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: July 27, 2010.

Robert Quint,

Acting Deputy Commissioner-Operations, Bureau of Reclamation.

[FR Doc. 2010–18779 Filed 7–29–10; 8:45 am]

BILLING CODE 4310–MN–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCO921000–L13200000–EL0000, COC–74235]

Notice of Invitation To Participate; Exploration for Coal in Colorado; License Application COC–74235

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: All interested parties are hereby invited to participate with Bowie Resources, LLC, on a pro rata cost-sharing basis, in a program for the exploration of coal deposits owned by the United States of America in lands located in Delta County, Colorado.

DATES: Any party electing to participate in this exploration program must send written notice to Bowie Resources, LLC and the Bureau of Land Management (BLM) as provided in the **ADDRESSES** section below by August 30, 2010 or 10 calendar days after the last publication of this notice in the *Delta County Independent* newspaper, whichever is later. This notice will be published once a week for two consecutive weeks in the *Delta County Independent*, Paonia, Colorado.

ADDRESSES: The exploration plan, as submitted by Bowie Resources, LLC is available for review in the BLM, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215 and the BLM, Uncompahgre Field Office, 2505 S. Townsend Avenue, Montrose, Colorado 81401 during normal business hours (9 a.m. to 4 p.m.), Monday through Friday. Any party electing to participate in this exploration program shall notify the BLM State Director, in writing, at the BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215 and Bowie Resources, LLC, Attn: Art Etter, P.O. Box 483, Paonia, Colorado 81428. The written notice must include a justification for participation and any recommended changes in the exploration plan with specific reasons for such changes.

FOR FURTHER INFORMATION CONTACT: Kurt M. Barton at 303–239–3714, *Kurt_Barton@blm.gov;* or Desty Dyer at 970–240–5302, *Desty_Dyer@blm.gov.*

SUPPLEMENTARY INFORMATION: The authority for the notice is section 2(b) of the Mineral Leasing Act of 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976 and the regulations adopted as 43 CFR part 3410. The purpose of the exploration program is to gain additional geologic knowledge of the coal underlying the exploration area for the purpose of assessing the reserves contained in a potential lease. The Federal coal resources are located in Delta County, Colorado.

T. 12 S., R. 91 W., 6th P.M.,
Sec. 29, S1/2;
Sec. 31, Lots 12 to 26, inclusive;
Sec. 32, All;
Sec. 33, W1/2NW1/4.
T. 12 S., R. 92 W., 6th P.M.
Sec. 36, S1/2.
T. 13 S., R. 91 W., 6th P.M.
Sec. 5, Lot 3, inclusive, N1/2SW1/4, and SW1/4SW1/4.

These lands contain 2,200 acres, more or less.

The proposed exploration program will be conducted pursuant to an exploration plan to be approved by the BLM. The plan may be modified to

Cooperating Agency Scoping Meeting Letter - Attachment

RECLAMATION

Managing Water in the West

Cooperating Agency Meeting
Arkansas Valley Conduit
and
Excess Capacity Master Contract
Environmental Impact Statement

U.S. Department of the Interior
Bureau of Reclamation

August 17, 2010
Pueblo, Colorado

Welcome!

- Plan for the Meeting
  - Open House
  - Presentation by Reclamation
  - Questions and Responses

RECLAMATION

Presentation Slides – Cooperating Agency Scoping Meeting

Purpose of Our Meeting

- Provide Introductions to the EIS Team and Other Cooperating Agencies
- Learn About the Proposed Projects
  - AVC
  - Master Contract
- Learn About Resource Issues
- Provide Comments to EIS Team (Now or Later)

RECLAMATION

Key EIS Staff in Attendance

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

- J. Signe Snortland (EIS Manager)
- Bill Cole (EIS Team)
- Nell McPhillips (EIS Team)
- Kara Lamb (Media Contact)
- Roy Vaughan (Fry-Ark Project Manager)

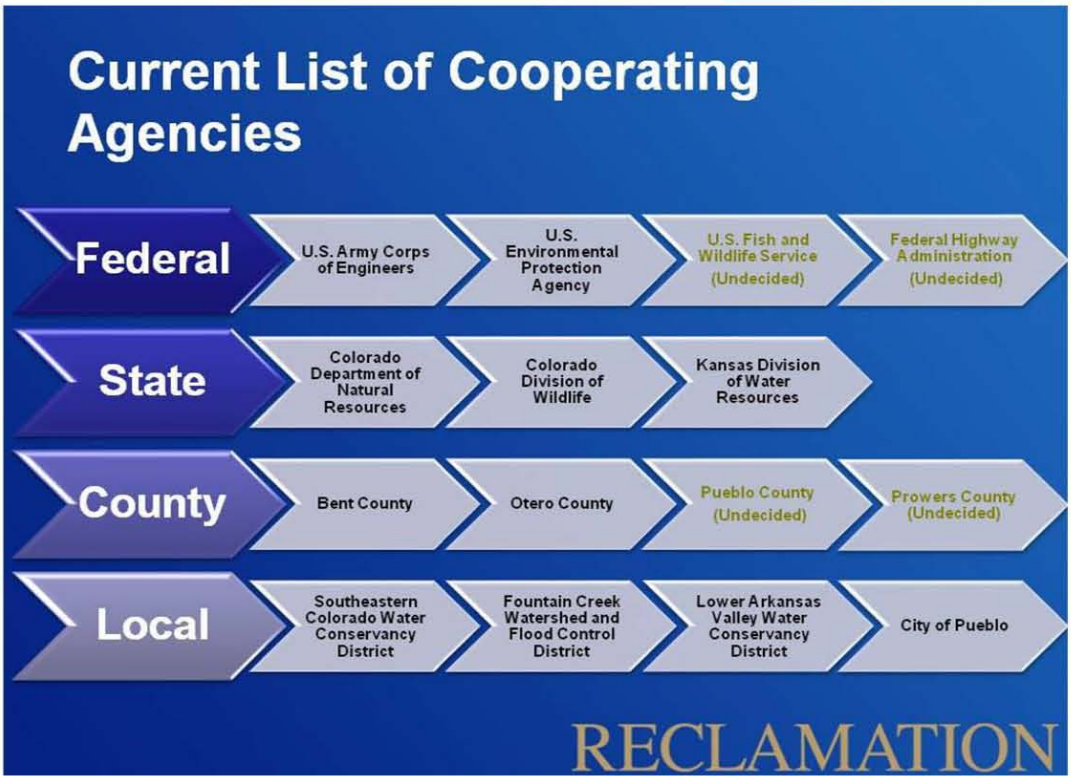
Consulting Team

- Jerry Gibbens (MWH)
- Lesley Siroky (MWH)
- Bill Landin (MWH)
- Chris Michalos (MWH)
- Chip Paulson (MWH)
- Don Conklin (GEI)
- Mark DeHaven (ERO)
- Susan Watkins (KW)
- Chris Lieber (KW)

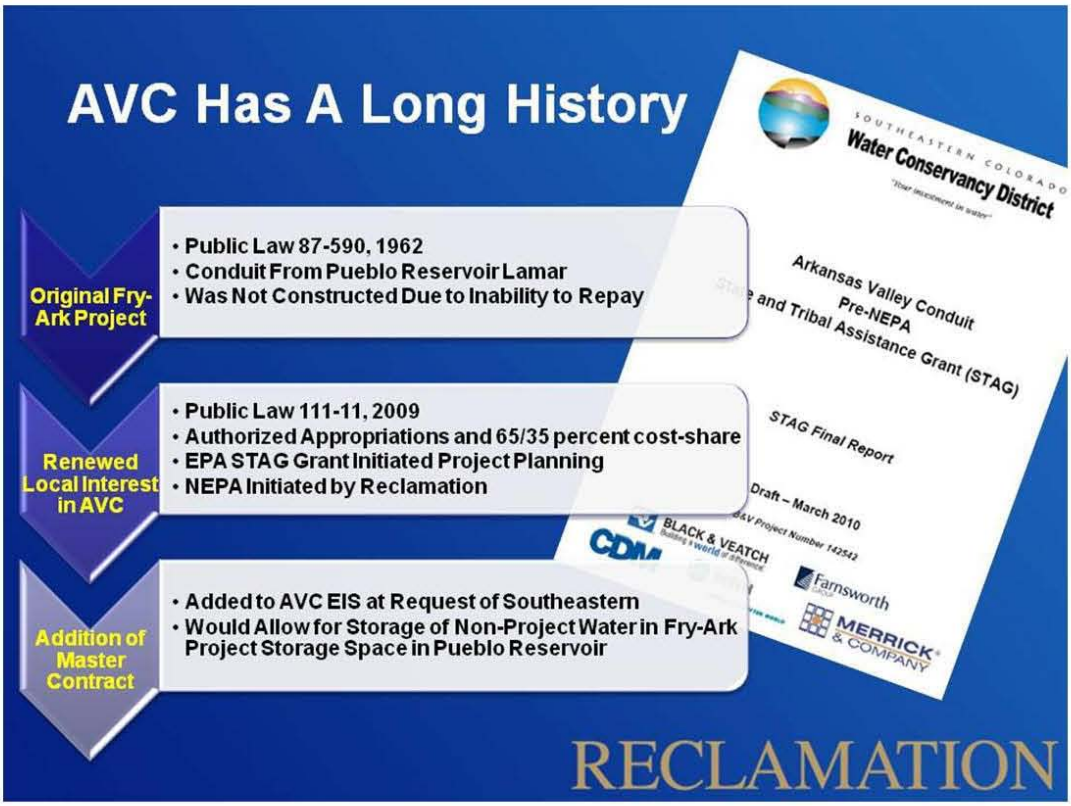
SOUTHEASTERN COLORADO
Water Conservancy District

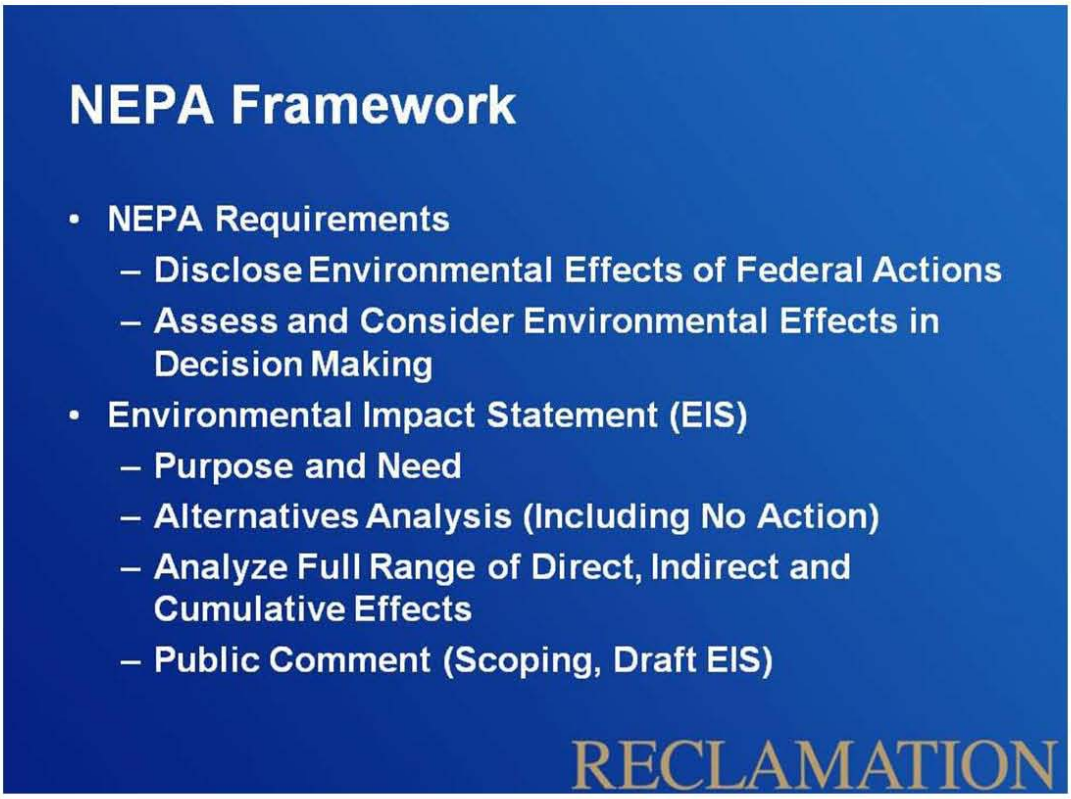
- Phil Reynolds (AVC Project Manager)
- Dan Kugler (Black & Veatch, Engineering Support)

RECLAMATION



Presentation Slides – Cooperating Agency Scoping Meeting

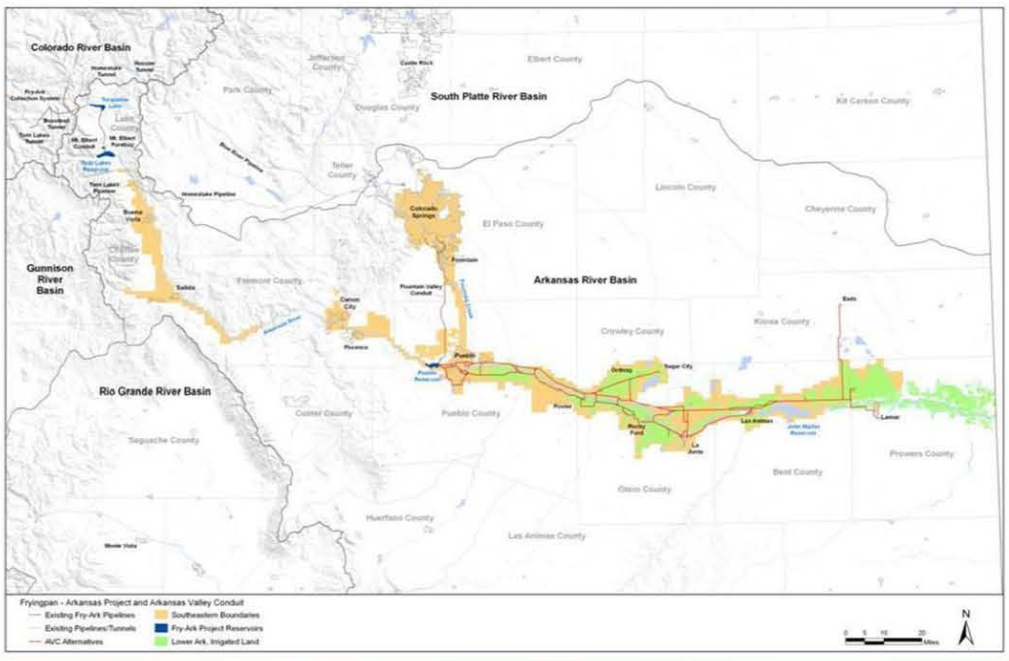

AVC Has A Long History
Original Fry-Ark Project
• Public Law 87-590, 1962
• Conduit From Pueblo Reservoir Lamar
• Was Not Constructed Due to Inability to Repay
Renewed Local Interest in AVC
• Public Law 111-11, 2009
• Authorized Appropriations and 65/35 percent cost-share
• EPA STAG Grant Initiated Project Planning
• NEPA Initiated by Reclamation
Addition of Master Contract
• Added to AVC EIS at Request of Southeastern
• Would Allow for Storage of Non-Project Water in Fry-Ark Project Storage Space in Pueblo Reservoir
Southeastern Colorado Water Conservancy District
Arkansas Valley Conduit
Pre-NEPA
and Tribal Assistance Grant (STAG)
STAG Final Report
Draft – March 2010
BLACK & VEATCH
CDM
Farnsworth
MERRICK & COMPANY
RECLAMATION


NEPA Framework
• NEPA Requirements
– Disclose Environmental Effects of Federal Actions
– Assess and Consider Environmental Effects in Decision Making
• Environmental Impact Statement (EIS)
– Purpose and Need
– Alternatives Analysis (Including No Action)
– Analyze Full Range of Direct, Indirect and Cumulative Effects
– Public Comment (Scoping, Draft EIS)
RECLAMATION

Fry-Ark Project Made AVC Possible

- Trans-mountain Diversion, Storage and Delivery Project
- Signed Into Law 1962; Constructed 1964-1982
- Major Features
  - Five Major Dams and Reservoirs
  - Western Slope Collection System and Boustead Tunnel
  - Mt. Elbert Pumped Storage Powerplant
- Operations
  - Historical Average Annual Boustead Tunnel Diversion 54,800 Acre-feet/Year
  - Provides Agricultural, Municipal and Industrial Water to
    - 12 Counties
    - 200,000 Acres of Irrigated Land
    - 650,000 People

RECLAMATION



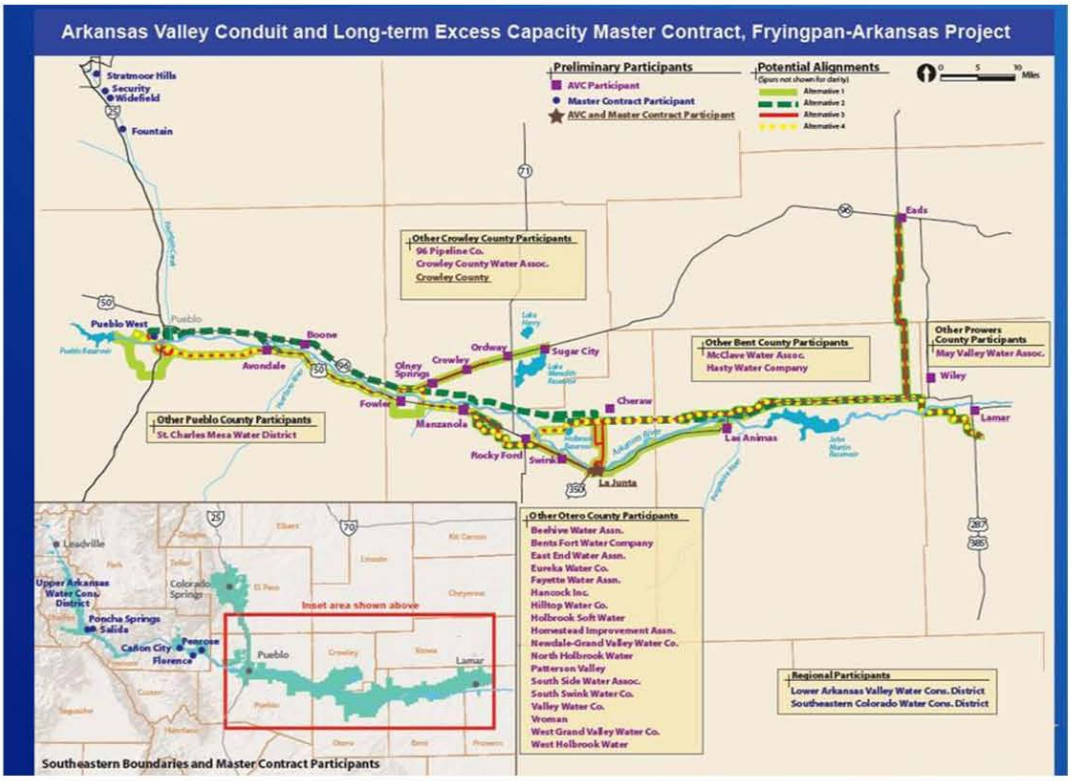
RECLAMATION

AVC Will Serve the Lower Arkansas Valley

- Municipal Water Supply Pipeline
- Pueblo Reservoir to Lamar, Spurs to Other Users
- 41 Participants (Municipalities and Water Districts)
- Mainline
  - 135 miles
  - 42-inch to 18-inch
- Spurs
  - 91 miles
  - 16-inch to 4-inch
- Capacity (TBD)
  - 14 mgd – 20 mgd
  - 22 cfs – 31 cfs
- Treatment
  - Filtration without Disinfection

mgd = million gallons per day
cfs = cubic feet per second

RECLAMATION



What Communities Will be Served by AVC?

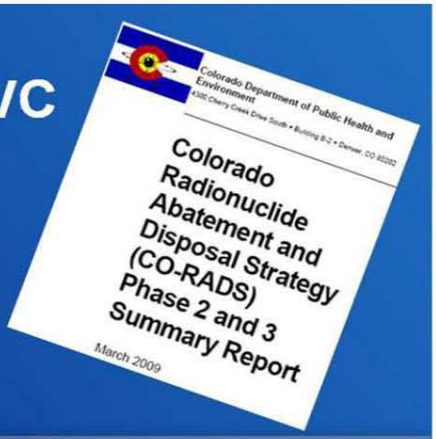
Participant	% of Annual Deliveries
Pueblo County	**27%**
Avondale	1.4%
Town of Boone	0.4%
St. Charles Mesa Water District	25.6%
Crowley County	**12%**
96 Pipeline Co.	0.2%
Crowley County Commissioners	4.1%
Crowley County Water Assoc.	4.3%
Town of Crowley	0.2%
Town of Olney Springs	0.7%
Town of Ordway	1.5%
Town of Sugar City	0.7%
Bent County	**7%**
Hasty Water Company	0.3%
City of Las Animas	6.6%
McClave Water Assoc.	0.5%
Prowers County	**16%**
City of Lamar	10.6%
May Valley Water Assoc.	5.4%
Town of Wiley	0.3%
Kiowa County	**2%**
Town of Eads	1.7%
Total	**100%**

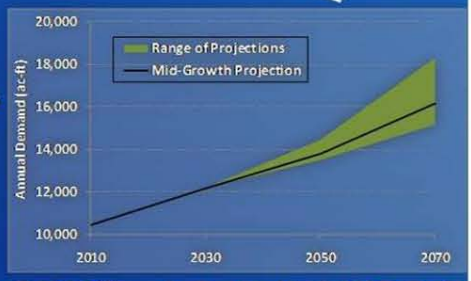
Participant	% of Annual Deliveries
Otero County	**35%**
Beehive Water Assn	0.1%
Bents Fort Water Co.	0.8%
Town of Cheraw	0.6%
East End Water Assn.	0.1%
Eureka Water Co.	1.0%
Fayette Water Assn.	0.2%
Town of Fowler	1.5%
Hancock Inc.	0.1%
Hilltop Water Co.	0.3%
Holbrook Center Soft Water	0.2%
Homestead Improvement Assn.	0.1%
City of La Junta	18.2%
Town of Manzanola	0.5%
Newdale-Grand Valley Water Co.	0.7%
North Holbrook Water	0.1%
Patterson Valley	0.2%
City of Rocky Ford	7.7%
South Side Water Assoc. (La Junta)	0.0%
South Swink Water Co.	1.1%
Town of Swink	0.5%
Valley Water Co.	0.5%
Vroman	0.4%
West Grand Valley Water Inc.	0.2%
West Holbrook Water	0.1%

RECLAMATION

Purpose and Need - AVC

- Replace Existing Poor Quality Supplies
  - 12 CDPHE Enforcement Actions (Radionuclides)
  - Remaining Participants Have Poor Quality Supplies
- Provide Supplemental Supplies for Future Demands
  - Additional Demand (af/yr)
    - 3,100 to 4,000 (2050)
    - 4,700 to 7,900 (2070)



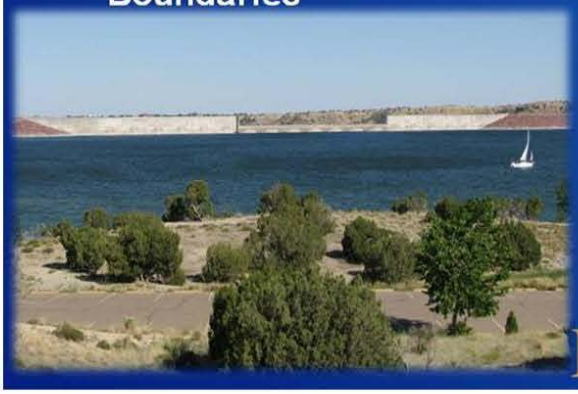


RECLAMATION

Presentation Slides – Cooperating Agency Scoping Meeting

Master Contract Is About Storage

- Storage of Non-Project Water in Fry-Ark Project Storage Space
- Long-Term Master Contract with Southeastern
- 15 Participants- All Use Within Southeastern Boundaries



RECLAMATION

Who Will the Master Contract Serve?

Participant	Annual Delivery (ac-ft)
Chaffee County	**3,200**
Poncha Springs	200
Salida	2,000
Upper Arkansas Water Cons. District *	1,000
Fremont County	**4,150**
Canon City	1,000
Florence	2,250
Penrose	900
Pueblo County	**5,000**
Pueblo West	5,000
El Paso County	**3,350**
Fountain	1,000
Security	1,500
Stratmoor Hills	200
Widefield	650
Otero County	**12,000**
La Junta	2,000
Lower Arkansas Valley Water Cons. District *	5,000
Southeastern Colorado Water Cons. District *	5,000
Crowley County	**500**
Crowley County	500
Total	**28,200**

* Service area includes more than one county. Use limited to portion of District within Southeastern boundaries.

RECLAMATION

Purpose and Need – Master Contract

- Meet Existing and Future Storage Needs
  - AVC
  - Municipal/Domestic
  - Well Augmentation
- Spill Priorities

Spill Order *	Storage Account
1	Entities Outside of District (Including Aurora)
2	If-and-When Storage
3	Winter Water (> 70,000 ac-ft)
4	Municipal non-Fry-Ark Project Water (including Master Contract)
5	Winter Water (< 70,000 ac-ft)
6	Native Arkansas River Basin Fry-Ark Project water

*First to spill is the first account in the list.

RECLAMATION

Alternatives Will Be Analyzed

Pipeline Alignments
- Routes through City of Pueblo
- Alternate Routes North and South of Arkansas River

Diversion Locations
- Pueblo Dam
- Arkansas River Below Pueblo Dam

Water Treatment Plant Locations/Treatment Levels
- Contracting with Board of Water Works of Pueblo
- New Water Treatment Plant

Various Water Supplies
- Fry-Ark Allocations/Return Flows
- Agriculture (Ditch Shares, Leases)

Storage of non-Project Water in Fry-Ark Space (Master Contract)

RECLAMATION

What If No Action Is Taken?

- Represents "Future Without Project"
- AVC
  - STAG Pre-NEPA Participant Survey

STAG Option	Number of Responses
Do Nothing, Continue Current Water Operations	18
Purchase other supplies	7
Construct a New or Additional Water Delivery System	4
Construct a New or Additional Water Treatment System	9
Regionalization	7
Haul Water	1
Individual Treatment at Tap	5
No Response	7

(Some Participants Had Multiple Responses)

  - CoRADS Study
- Master Contract
  - No Master Contract (Status Quo)

RECLAMATION

There May Be Water-Based Issues

Surface Water Hydrology
- Changes in Streamflow, Reservoir Contents
- Effects of Climate Change
- Streamflow at State Line (Arkansas River Compact)
- Changes in Water Use (Agricultural to Municipal)

Water Quality
- Changes in Water Quality (Streamflow and Reservoirs)
- Changes in Drinking Water Quality

Effects on **Aquatic Species** Habitat (including Threatened & Endangered Species)

Changes in **Groundwater/Aquifer** Levels

Geomorphology, Floodplain, wetlands and riparian communities
- Spread of Invasive Species

Effects on **Water-Based Recreation**

RECLAMATION

Water-Based Focus: Surface Water Hydrology

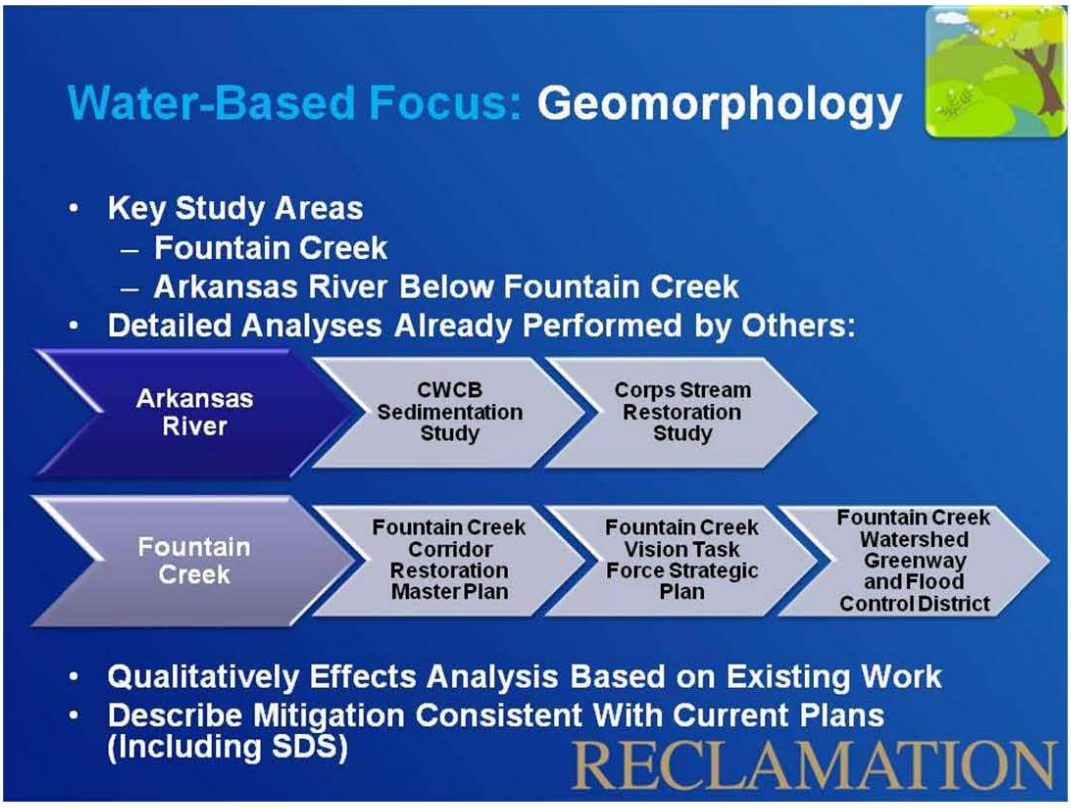
- Study Area
  - Arkansas River – Leadville to Kansas
  - Fountain Creek – Fountain to Confluence
  - Other Tributaries (To Be Determined)
- Model - Hybrid Monthly/Daily Model
  - Fry-Ark/AVC Operations Monthly (1950-2009)
  - Daily Streamflow (Selected Years)
  - Historical Hydrology, Future Demands/Operations
- Output – Operations (Yield), Streamflow and Storage
- Qualitative Climate Change Analysis

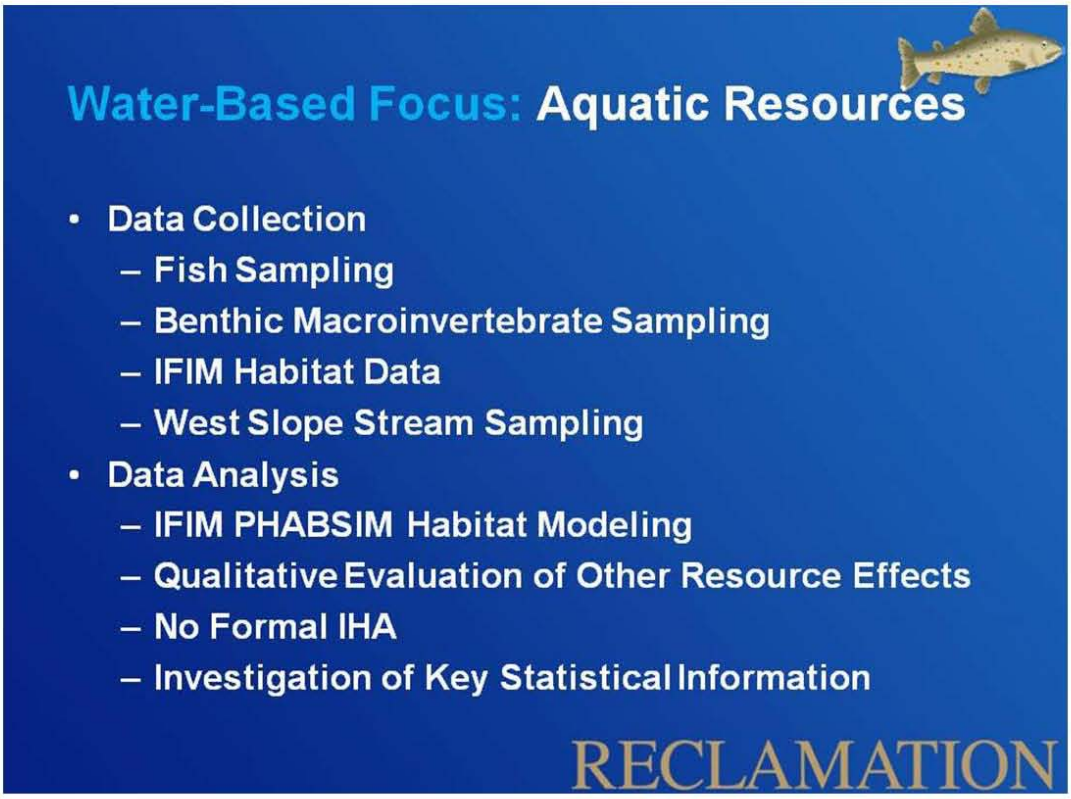
RECLAMATION

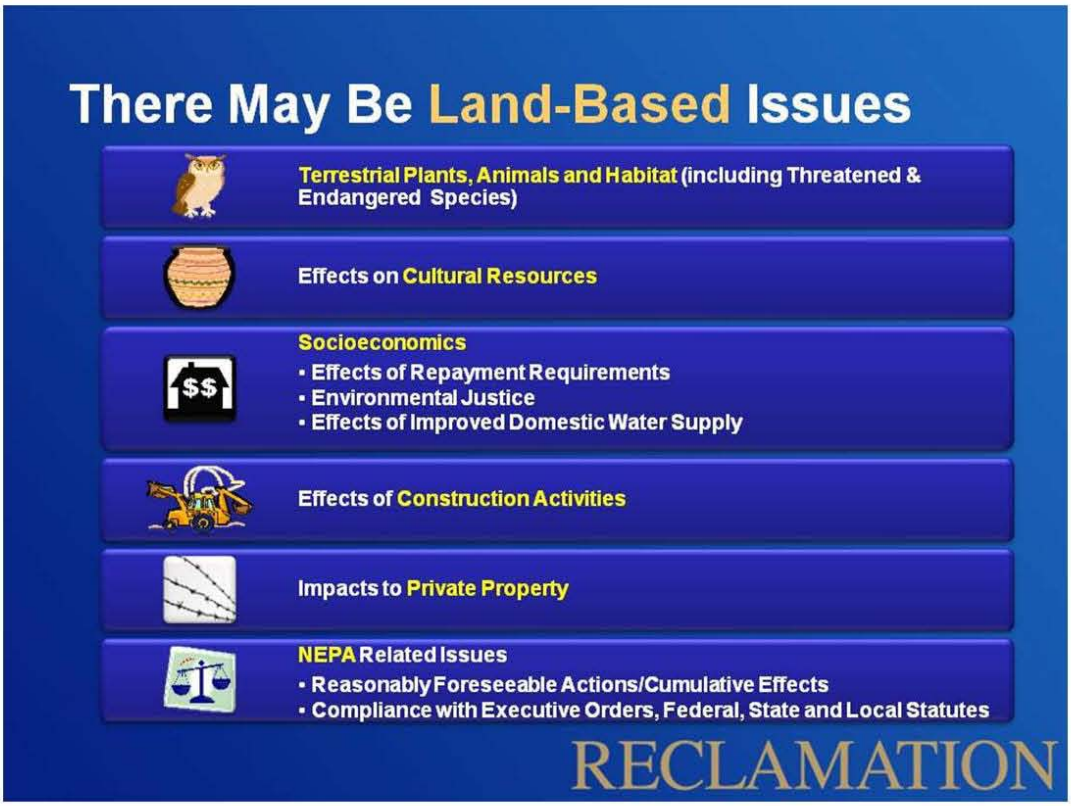
Water-Based Focus: Water Quality

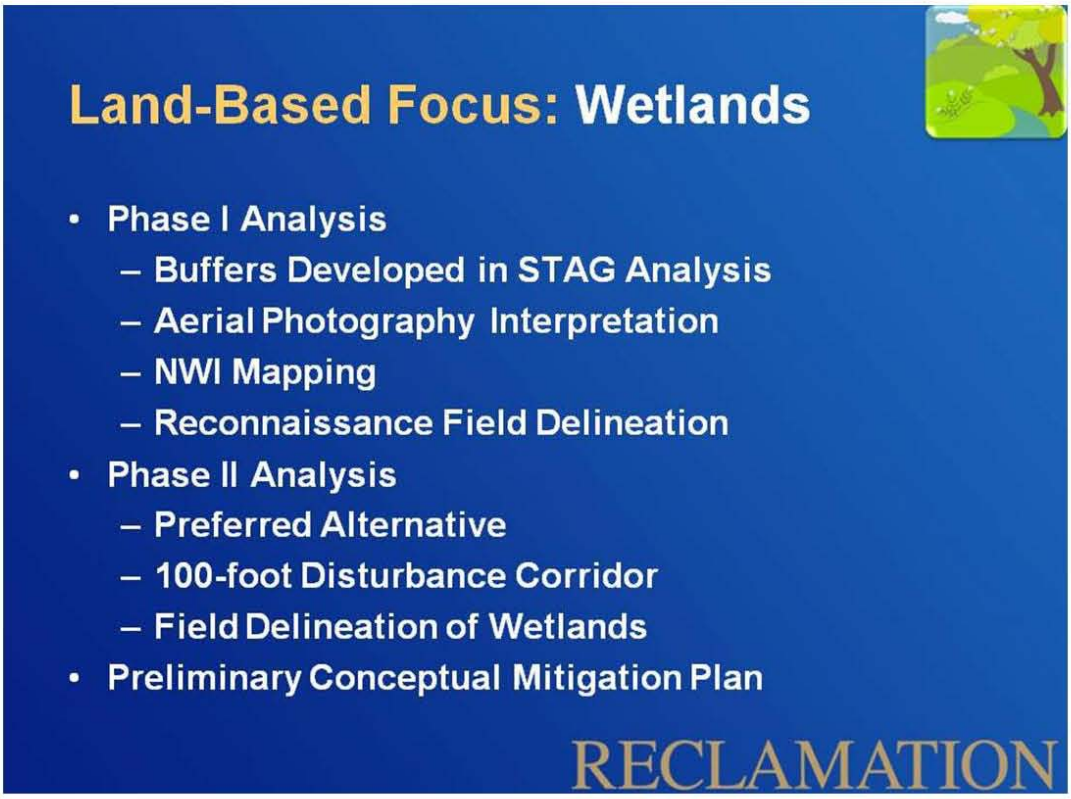
- Study Area – Same as SW Hydrology
- Analytical Analyses
  - Water Quality Assessment for Permitted Dischargers
  - Pueblo Reservoir CEQUAL-W2 Model (USGS)
  - Salinity Mass-Balance Model
  - Salinity Regression to Other Dissolved Constituents (e.g., selenium)
  - Crop Yield Model (Colorado State University)
  - All Flows Mass Balance Model
    - Selenium
    - E. Coli

RECLAMATION


Water-Based Focus: Geomorphology
• Key Study Areas
– Fountain Creek
– Arkansas River Below Fountain Creek
• Detailed Analyses Already Performed by Others:
Arkansas River
CWCB Sedimentation Study
Corps Stream Restoration Study
Fountain Creek
Fountain Creek Corridor Restoration Master Plan
Fountain Creek Vision Task Force Strategic Plan
Fountain Creek Watershed Greenway and Flood Control District
• Qualitatively Effects Analysis Based on Existing Work
• Describe Mitigation Consistent With Current Plans (Including SDS)
RECLAMATION


Water-Based Focus: Aquatic Resources
• Data Collection
– Fish Sampling
– Benthic Macroinvertebrate Sampling
– IFIM Habitat Data
– West Slope Stream Sampling
• Data Analysis
– IFIM PHABSIM Habitat Modeling
– Qualitative Evaluation of Other Resource Effects
– No Formal IHA
– Investigation of Key Statistical Information
RECLAMATION


There May Be Land-Based Issues
Terrestrial Plants, Animals and Habitat (including Threatened & Endangered Species)
Effects on Cultural Resources
Socioeconomics
• Effects of Repayment Requirements
• Environmental Justice
• Effects of Improved Domestic Water Supply
$$
Effects of Construction Activities
Impacts to Private Property
NEPA Related Issues
• Reasonably Foreseeable Actions/Cumulative Effects
• Compliance with Executive Orders, Federal, State and Local Statutes
RECLAMATION


Land-Based Focus: Wetlands
• Phase I Analysis
– Buffers Developed in STAG Analysis
– Aerial Photography Interpretation
– NWI Mapping
– Reconnaissance Field Delineation
• Phase II Analysis
– Preferred Alternative
– 100-foot Disturbance Corridor
– Field Delineation of Wetlands
• Preliminary Conceptual Mitigation Plan
RECLAMATION

Land-Based Focus: Socioeconomics

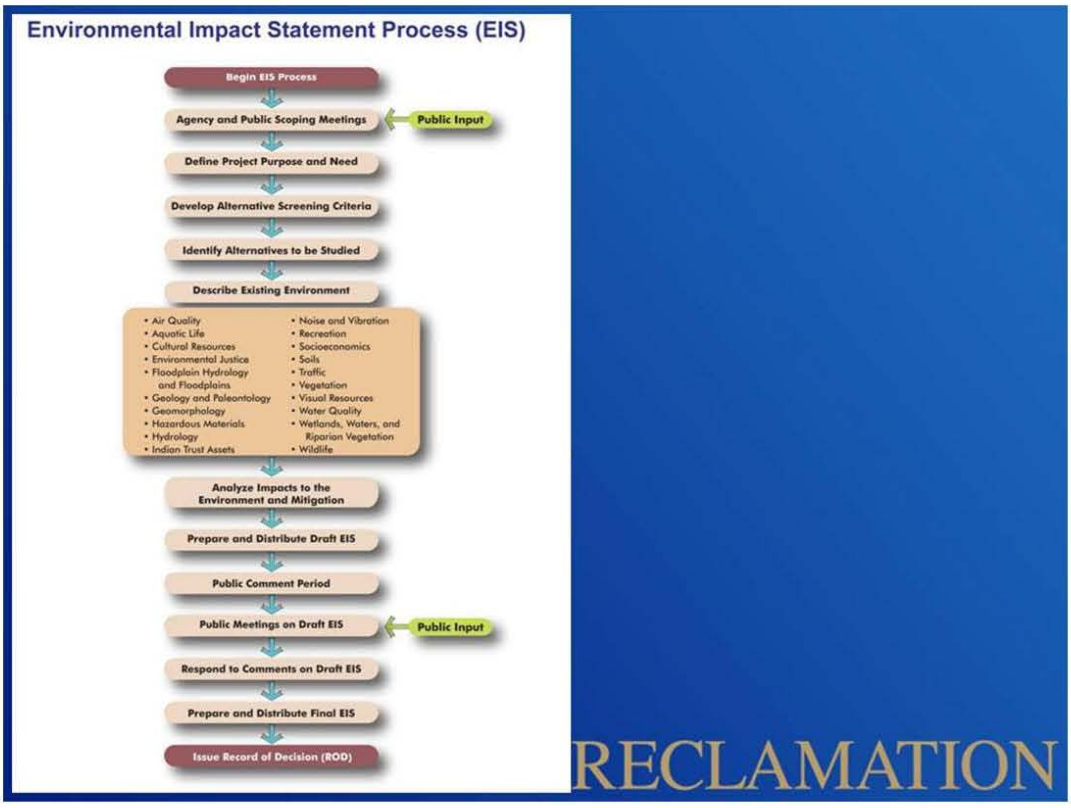
- Description of Current Economic Conditions
- IMPLAN Modeling
  - Commodity Flow
  - Social Accounts
  - Expenditures
- Benefits Transfer
  - Economic Value of Resources Affected
  - Proxy Sites
- Environmental Justice
  - Census Block Data

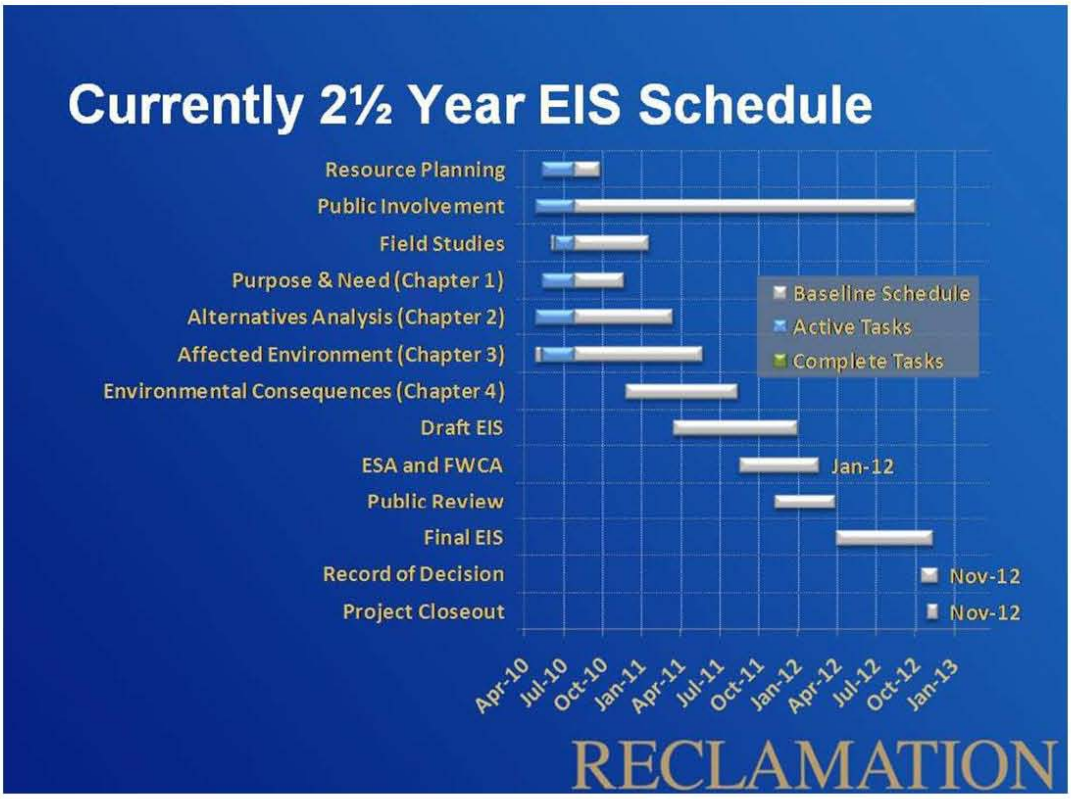
RECLAMATION

Land-Based Focus: Cultural Resources

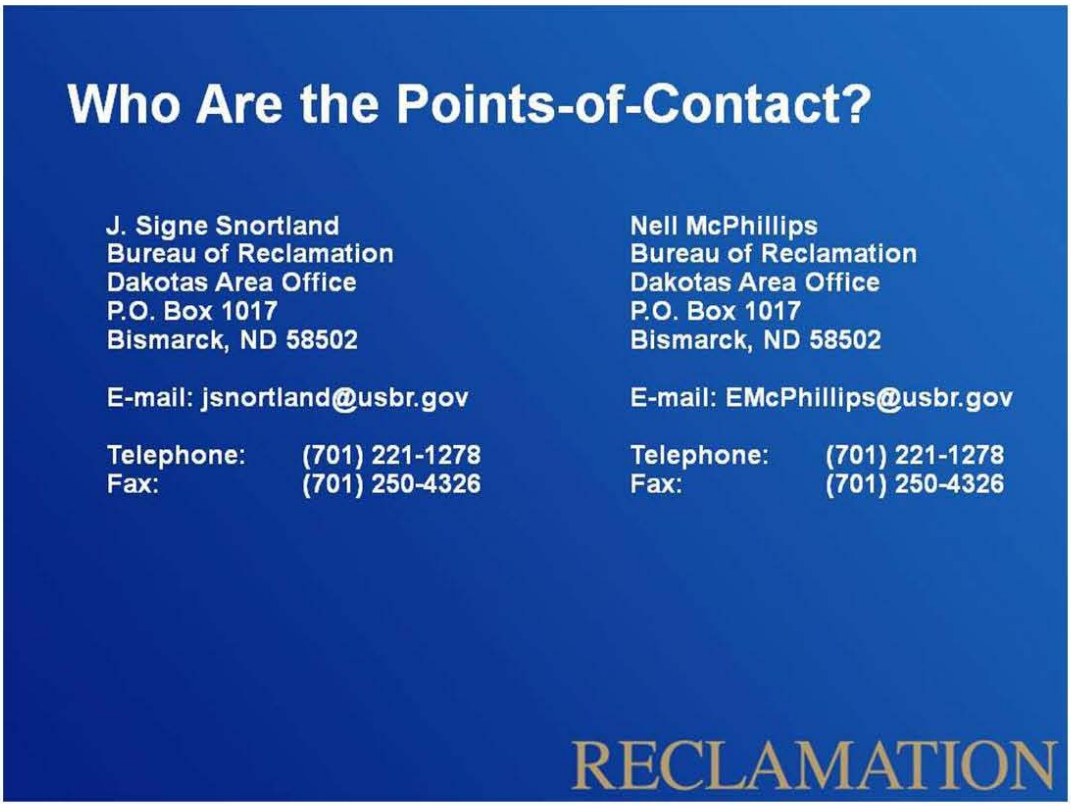
- Initial Class I Data Search
  - Class I Overview - File Search with COAHP and CHS
  - No Field Access to Alternatives
  - Proxy Estimations of Resources Potential and Eligibility Within Alternatives
- Field Survey of Preferred Alternative
  - Pedestrian Cultural Resource Survey
    - 200-foot Corridor
    - Disturbance Areas for Other Facilities
  - Identified Sites Evaluated for NRHP Eligibility

RECLAMATION





Presentation Slides – Cooperating Agency Scoping Meeting



Presentation Slide – Cooperating Agency Scoping Meeting

Appendix G

Comments Received During Scoping Process

Arkansas Valley Conduit and Excess Capacity Master Contract Public Scoping Meetings

Post-Presentation Discussion Comments and Questions

Salida Meeting, August 16, 2010

- Will there be one EIS for both projects?
- Will you have two Records of Decision?
- When did the idea of the Conduit start?
- Will it take the full two years to do the EIS?
- Is it cheaper to run the Conduit down the north side of the river because there's more dry-land farming on that side and it would be cheaper?
- Will there be a lot of land acquisition required for each alternative? Will the alternatives be put in the highway easement?
- Is there a reason the Conduit is not going to Holly?

La Junta Meeting, August 17, 2010

- Will a website be available for the project? Will the presentation and information be posted on the website?
- How will cultural resources and Section 106 issues along the corridor be addressed?
- Water conservation issues need to be addressed with the Conduit project. Water down river loses 6 percent. There may be water savings by piping. This could be an advantage.
- Water providers are using their current supplies. There are advantages of having alternative supply. Consider an option to keep alternative and back-up supply for sanitary purposes and in case of emergency.
- There are other options than drying up agricultural water. The Super Ditch has socio- economic issues. You need to consider reverse interruptible supply. Consider alternatives to buying water rights.
- I'm concerned about the blending of water, expense of the Conduit, and mixing with Colorado Springs' water. I'm concerned about water quality if it doesn't come directly from Pueblo Reservoir.
- Is a 42-inch pipe big enough for 2070 projections?
- Will there be studies of small water companies and small systems on how they will connect to the Conduit? Will this be part of the study?
- Will there be a draft report? Will there be opportunities to comment on the draft?

- Add to the distribution list National Trust Regional Office, Barb Pahl, Colorado Preservation Inc., Jim Hare, and Otero County.

Lamar Meeting, August 18, 2010

Meeting participants offered up no verbal comments or questions following the presentation.

Fountain Meeting, August 19, 2010

- The Master Contract with the Bureau will not occur until after the Record of Decision is made?

Pueblo Meeting, August 19, 2010

- How will the Conduit water be treated? You initially said it wouldn't be treated at the reservoir but at the communities instead. Will the water be fully treated?
- Does the excess storage program mean building the dam bigger?
- On the alternative alignments, what determined changes in the routes?
- On the alternative alignments through Pueblo, are there any that require pumping and which are they? If the alternatives require gravity flow, if you put the water in the plant on South Road and take it back out, would it be with gravity flow?
- Will Reclamation be responsible for operation and maintenance of the Conduit once it's built?
- If the Board of Water Works alternative is chosen, will they have to modify their plant in some way?
- With the Board of Water Works alternative, is that through a pipeline from the South Outlet Works or through outtake from the River?
- What water are you putting in this pipeline? Will it be augmentation water or winter storage water?

RECLAMATION
Managing Water in the West

We Invite Your Comments!

Arkansas Valley Conduit and
Long-Term Excess Capacity Master Contract

Environmental Impact Statement

Public Scoping

Name* Dwight L. Gardner	**Date** 8/14/10
Company /Organization	
Street Address or PO Box 602 Downey Drive	
City, State, Zip Ordway, CO 81063-1501	
Phone ( )719-267-4461 **FAX**	**E-mail** dwmargardner@centurytel.net

The names and comments of those making written or oral statements on this process will become part of a public record. You may request that your name and/or address be withheld from public release. Those requests will be honored to the extent permissible by law.

Comments: These projects are both requested at this time out of necessity more than any reason. The lower arkansas valley water system are failing & with the water quality standards changing at a rapid rate, they need this project for the future of their communities. The master contract is also needed as a viable storage facilities for the participants of these two projects There can not be a no-action alternative as this again is the future of these areas & communities. Would like to see the EIS study the importance of the water quality needed for all of the lower arkansas valley & their need of sustainable water quality.

Please continue on reverse side

Dwight L Gardner

RECLAMATION
Managing Water in the West

We Invite Your Comments!

Arkansas Valley Conduit and
Long-Term Excess Capacity Master Contract

Environmental Impact Statement

Public Scoping

Name* Nancy Moore	**Date** 8/17/10
Company /Organization	
Street Address or PO Box 317 Otero	
City, State, Zip Ordway, CO 81063	
Phone (267-3995 **FAX** 267-3994 **E-mail** petenancy@centurytel.net	

The names and comments of those making written or oral statements on this process will become part of a public record. You may request that your name and/or address be withheld from public release. Those requests will be honored to the extent permissible by law.

Comments: As this project is absolutely necessary to the vitality and economic future of this valley, I believe that the last five years of planning have been well worth the efforts of SE District. I commend them for their diligence. This valley's towns need the quality water from the Pueblo reservoir to remain in a growth situation rather than the opposite of dealing with individual treatment plants and poorer water quality as individuals.

Please continue on reverse side

CITY OF LAS ANIMAS

532 Carson Avenue
P.O. Box 468
Las Animas, Colorado 81054
FAX No. (719) 456-1210

Chief of Police (719) 456-1313
City Clerk & Treasurer (719) 456-0422
Director of Public Works (719) 456-2571
Municipal Utilities (719) 456-1621

August 19, 2010

OFFICIAL FILE COPY
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REPLY: YES		NO
INFO. COPY TO:		
DATE	INITIAL	TO
8/24/10	JSS	SIGNE
CLASSIFICATION		
PROJECT		
CONTROL NO.		
FOLDER I.D.		

J. Signe Snortland
Environmental Specialist
Bureau of Reclamation
PO Box 1017
Bismarck, ND 58502-1017

Dear Ms. Snortland:

The City of Las Animas is very much in support of the Arkansas Valley Conduit because it will deliver high quality water to Las Animas and the region. We currently have an RO plant in operation which has improved the quality of our water. However, there is some concern that the EPA guidelines we currently meet will become more stringent in the future. The conduit will certainly insure we will be in compliance with EPA guidelines and eliminate the need for more expensive procedures to obtain pure water.

The conduit will also reduce the cost of operating the RO plant especially our electrical costs. The hard water which Las Animas had prior to the construction of the RO plant was a detriment to economic development and although we still struggle in that area the conduit may be a big factor for economic development. According to an individual with more expertise than me regarding water issues the conduit will serve to conserve water. It will also serve as insurance against flooding because well water would be cut off but there would still be water available for sanitary purposes. I am in complete agreement.

Again, Las Animas strongly endorses the project and look forward to the day when it comes to fruition.

Sincerely yours,

Lawrence Sena

Lawrence Sena, Mayor
City of Las Animas

Potential Arkansas and Gunnison Basin conflicts with Blue Mesa Reservoir

As reported by the Pueblo Chieftain's August 15, 2010 article, Colorado's Arkansas and Gunnison Basin Roundtables are working on a joint proposal to use the Bureau of Reclamation's Blue Mesa Reservoir for potential Colorado River Compact calls by Arizona, California, and Nevada.

Such a plan would seriously conflict with the 1957 Congressional purposes for Blue Mesa and the other Aspinall Project reservoirs. It would also violate Colorado's vital right to develop its unused Colorado River Compact entitlements, including the Bureau's Aspinall Marketable Pool for statewide consumptive needs. Colorado's current and future generations should be concerned.

Unfortunately, Colorado has never developed the Bureau's 300,000 acre-feet Aspinall Pool in Blue Mesa Reservoir, as intended by Congress. This major oversight is the direct result of the Gunnison Basin's improper, but effective, *"Not one drop from the Gunnison"* policy. The Gunnison Branch of the Colorado River is by far Colorado's largest untapped water source.

There was, however, a short three year period during the late 1980s, when Gunnison leaders cooperated with a major Colorado-Bureau Upper Gunnion/Uncompahgre Basin Study of nineteen transmountain alternatives for South Platte and Arkansas Basin users. Unfortunately, this major study's final Phase 2 results were not completed, because of rising opposition from the basin of origin. However, the Bureau's draft study cost comparisons clearly confirmed the nineteen Gunnison transmountain alternatives are cost-competitive and/or superior to other alternatives, currently being considered for Colorado's dryer urban and rural growth areas.

Since these late 1980s studies, an innovative Blue Mesa-Aspinall high altitude storage alternative was conceived and evaluated between 2004 and 2007. It is called the Central Colorado Project (CCP). CCP is designed to pump store several years of the Bureau's unused Aspinall Pool rights in the Gunnison National Forest's off-river Union Park Reservoir site, near the Continental Divide. Advanced modeling can quickly confirm CCP's unprecedented capabilities throughout multiple river basins. CCP's 1.2 million acre-feet of storage at 10,200 feet altitude can integrate and selectively multiply the productivity of limited water and energy resources, throughout five Southwestern river basins (Gunnison, Colorado, Platte, Arkansas, and Rio Grande) and the western power grid.

The National Environmental Policy Act (NEPA) requires objective economic and environmental comparisons of all reasonable water and energy development options within regions. Unfortunately, the Bureau's viable Gunnison-Aspinall alternatives have been improperly omitted from all recent and ongoing EIS evaluations by local, state, and federal entities.

All federal and state water and energy planning entities, including Colorado's unique Basin Roundtables, must fully consider the Bureau's overlooked Gunnison-Aspinall-headwater storage alternatives, to assure NEPA compliance and optimal solutions for human and environmental needs.

Dm

Dave Miller, 8-17-10
P. O. Box 567
Palmer Lake, CO 80133
719-481-2003 Fax 719-481-3452
centralcoloradoproject@comcast.net

Ms. Snortland
Please call
to discuss.
Thank you.
Dave Miller

P. S. Would appreciate opportunities to discuss how pumped headwater storage can enhance urban and rural growth and environmental protection , throughout multiple Southwestern river basins, during extreme climate change conditions, while reducing regional water and energy costs.

FAX

BUREAU OF RECLAMATION
WESTERN COLORADO AREA OFFICE
2764 Compass Drive, Suite 106
Grand Junction, CO 81506
970-248-0600

Date: 02-10-03

To: Dave Miller

Fax #: ~~970~~ 719-481-3452

Phone #: 719-481-2003

From: Brent Uilenberg

Fax #: 970-248-0601

Phone #: 970-248-0641

Comments:

Dave,

I am faxing summary sheets of all transmountain diversion alternatives analized as part of Upper Gunnison-Uncompahgre Basin Study. Detail sheets to follow via snail mail.

Brent

Total Pages Including Cover Sheet: 3

Transmountain Diversion Alternative Summarry Sheet

Alternative Description	Annual Cost/AF	Annual Cost/AF w/ 90% Tunnels	Annual Cost/AF w/ 80% Tunnels	Annual Cost/AF w/ 70% Tunnels	Annual Cost/AF w/ 60% Tunnels	Annual Cost/AF w/ 50% Tunnels
ALTERNATIVE #1 (60,000 AF/yr) Transmountain Diversion from Taylor Park to Arkansas R., gravity delivery system following Buena Vista Route.	$534	$486	$438	$390	$342	$295
ALTERNATIVE #2 (60,000 AF/yr) Transmountain Diversion from Taylor Park to S. Platte R., gravity delivery system following Buena Vista Route.	$902	$834	$766	$698	$630	$563
ALTERNATIVE #3 (60,000 AF/yr) Transmountain Diversion from Taylor Park to Arkansas R., pump lift from Taylor Park, following Buena Vist Pump Route.	$337	$318	$299	$280	$261	$242
ALTERNATIVE #4 (60,000 AF/yr) Transmountain Diversion from Taylor Park to S. Platte R., pump lift from Taylor Park, following Buena Vist Pump Route.	$655	$633	$611	$589	$567	$545
ALTERNATIVE #5 (210,000 AF/yr) Pump lift from Blue Mesa to Taylor Park, transmountain diversion from Taylor Park to Arkansas R., gravity delivery system following Buena Vista Route.	$441	$422	$402	$382	$362	$343
ALTERNATIVE #6 (210,000 AF/yr) Pump lift from Blue Mesa to Taylor Park, transmountain diversion from Taylor Park to S. Platte R., gravity delivery system following Buena Vista Route.	$648	$619	$590	$561	$532	$503
ALTERNATIVE #7 (210,000 AF/yr) Pump lift from Blue Mesa to Taylor Park, transmountain diversion from Taylor Park to Arkansas R., pump lift from Taylor Park following Buena Vista Pump Route.	$387	$380	$372	$364	$357	$349
ALTERNATIVE #8 (210,000 AF/yr) Pump lift from Blue Mesa to Taylor Park, transmountain diversion from Taylor Park to S. Platte R., pump lift from Taylor Park following Buena Vista Pump Route.	$505	$494	$484	$474	$463	$453
ALTERNATIVE #9 (60,000 AF/yr) Transmountain Diversion from Taylor Park to Arkansas R., pump lift from Taylor Park, following North Route.	$556	$510	$463	$417	$370	$324
ALTERNATIVE #10 (60,000 AF/yr) Transmountain Diversion from Taylor Park to S. Platte R., pump lift from Taylor Park, following North Route.	$746	$685	$624	$564	$503	$442
ALTERNATIVE #11 (210,000 AF/yr) Pump lift from Blue Mesa to Taylor Park, transmountain diversion from Taylor Park to Arkansas R., pump lift from Taylor Park following North Route.	$460	$441	$422	$402	$383	$364
ALTERNATIVE #12 (210,000 AF/yr) Pump lift from Blue Mesa to Taylor Park, transmountain diversion from Taylor Park to S. Platte R., pump lift from Taylor Park following North Route.	$550	$525	$500	$475	$450	$425

Alternative Description	Annual Cost/AF					
ALTERNATIVE #13 *(120,000 AF/yr) Union Park Water Supply Project.	$875	$836	$798	$760	$721	$683
ALTERNATIVE #14 (73,100 AF/yr) Collegiate Range Project.	$833	$776	$718	$661	$603	$546
ALTERNATIVE #15 (73,100 AF/yr) Collegiate Range Project w/o Almont Dam.	$831	$773	$716	$658	$601	$543
ALTERNATIVE # 16 (210,000 AF/yr) Pump lift from Blue Mesa to Tomichi Creek Tunnel, transmountain diversion to Arkansas R., following S. Arkansas R. Route.	$405	$387	$368	$350	$331	$313
ALTERNATIVE # 17 (60,000 AF/yr) Pump lift from Blue Mesa to Tomichi Creek Tunnel, transmountain diversion to Arkansas R., following S. Arkansas R. Route.	$723	$679	$634	$589	$545	$500
ALTERNATIVE # 18 (210,000 AF/yr) Pump lift from Blue Mesa to Monarch Tunnel, transmountain diversion to Arkansas R., following S. Arkansas R. Route.	$358	$348	$338	$328	$318	$308
ALTERNATIVE # 19 (60,000 AF/yr) Pump lift from Blue Mesa to Monarch Tunnel, transmountain diversion to Arkansas R., following S. Arkansas R. Route.	$623	$594	$565	$536	$508	$479

* M&I benefit based on NECO concept of wet year storage with dry year deliveries. Actual amount of annual storage in Union Park Reservoir equals 60,000 AF.

Added Note: These overlooked 1988 USBR cost projections for developing USBR's Aspinall Marketable Pool and Colorado's Interstate Compact entitlements may be more reasonable and competitive under today's NEPA evaluations, because they used 8 7/8% interest and 50 year financing. dm 7-10

NAVITUS Global Energy Systems

July 23, 2010

The Honorable Tom Vilsack, Secretary
U. S. Department of Agriculture
1400 Independence Avenue, S. W.
Washington, D. C. 20250

The Honorable Bill Ritter
Office of the Governor
146 State Capitol Building
Denver, Colorado 80203

Subject: Colorado's State-Specific Roadless Petition

Dear Secretary Vilsack and Governor Ritter:

This is a follow-up to our May 28, 2010 letter: "Request for rescission of Colorado's State-Specific Roadless Petition."

We respectfully request consideration and answers to the following National Environmental Policy Act (NEPA) compliance questions, prior to any action with regard to Colorado's roadless petition. We further request an opportunity to meet with you and your staffs, to discuss these questions and other pertinent information, prior to any irreversible action in this regard. We believe objective answers to these NEPA compliance questions are essential to achieve optimal roadless rules for human and environmental needs:

1. Why were the draft public exceptions for future development of Colorado's conditional water rights removed from Colorado's Final Roadless Petition, without any prior public notification and public review?

2. Why have state and federal resource agencies not evaluated Colorado's valuable headwater pumped storage alternatives for future state and regional renewable water and energy needs, before seeking to eliminate these alternatives with permanent roadless designations?

3. Why have USBR's 1957 Congressionally authorized 300,000 acre-feet Aspinall Marketable Pool water rights not been considered for high altitude state and regional water and energy storage alternatives, as required by good practice and NEPA rules?

4. Why have existing and proposed state and federal roadless rules ignored innovative headwater pumped storage alternatives that can integrate and muliply the utility of limited water and energy resources throughout multiple western river basins?

5. Why have recent and ongoing federal EIS's for Colorado water needs not considered USBR's nineteen (19) reasonable Upper Gunison/Aspinall Pool transmountain diversion alteratives

that were analyzed as part of Colorado's Upper Gunnison-Uncompahgre Basin Study during the late 1980's?

Central Colorado Project (CCP) represents a viable high storage alternative to manage and distribute the federally designated Aspinall Pool, which is reserved for the benefit of Colorado's citizens. This alternative would be irretrievably lost under Colorado's proposed roadless designation. The proposed boundaries of CCP's Union Park Roadless Area appear to have been arbitrarily drawn to bisect the axis of the Union Park Dam site, with no perceivable benefit to the preservation of roadless areas. This facility has the potential to store up to 1.2 million acre-feet of water at an altitude of 10,200 feet. These conserved waters and associated pumpback energy storage operations could then be available to provide water and energy to five river basins and the western power grid. Arbitrary elimination of this water resource and energy option, without a major evaluation using state of the art modeling technologies, would be a serious waste of Colorado's future development options.

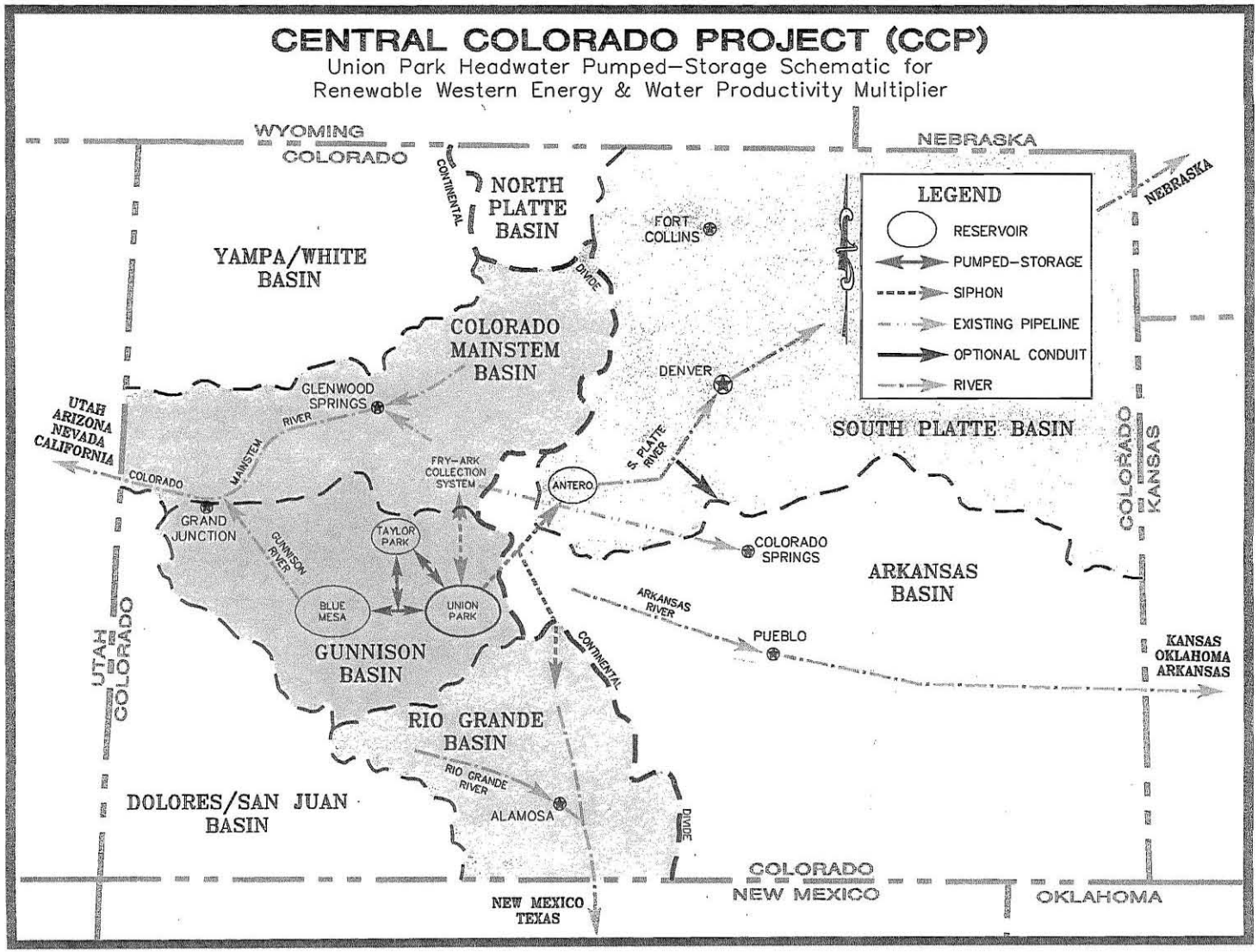
Thank you for favorably considering our request for reconsideration of Colorado's Roadless Petition. We are available to meet with you to discuss this request and answers to questions posed above, at your convenience.

Sincerely,

Larry D. Simpson, CEO
NAVITUS Global Energy Systems
P. O. Box 268, Loveland, CO 80539
970-689-0259
lsimpson@navitusges.com

Dave Miller, President
Natural Energy Resources Company
P. O. Box 567, Palmer Lake, CO 80133
719-481-2003 Fax 719-481-3452
centralcoloradoproject@comcast.net

cc: Secretaries of Energy, Interior, and Army; USBR; USCE; EPA; Congressional Committees on Resources; Colorado legislators.


CENTRAL COLORADO PROJECT (CCP)
Union Park Headwater Pumped–Storage Schematic for
Renewable Western Energy & Water Productivity Multiplier
WYOMING
COLORADO
NEBRASKA
NEBRASKA
CONTINENTAL
NORTH PLATTE BASIN
FORT COLLINS
YAMPA/WHITE BASIN
DIVIDE
COLORADO MAINSTEM BASIN
DENVER
GLENWOOD SPRINGS
RIVER
MAINSTEM
UTAH
ARIZONA
NEVADA
CALIFORNIA
COLORADO
FRY–ARK COLLECTION SYSTEM
ANTERO
S. PLATTE RIVER
SOUTH PLATTE BASIN
COLORADO
KANSAS
GRAND JUNCTION
TAYLOR PARK
GUNNISON RIVER
COLORADO SPRINGS
ARKANSAS BASIN
BLUE MESA
UNION PARK
ARKANSAS RIVER
PUEBLO
KANSAS
OKLAHOMA
ARKANSAS
UTAH
COLORADO
GUNNISON BASIN
CONTINENTAL
RIO GRANDE BASIN
RIO GRANDE RIVER
DOLORES/SAN JUAN BASIN
ALAMOSA
DIVIDE
COLORADO
NEW MEXICO
OKLAHOMA
NEW MEXICO
TEXAS
LEGEND
RESERVOIR
PUMPED–STORAGE
SIPHON
EXISTING PIPELINE
OPTIONAL CONDUIT
RIVER

TROUT UNLIMITED

Drew Peternell, Director and Counsel, Colorado Water Project

September 10, 2010

Via Electronic Mail

J. Signe Snortland
Bureau of Reclamation
Dakotas Area Office
P.O. Box 1017
Bismarck, North Dakota 58502

Re: Scoping Comments on Arkansas Valley Conduit and Excess Capacity Contract

Dear Mr. Snortland,

On behalf of Trout Unlimited and Colorado Trout Unlimited (collectively, "TU"), I am pleased to offer these scoping comments for the proposed draft environmental impact statement ("DEIS") that the U.S. Bureau of Reclamation ("BOR") will be preparing for the Arkansas Valley Conduit and the associated long-term excess capacity master contract with the Southeastern Colorado Water Conservancy District (collectively, the "AVC").

TU is a non-profit conservation organization with approximately 150,000 members nationally and approximately 10,000 in Colorado. TU's mission is to conserve, protect and restore coldwater fisheries and their habitats. In Colorado, where altered stream flow regimes are amongst the most serious threats to fishery health, TU's Colorado Water Project works to maintain and restore stream flows for healthy coldwater fisheries and to increase meaningful public participation in decisions regarding water allocation. There are several aspects of the AVC which are of interest to TU and which TU believes the BOR must address in the DEIS.

Purpose and Need

Defining the purpose and need for the AVC is a critical first step of this NEPA process. In preparing the purpose and need statement, the BOR must identify the entities that will use the water, their current water supplies and demands, and their projected future water supplies and demands. The projections of future demand should be based on sound population growth and water demand projection techniques and must account for the implementation of conservation measures, which would have the effect of reducing demands. Without a credible and independent assessment of the need for the AVC project, a fundamental requirement of the NEPA process will be incomplete.

In addition to fairly assessing the project participants' water supplies and demands, the BOR's purpose and need statement must not be so narrowly crafted as to exclude alternatives other than a conduit from consideration in the NEPA process. If the project is premised on a very narrow

purpose and need statement, the range of alternatives capable of meeting that purpose and need will be equally narrow. This, in turn, will limit the range of alternatives selected for detailed analysis in any DEIS for the project. Narrowly defining the purpose and need for the AVC such that alternatives such as reverse osmosis, increased conservation or innovative irrigation water sharing arrangements are excluded from the analysis would render the DEIS invalid and inconsistent with the requirements of NEPA.

Project Impacts

TU is interested in ensuring that BOR adequately analyzes the direct and cumulative impacts of the AVC on stream flows, fisheries, wildlife and other natural resources and values.

Arkansas Basin Flow Regime

Operation of the AVC has the potential to alter stream flow patterns and hydrology in the Arkansas River Basin. The DEIS must disclose the manner and extent to which the AVC will impact flow patterns in the Arkansas Basin, both above and below Pueblo Reservoir. Further, the DEIS must assess the impact of such hydrologic changes on the natural and ecological values of the effected rivers and streams. For example, the DEIS should address any impacts of the altered flow regime on fish and wildlife, their habitat and their food sources. The DEIS should also consider whether the AVC would result in changes to return flow patterns, ground water resources, water quality, or water temperature, and the environmental impacts of any such changes.

The Arkansas River is known for its outstanding trout fishery, and the DEIS should place particular emphasis on disclosing and assessing the impacts of the AVC on this important resource. Any projected changes in water temperature, fish forage availability, water chemistry and water quality in these water bodies should be disclosed and fully discussed in the DEIS.

The BOR must perform its stream flow analyses at a level of detail sufficient to truly demonstrate the impacts of the proposed project. For example, it will be insufficient for the BOR to report stream flow impacts at an average monthly flow basis. Dramatic daily fluctuations or reductions in stream flow can have drastic impacts to a fishery, but a single day of low stream flow would be masked by a report on average monthly flow. The true impacts to the health of the fisheries and other resources in the Arkansas River Basin cannot be adequately analyzed unless the DEIS presents and analyzes project effects in a format utilizing daily data.

West Slope Flow Regime

The comments immediately above regarding the Arkansas River Basin apply equally to Colorado's West Slope. It is possible that operation of the AVC could result in additional diversion of water from the West Slope into the Arkansas River Basin, either through Fryingpan-Arkansas Project facilities or otherwise. As is true for the Arkansas Basin, the DEIS must disclose the impact of the AVC on the flow regimes in West Slope rivers and streams and the resulting ecological effects of any such changes in flow patterns. Again, the DEIS must address the impacts on fish and wildlife, return flows, ground water, water quality, water temperature and riparian values. As it must do for the Arkansas River Basin, the BOR must disclose and analyze stream flow impacts on the West Slope not in monthly averages but on a daily time-step.

Cumulative Impacts

In addition to the impacts discussed above, the DEIS must disclose and evaluate the cumulative impacts of the AVC in the DEIS. The cumulative impacts of the AVC include the impacts of the AVC when considered together with other reasonably foreseeable actions or conditions. Other reasonably foreseeable actions and conditions include, for example, implementation of the Super Ditch project, other transfer of irrigation water to municipal use, climate change and, importantly, the combined impact of the AVC on hydrology in the Arkansas River and Colorado River Basins when considered together with other diversion projects, including the Windy Gap Firming Project, the Southern Delivery System, the Moffat Tunnel Expansion Project and the Green Mountain Pumpback.

Mitigation

The BOR should devise plans for monitoring and mitigating any impacts of the AVC. For example, in the past, excess capacity contracts BOR has entered for use of Fryingpan-Arkansas Project facilities have been conditioned for various purposes, including supporting the Upper Arkansas River Voluntary Flow Management Program, the intergovernmental agreements for stream flows below Pueblo Reservoir, and the Colorado River Fish Recovery Program. These are all very worthy considerations, and the DEIS should discuss how the AVC and the associated excess capacity contract would be conditioned for these or other purposes. The DEIS should consider alternatives which include various packages of contract conditions.

Alternatives

As discussed above in connection with the purpose and need for the project, the BOR must consider alternatives to the AVC that rely on approaches other than the construction of a conduit, such as reverse osmosis, conservation, and arrangements under which agricultural water is made available, permanently or temporarily, for municipal use. To satisfy the NEPA requirement to "rigorously explore and objectively evaluate all reasonable alternatives," the DEIS must include discussion of a broad range of alternatives for meeting municipal water demands in the lower Arkansas River Basin.

Conclusion

Thank you for the opportunity to provide these comments. TU looks forward to being involved in the NEPA process for the AVC and the associated excess capacity contract.

Sincerely,

Drew Peternell

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Snortland, Jan S (Signe)

From: Snortland, Jan S (Signe)
Sent: Monday, September 13, 2010 10:19 AM
To: DKA CFiles; Gould, Jacklynn L; Terauds, Valda I; Boggs, Carmen; Gerald Gibbens; phil@secwcd.com; Vaughan, Roy W; Davis, Joseph G (Gary); McPhillips, Elizabeth N; Lamb, Kara L
Subject: AVC EIS Scoping Comment 7

Carl McClure, Olney Springs Board and Southeastern Colorado Water Conservancy District Board, called me with the following comments:

- Don't use the existing Pueblo water treatment plant because if the plant failed or if Pueblo increased their rates, it would affect all of southeastern Colorado.
- Land on the south side of Highway 50 is more expensive than the land on the north side of the Arkansas River. He prefers the northern route.
- Consider using the abandoned railroad right-of-way from Pueblo east. It would save money and simply right-of-way acquisition.

If we need to ask him any questions about his comments, his cell phone number is 719-924-3860.

Signe
J. Signe Snortland

Environmental Specialist and
Acting Area Archaeologist
Bureau of Reclamation
Dakotas Area Office
304 East Broadway Avenue
PO Box 1017
Bismarck ND 58502
701-221-1278 (office)
701-226-6472 (cell)

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September 10,2010

J. Singe Snortland

Environmentalist

Bureau of Reclamation

PO Box 1017

Bismarck, North Dakota 58502-1017

Letter of Comment Re: ARKANSAS VALLEY CONDUIT PROJECT

Dear Sir:

It is my understanding the purpose of the Arkansas Valley Conduit project is to provide clean drinking water to communities east of Pueblo, Colorado in the lower Arkansas Valley. As part of the 1962 Fryingpan Arkansas Act, the conduit was never completed because the communities that would benefit could not afford to pay for its creation. Now that federal monies have been made available to bring this project to fruition, I find the exclusion of communities in the extreme lower Arkansas Valley (east of Lamar, Colorado) contrary to the expressed intentions of the Arkansas Valley Conduit project and incongruent with the original purpose of the 1962 Fryingpan Arkansas Act, to provide water to the entire Arkansas Valley.

I am requesting that the communities east of Lamar, Colorado, along the Highway 50 and Arkansas River corridor, be included in the Environmental Impact Study of the Arkansas Valley Conduit project. This request is made to include the corridor through the towns of Granada, (including the federal landmark and monument--Camp Amache) and Holly, Colorado and to extend all the way to the Kansas/ Colorado border. I request that the EIS open up to conduit placement through these communities with the end point being east of Holly, Colorado at the Colorado/Kansas state line. This action would provide for an equitable benefit with federal financial support, to all communities within the ENTIRE lower Arkansas River Valley for now and for the future.

Arkansas Valley Conduit represents the essential, once in a lifetime opportunity, to create basic and defining answers to the essential necessities for a continued existence and future growth of these communities. To ignore the opportunity and the favorable conditions for extension of this "conduit backbone" through the heart of the ENTIRE Arkansas River Valley to meet the future water needs and requirements of these communities, would be an abandonment of the original spirit of the 1962 Frying pan Arkansas Act, which was for the improvement of the ENTIRE Arkansas Valley.

Thank you for the opportunity to interact with you in these beginning planning stages in the building of the Arkansas Valley Conduit and to identify key aspects in maximizing the benefit for all the ENTIRE Arkansas River Valley. With such favorable financial conditions, the opportunity to CREATE a life line filled with life blood to these communities will maintain their way of life for generations to come .

Sincerely,

Kathleen Gamble Hughes

Kathleen J. Gamble-Hughes

1625 Poplar Ave.

Canon City, Colorado 81212

(719) 275-9041

September 10, 2010

J.Signe Snortland

Environmental Specialist

Bureau of Reclamation

PO Box 1017

Bismarck, North Dakota 58502-1017

Letter of Comment: MASTER CONTRACT for EXCESS-CAPACITY STORAGE IN FRYINGPAN-ARKANSAS PROJECT RESERVIORS

Dear Sir:

It is my understanding of the Master Contract for Excess Capacity Storage in Fryingpan Arkansas Reservoirs is for storage for municipal/ domestic purposes for with the Lower Arkansas Valley Conduit, among other entities. An extension of the Lower Arkansas Valley Conduit to the Colorado/Kansas border may or may not impact the current established acre foot water designation for the conduit which has been slated to terminate in Lamar, Colorado. However, in this request, I am attempting to cover any overlap impact that a request for EIS extension through the entire Arkansas River Valley to the Colorado/Kansas border might have. I am requesting coverage by the Long-Term Excess Capacity Master Contract for any excess storage that said extension to the Colorado-Kansas border might entail.

As a property owner in the extreme lower Arkansas River Valley, I see this opportunity as essential for the continued health and welfare of my home and property, and neighbors. I am not well versed in the intricate details of the Bureau of Reclamation Research and Comment processes around federally funded projects, but I am attempting to keep your deadline of Sept 13, 2010 on the AVC and Long-Term Excess Capacity Master Contract comments.

Sincerely,

Kathleen J. Gamble-Hughes

September 7, 2010

Ms. J. Signe Snortland
PO Box 1017
Bismarck, ND, 58502-1017

RE: Arkansas Valley Conduit and Excess Capacity Master Contract Comments from DOW and DPOR

Ms. Snortland,

Thank you for the opportunity to comment on the proposed Arkansas Valley Conduit and Excess Capacity Master Contract. Both the Colorado Department of Wildlife and the Colorado Division of Parks and Outdoor Recreation have a number of concerns and appreciate the opportunity to make those concerns heard.

The Division of Wildlife (DOW) and the Department of Parks and Outdoor Recreation (DPOR) have received a request for scoping comments for construction of the proposed Arkansas Valley Conduit and issuance of an Excess Capacity Master Contract to Southeastern Water Conservancy District (Southeast). As conveyed in the Notice of Intent the proposed Federal Action is for construction of a municipal water pipeline to provide treated water to numerous communities in southeastern Colorado. It is our understanding that this proposed action involves the construction of 135 miles of mainline pipe 18" – 42" in size along with 91 miles of secondary spurs 4" – 16" in size with a potential delivery capacity of 14 – 20 million gallons per day (22cfs – 30cfs). Further, it is our understanding that AVC would replace existing poor quality water supplies and provide supplemental supplies to meet future demands of 3,100af – 4,000af by 2050 and 4,700af – 7,900af by 2070. The proposed Federal action associated with the Excess Capacity Master Contract is to issue a long-term contract to Southeastern Water Conservancy District for excess capacity storage of 28,200 acre-feet of non-Fry-Ark Project water in Pueblo Reservoir. It is our understanding that this water would be used by several different water providers within Southeast's boundaries.

Division of Wildlife

General

The proposed action is considered to be the construction and operation of the Arkansas Valley Conduit (AVC) and the Long-Term Excess Capacity Master Contract (Master Contract). The DOW recommends that the Draft Environmental Impact Statement (DEIS) for this project consider any and all foreseeable projects associated with the Fryingpan-Arkansas Project, including operations of the SDS Project and additional storage contracts now pending, which could influence aquatic habitat within the entire project area; Arkansas River, Fountain Creek, and reservoirs (Twin Lakes, Turquoise, Pueblo, John Martin, Holbrook, Meredith, and Henry reservoirs); plus all associated tributaries and other reservoirs not specifically mentioned here that may be affected by the project.

It is important the DEIS identify the baseline conditions with which the current project will be evaluated. The existing aquatic habitat and fishery are, in part, influenced by the current and past water system operations and would be considered baseline (existing) conditions. DOW data, and the public understanding of those findings, are based on wildlife sampling, monitoring and evaluation completed over the past two decades. It is imperative that comparisons of project impacts be made to the period that would correspond to current/existing conditions. Although we have been advised that BOR chooses to complete NEPA

evaluations by comparison of No Action to Existing Conditions and the rest of the alternatives against the No Action alternative; such analysis will be an unsatisfactory reference by which to make valid wildlife assessments and DEIS comments. As a compromise, it is suggested that hydrological modeling data and comparison results for each alternative be compared against the Existing Conditions (as well as to the No Action alternative, if necessary).

Proposed mitigation measures for environmental impacts caused by the AVC project and Master Contract may range from avoidance, to minimizing the impact, or to replacing the loss of resources whose impacts cannot be avoided. CDOW recommends that efforts are made to first avoid and minimize impacts and that unavoidable impacts be kept to a minimum. It is our understanding that typically within the NEPA process, mitigation measures will be addressed as part of the conceptual mitigation plan within the Draft EIS. As a concurrent part of that process, consideration should also be given to development of a mitigation plan that will satisfy the requirements of C.R.S. 37-60-122.2 which states that "fish and wildlife resources that are affected by the construction, operation, or maintenance of water diversion, delivery, or storage facilities should be mitigated to the extent, and in a manner, that is economically reasonable and maintains a balance between the development of the state's water resources and the protection of the state's fish and wildlife resources." Once the fish and wildlife mitigation plan as required by C.R.S. 37-60-122.2 is developed, typically in cooperation with CDOW, it must be approved by both the Colorado Wildlife Commission and the Colorado Water Conservation Board.

Aquatic Biology and Fishing Recreation Issues

The extent of detrimental or beneficial impacts to the aquatic habitats, biota and fishing recreation within the proposed project area would depend upon the particular water operations of the proposed action. Primary considerations would be the quantity, timing, and duration of stream flows and reservoir operations, as well as, the water quality alterations that could be expected with the proposed action. More specific and detailed aquatic scoping and analysis design comments from DOW can be completed once more refined preliminary operational and hydrological details are provided. This would also extend to DOW comments as it relates to pipeline placement and construction through aquatic habitats. Below are listed aquatic wildlife issues that may be influenced by water management changes associated with the proposed action.

Fisheries Data

Current fishery data for the Arkansas River above Pueblo Reservoir, Fountain Creek, Twin, Turquoise, Pueblo, John Martin, Holbrook, Meredith and Henry reservoirs is available and should be adequate for this project needs. The DOW also has some trend fishery data on the Arkansas River through Pueblo. There is some historical and some recent data on the Arkansas River from the confluence with Fountain Creek downstream past John Martin Reservoir, however, that data may not be adequate for project evaluation in the DEIS. New fishery data may need to be collected and then considered with past data to provide an adequate baseline fishery status on which to assess project impacts.

Aquatic Habitat

Proposed methods for evaluating the impacts of flow changes on aquatic habitat and biota have been discussed with GEI Consultants and reviewed at the 8/17/10 meeting. The following evaluation elements are suggested.

- The Indicators of Hydrologic Alteration (IHA) methodology, although used for SDS EIS, is not suggested for use for the AVC EIS. The only exception would be that the actual dates of minimum and maximum for reservoirs (Group 3) was helpful in SDS evaluation and should be included in the AVC EIS.
- Instream Flow Incremental Methodology (IFIM) was used for the SDS EIS. Those stations (on Fountain Creek and the Arkansas River below Pueblo) and data can be used for this project as well.

New IFIM may need to be conducted on the Arkansas River below the Fountain Creek confluence. Better resolution on projected project hydrology will be needed to finalize that determination.

- The DOW recommends that existing IFIM data be used for evaluation of flow variable impacts to fish on:

  -Fountain Creek

  -Arkansas River, from Pueblo Dam downstream to the confluence with Fountain Creek.

- These analyses will allow for the assessment of proposed flow changes on the potential impacts to fisheries and macroinvertebrates. We believe that there are also some potential flow strategies that could provide positive fishery benefits, but this would necessitate adequate and appropriate modeling be completed.

Fountain Creek:

The aquatic system has been well studied by DOW, USGS and others over the past few years. We do not see a need at this time to conduct additional fish or macroinvertebrate sampling on this system for purposes of the draft EIS, unless preliminary hydrological modeling results suggest significant deviation from existing conditions. The Fountain Creek fishery is typical of a transition zone stream found along the Front Range of Colorado. At the upper reaches it is characterized as a cold/cool water habitat with salmonid components. Once reaching the floor of the valley, the fishery reflects a plains stream system, with increasingly complex habitat features as it flows towards the confluence with the Arkansas River. Sampling conducted in the past has confirmed a diverse fish population of both native and non-native species. The floods of 1999 and more recent drought conditions have brought about alterations in both habitat and the fish community. Therefore, proper assessment of the fishery should rely on both historical and recent habitat and fishery information. The following are specific aquatic wildlife issues that need to be addressed in the draft EIS.

- Changes to stream hydrology and fish habitat (see comments below on methodology to assess fish habitat), including details on seasonal, monthly, and daily variations instream flows. Consider changes in habitat for all life stages of the fish community.
- Complete analysis of changes in water quality parameters in Fountain Creek including organic loading, suspended solids, biological oxygen demand, suspended sediments, and the full array of organic and inorganic components. Describe any interactions and changes to levels of selenium. Provide detailed information on the impacts of increased wastewater effluent discharge and any increased effluent concentrations resulting from changes in flow volume.
- Discuss any anticipated changes to water quality standards (i.e., aquatic life uses).
- Describe any in-channel modifications that might be constructed, including the placement and construction of pipeline crossings, and evaluate their impact to riparian or aquatic habitat and any effects on fish migration.
- Evaluation of changes in stream flow patterns to specific fish species population community structure and function. Include an assessment of anticipated changes to species and life stage specific habitat (juvenile, adult and spawning), food availability, spawning habitat and conditions, and migration and/or dispersal impediments. Consider the accumulated impacts of historic and potential storm water hydrological components along with the additional project-induced alterations to stream flows.
- Assessment of potential streambank stability and riparian integrity with anticipated hydrological and water quality changes. Document anticipated levels of streambank erosion, and fate of suspended sediments transport within Fountain Creek and into the Arkansas River below the confluence.
- Adequate appraisal of the potential impacts to state-listed endangered or threatened species, including Arkansas darter and flathead chub.

Arkansas River

The following issues relate to changes in the hydrology (timing and quantity of flows) on the Arkansas River (or its affected tributaries) that might occur with the proposed action. Preliminary scoping information suggests that flow alterations on the Arkansas River above Pueblo Reservoir will be limited. However, we have determined through several studies that the brown trout fishery in the upper Arkansas River is very sensitive to flow alterations for reproduction, recruitment and growth. The DOW has documented that intermediate flows and small alterations to those flows can have significant impacts to habitat and trout in the upper basin (from Lake Fork Creek to Canon City). The following are specific aquatic wildlife issues that need to be addressed in the draft EIS.

- Assess alterations on stream flow in the Arkansas River from Lake Creek downstream to Lamar. Detail the changes on a seasonal, monthly and daily, and diurnal basis. Provide data indicating changes to peak flows as well as baseline flows.
- Assess potential impacts, if any, to continued operation of the Arkansas River Voluntary Flow Management Program.
- Assess potential impacts, if any, to continued operation of and adherence to several low flow agreements on the Arkansas River below Pueblo dam.
- Analyze the changes to all water quality parameters from the proposed actions as compared to baseline data. Include evaluation of organic loading, suspended solids, biological oxygen demand, suspended sediment, conductivity and the full array of organic and inorganic components. Describe any interactions and changes to levels of selenium. Provide detailed information on the impact of additional wastewater effluent on the Arkansas River and any increased effluent concentrations resulting from changes in flow volume. Evaluate the potential effects of increased nutrient loading on any of the lower Arkansas reservoirs that are filled from canals off of the mainstem Arkansas River.
- Discuss any anticipated changes to water quality standards (i.e., aquatic life uses).
- Describe any in-channel modifications that might be constructed, including the placement and construction of pipeline crossings, and evaluate their impact to riparian or aquatic habitat, and any effects on fish migration.
- Evaluate any changes in the instream habitat for brown and rainbow trout (all life stages) of the Arkansas River, from the confluence with Fountain Creek upstream to Lake Creek, due to changes in streamflows with the proposed actions.
- Evaluate potential impacts to existing native plains stream fishes, non-native species, and recognized sport fish on the Arkansas River, from Canon City downstream through the project area, due to alterations in streamflows or changes in water quality. Include the effect of changes of water quality and quantity on the reproduction, feeding, growth, and movement of fish species in the river and associated tributary habitats.
- Detail the potential impacts to the native fish assemblages, including: Arkansas darters (state-listed threatened species and federal candidate species), suckermouth minnow (state-listed endangered species), southern redbelly dace (state-listed endangered species), plains minnow (state-listed endangered species), and flathead chub (state species of special concern) within the river from Canon City through the project area.
- Detail the potential impacts to the greenback cutthroat trout (federally-listed threatened species). The greenback cutthroat trout is found in the waters of both the upper and lower Arkansas but is under increasing pressure from man-made hazards (including declining stream flow) and competition from non-native fish such as the brown and rainbow trout.

Pueblo and John Martin Reservoir (on-channel reservoirs):
Changes in the water level elevation and the timing of such changes at Pueblo and John Martin Reservoirs are anticipated by operations of the AVC and the Master Contract. The following are specific aquatic wildlife issues that need to be addressed in the DEIS, and in particular, with any changes in hydrology compared to existing conditions.

- Consider spawning needs of smallmouth, largemouth, and spotted bass, bluegill, crappie, walleye, gizzard shad and channel/blue catfish; and the production of food for survival of young fish.
- Describe anticipated changes to shoreline and littoral vegetative regeneration and production.
- Evaluate primary and secondary production, and associated food/prey sources such as macroinvertebrates, crustacea, and other forage fish with changes in water levels or water operations.
- Describe in some detail the expected seasonal, monthly, and daily changes to reservoir drawdown.
- Analyze changes in reservoir water chemistry (temperature strata, thermocline development, dissolved oxygen, suspended sediments, retention time, and metals).
- Alterations of the fishery or habitat that would affect the sport fish recreation (use, catch/harvest rates, catch composition, and angler satisfaction).
- Impacts to the emigration of fish through the Pueblo Dam outlet, and the fishery downstream of the dam.
- Describe any changes to the volume of water, or changes of water quality, delivered to the DOW's Pueblo Hatchery.

Upper Reservoir (Twin, Turquoise, and Mt. Elbert Forebay)
The following aquatic wildlife issues relate to changes in the water level elevation and the timing of such changes at Twin, Turquoise, and Mt. Elbert reservoirs that might occur with the proposed actions.

- Describe the changes to water elevations and water operations on a seasonal, monthly, daily and diurnal basis as a result of the proposed actions.
- Evaluate potential impacts to the primary and secondary production (phytoplankton, algae, aquatic plants, zooplankton, and invertebrates) that are necessary to sustain the fisheries in the reservoirs.
- Analyze possible impacts to lake trout, brown trout, and rainbow trout in terms of reproduction, recruitment, feeding, and emigration from the reservoir through the outlets.
- Describe any anticipated changes in reservoir water chemistry (temperature strata, thermocline development, dissolved oxygen, suspended sediments, retention time, inorganic or organic compounds, and metals).
- Evaluate any changes in the vulnerability of mysis shrimp and/or fish to entrainment by the Mt. Elbert powerplant operations.
- Provide information on the potential for habitat or biological alterations (due to water quantity or quality changes) that would affect the survival of naturally reproducing fish species or stocked trout.
- Alterations of the fishery or habitat that would affect the sport fish recreation (use, catch/harvest rates, catch composition, and angler satisfaction).

Holbrook, Meredith and Henry Reservoirs
The operation of the AVC and Master Contract has the potential to alter the fisheries in off-channel storage reservoirs in the lower Arkansas basin – specifically Holbrook, Meredith and Henry reservoirs. The following are specific aquatic wildlife issues that need to be addressed in the draft EIS, and in particular, as related to any changes in hydrology compared to existing conditions.

- Evaluate the anticipated changes to water operations in these two reservoirs and the water quantity alterations that could occur. Detail the changes on a seasonal, monthly and daily basis.
- Evaluate potential changes to water quality parameters within the reservoirs due to alterations in water operations with the proposed actions.
- Detail changes (from historical) that will occur to reservoir drawdown timing and elevation. Also assess the timing and amount of reservoir inflow, outflow, and retention time.
- Describe the habitat alterations to shoreline, average depth, and draining that are being considered.

- Analyze the potential impacts on the existing fish populations in the two reservoirs. Discuss reproduction, growth, survival, and emigration.
- Consider in the EIS any alteration to operations of the reservoirs that would impact the recreational fishery (use, catch/harvest rates, catch composition, and angler satisfaction).

Water quality issues related to aquatic life
The DEIS should include an evaluation of how any direct and indirect hydrological modifications will affect attainment of the water-quality standards set for protection of aquatic life. Specifically, the DIES should address whether the project's water deliveries are expected to support population growth and, as a result, increased discharges from wastewater treatment facilities serving communities in the Lower Arkansas Basin and Fountain Creek. If so, the effects of any increased effluent discharge should be evaluated with particular emphasis on attainment of aquatic life water-quality standards under flow regimes characterized by increasing effluent dominance (especially during low flow conditions). Additionally, flow depletions below Pueblo Reservoir have potential to reduce assimilative capacity for pollutants (via reductions in dilution flows) in the Arkansas River. This may influence the ability of point-source dischargers to attain permit effluent limits and in-stream water-quality standards set for protection of aquatic life. Here again, a focus on low-flow conditions (e.g., late summer) where dilution is expected to be minimal, would be important to address project effects on attainability of both physical (e.g., temperature, dissolved oxygen) and chemical water-quality standards.

Terrestrial Biology

Existing data is available to consultants to assess impacts the proposed project would have on the terrestrial wildlife resource. These include but are limited to: Natural Diversity Information System (NDIS) maps, Colorado Natural Heritage Program data, County Data, and wildlife observational database data maintained by Division staff. Despite the information that is currently available, there are gaps in the data (Pueblo County) that need to be addressed to properly assess potential impacts.

We would request that the EIS thoroughly review the impacts to all federally listed and/or candidate species in the proposed area and specifically recommend that black-tailed prairie dog (SC) colony boundaries be mapped sufficiently to properly assess potential impacts by the proposed project. The Division believes that a combination of ground census and use of aerial photographs can accurately map black–tailed prairie dog colonies as long as the scale of the imagery is appropriate.

The Division suggests that general wildlife reconnaissance inventories be conducted to confirm habitats indicated by vegetation mapping with incidental wildlife observations. We recommend rigorous wildlife surveys to assess the upland impacts along the pipeline corridor for Mountain Plover (SC) and Western Burrowing Owl (ST). Surveys for Mountain Plover and Western Burrowing Owl should be conducted in late spring to early summer to ascertain presence or absence. Surveys for black-tailed prairie dogs, mountain plover, and western burrowing owl, will provide insight to existing terrestrial wildlife concerns and could possibly assist with the design of an implementation schedule.

We would recommend that the EIS include and evaluate the potential impacts of this project on Piping Plover (FT, ST), Least Tern (FE, SE), and Yellow- billed cuckoo (SC). The Division recommends these inclusions based on the potential project impact to John Martin Reservoir, Adobe Creek Reservoir, Lake Cheraw, and the Great Plains Reservoirs. The timing and duration of water being moved from the Arkansas River will mean less water traveling downstream to John Martin Reservoir or the timing of that water arriving at John Martin. The EIS should investigate impacts to Piping Plover and Least Tern as a result of Arkansas Valley Conduit (AVC) operations. We feel the addition of yellow billed cuckoo is appropriate based on habitat preference of this species to mature riparian habitat and the potential project impacts in riparian and wetland habitat types.

We are specifically concerned with the possible change in water regimes which would eliminate or diminish valuable nesting islands at John Martin and Adobe Creek Reservoirs. Islands offer significant predator protection during periods of high water levels. Prolonged periods of low water levels would allow unwanted vegetative growth.

Project specific impacts to wildlife will vary significantly dependant on changing water operations (timing, duration, quantity) not only along the Arkansas River corridor but irrigation ditches, as well. However, riparian and wetlands communities along the Arkansas River, Fountain Creek, Lake Henry, Lake Meredith, John Martin Reservoir, Great Plains Reservoirs, Adobe Creek Reservoir, Lake Cheraw, and Pueblo Reservoir offer a wide variety of habitat for wildlife. Alterations in existing daily flow regimes, fluctuating storage levels, and natural flood events could impact the wildlife resource. Recommended impacts to investigate include reduced flows, storage levels and their effects on riparian and wetland habitats and their associated species including:

- How impacts to riparian and wetlands habitat affects all raptors but especially Bald Eagle, Goshawk, Golden Eagle, Osprey and Peregrine Falcon.
- Water operation impacts to shorebirds (great blue heron, avocets, killdeer, sandpipers, least tern, and piping plover).
- Impacts to waterfowl related to water operations and habitat.
- Water operational impacts to amphibians (northern and plains leopard frogs) and reptiles.

Depending on final corridor alignment, installation of the pipeline could have direct impacts on ground nesting birds (Long-billed curlew, western burrowing owl, and mountain plover), reptiles and amphibians (Massasauga (SC), Texas Horned lizard (SC), Round-tailed lizard(SC), Northern Leopard frog (SC)) and mammal species (black-tailed prairie dogs, pronghorn, mule and white-tailed deer, swift fox, and the Canada Lynx). Construction periods should be confined to the fall and winter periods to minimized impacts to ground nesting bird and native mammal populations. The CDOW recommends rigorous terrestrial wildlife surveys under each alternative and the use of best management practices (BMP) for the construction of the pipeline.

Vegetation (wetland and upland)
Existing vegetation data is available to the consultants for use in assessing impacts the proposed project would have on vegetation communities. Upland vegetation cover data (Colorado Vegetation Classification Project) is available on a fourth level watershed scale. Riparian and Wetland vegetation data (Colorado Riparian Classification Project) is available at a 1:24,000 scale. Both vegetation data layers are available for the entire project planning area.

The Division would like to see a thorough assessment of the existing habitat along the proposed corridors for pipeline construction. This includes the delineation of wetlands along each possible alternative and the quantification of the amount of affected wetland under each alternative.

The Division is concerned with the level of noxious weed investigation that will be conducted as a result of this project. We recommend that inventories of tamarisk and other larger known weed communities be conducted. Tamarisk can extend their ranges from periodic drying of the riparian corridor. We feel that the quantity of water potentially being moved from the Arkansas River could have a direct impact on the spread of tamarisk along the Arkansas River from Pueblo Reservoir Dam downstream to John Martin Reservoir. Noxious weed control needs to be addressed as the proposed project may facilitate the spread and increase cost of weed control efforts particularly along or near maintenance roads.

The Division would like to see a review of the timeline of this project as it relates to mapping, wildlife surveys and pipeline completion. The information collected and evaluated should be recent relative to the construction timeline. Should the construction window expand beyond 2-3 years, new surveys may be needed to prevent the use of outdated data.

The Division would like to see the revegetation plan for the project and suggests that it be designed using the most recent version of reclamation BMP's for the soil types that construction passes through. Within the sand sage habitat type, we are most concerned with the formation of sod-forming grasses and would recommend that reseeding efforts include only those seed mixes composed of mid to tall bunch grasses and forbs while promoting exposure of bare ground and forb production. In some areas no revegetation efforts would be undertaken; instead, relying solely on natural plant succession to reclaim the right-of-way.

The Division appreciates having this opportunity for input. These comments are representative, if not all inclusive of the Division's scoping issues and concerns. We welcome the opportunity to provide further assistance or to answer any questions regarding these comments.

Department of Parks and Outdoor Recreation

General

The Colorado Division of Parks and Outdoor Recreation (DPOR) recognizes and supports the need for better quality water to meet the current and future needs of Southeast Colorado. However, any proposed action which may negatively impact water flows in the Arkansas River both above and below Pueblo Reservoir or which may negatively impact water levels in Pueblo Reservoir is a cause for concern to DPOR.

As you are probably aware, pursuant to a Lease with the Bureau of Reclamation (Contract No. 14-06-700-8018, dated January 15, 1975), the DPOR acting through the Colorado Department of Natural Resources is responsible for the operation, management and administration of Pueblo Reservoir, the Arkansas River below Pueblo Reservoir and surrounding property owned by the Bureau of Reclamation, known as Lake Pueblo State Park, for recreation and related purposes. The Arkansas Headwaters Recreation Area (AHRA) along the Arkansas River from Leadville to Pueblo Reservoir is also managed by DPOR.

Parks Info

Lake Pueblo State Park, with Pueblo Reservoir as its centerpiece, is one of largest and most heavily used State Parks in Colorado with an annual visitation of just over 1.8 million and contributes almost 98 million dollars to the local economy based on recent 2008-2009 market assessment study. The AHRA is recognized as one of the nation's premier locations for whitewater rafting and kayaking and is one of the most commercially rafted rivers in the country. The AHRA has an annual visitation of over 742,500 and contributes nearly 55 million dollars to the local economies in the upper Arkansas River Valley. In addition, the commercial outfitting industry provides employment for thousands of residents each year.

Throughout the history of Lake Pueblo State Park the annual visitation and revenue has been directly related to the water level in Pueblo Reservoir and to a certain extent the water flows below Pueblo Reservoir. The same is true for AHRA relating to the Upper Arkansas River. Simply put when water levels and flows are high, visitation and revenues are high. When water levels and flows are low, visitation and revenues are low. With the continued reductions in the State General Fund, DPOR relies heavily on revenue generated from user fees to operate and maintain both parks.

In 2008, Pueblo Reservoir tested positive for Zebra and Quagga Mussel larvae. To prevent the further spread of the mussels to other waters of the State and to prevent the introduction of additional Aquatic Nuisance Species (ANS), DPOR implemented a comprehensive, aggressive and costly ANS program at Lake Pueblo State Park whereby 40,000 boats are inspected annually before entering and prior to leaving Pueblo Reservoir. Although the ANS program helps protect the waters of the Fryingpan-Arkansas Project, DPOR receives no support (financial or otherwise) from other agencies to assist in the operations of this program.

Comments and Concerns

As part of the NEPA process and pursuant to the terms of the Lease referenced above and the Pueblo Reservoir Area Management Plan (RAMP) incorporated therein, DPOR is to advise Reclamation regarding the compatibility of proposed uses and make recommendations regarding terms of the use. DPOR recommends the following:

1. The development of a management plan for Pueblo Reservoir to protect reservoir levels and recreational opportunities on Pueblo Reservoir to the greatest extent feasible. In turn, this helps protect visitation, revenues and economic impacts.
2. To the greatest extent feasible maintain minimum flows in the Arkansas River below Pueblo Reservoir to protect recreational opportunities.
3. While Reclamation retained the right under the Lease and the Pueblo RAMP to authorize such projects, the DPOR is specifically authorized and obligated to administer the use and maintain the roads within Lake Pueblo State Park. Dependant on the preferred alternative, any construction activities located within Lake Pueblo State Park will have negative impacts on roads and diminish recreational use or enjoyment of the park. DPOR seeks to protect the roads and recreational opportunities within the park through mitigation measures similar to current negotiations with Colorado Springs Utilities and the Southern Delivery System.

Evaluate the effect that an additional 28,200 acre-feet of water, the amount to be added by the proposed Excess Capacity Master Contract, will have on the boat ramps, campgrounds, trails and roads around the Reservoir that DPOR manages.

As part of the NEPA process and outside of the Pueblo lease agreement, DPOR recommends the following:

- Protect the existing Upper Arkansas River Voluntary Flow Management Program. This agreement with multiple entities seeks to maintain flows at 700 cfs between July 1 and August 15 as measured at the Wellsville Gage. A vibrant river flow is necessary to the vitality of the river industry around this state park.
- Examine the impact that a decrease in river flow on the Upper Arkansas, due to the additional water needed for the Excess Capacity Master Contract as well as the AVC, will have on the 23 boat ramps and numerous tails and campsites maintained by DPOR in the AHRA.
- In addition, evaluate the feasibility of providing a recreational trail easement along the AVC connecting Pueblo to the lower Arkansas Valley.
- Evaluate the effect that the decreased flows to John Martin Reservoir, as a result of the AVC, will have on the boat ramps, campgrounds, trails, and roads managed by DPOR in that area.

Please feel free to contact DPOR if you should have any questions. We look forward to being part of the Cooperating Agency team and working together on this project.

Thank you again for presenting DOW and DPOR with the opportunity to comment on the proposed Arkansas Valley Conduit and Excess Capacity Master Contract. We feel confident in the ability of our organizations to work in conjunction with all other involved parties to come to the best possible solutions in the areas that will be affected by these proposed projects. Please feel free to contact either of our departments with questions regarding our respective positions and we will be more than happy to clarify all that we can. We embrace the opportunity to move forward on this project with you and welcome all opportunities to participate.

Sincerely,
Rebecca S Mitchell
Water Policy and Issues Coordinator, State of Colorado Department of Natural Resources

cc:
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SEP 1 8 2010

Ref: 8EPR-N

Ms. J. Signe Snortland,
U.S. Bureau of Reclamation
Dakotas Area Office
P.O. Box 1017
Bismarck, ND 58502

RE: EPA Scoping Comments for the Draft EIS on the Arkansas Valley Conduit and Long-Term Excess Capacity Master Contract

Dear Ms. Snortland:

This letter is written in response to the Bureau of Reclamation's (BOR) request for scoping comments for the proposed Arkansas Valley Conduit (AVC) and Long-Term Excess Capacity Master Contract (Contract) projects in a Notice of Intent published in the *Federal Register* on July 30, 2010. The U.S. Environmental Protection Agency Region 8 (EPA) will review these projects in accordance with EPA's responsibilities under the National Environmental Policy Act (NEPA), and EPA's authority under Section 309 of the Clean Air Act. EPA plans on being a Cooperating Agency for these projects as defined by 40 CFR 1501.6, and as outlined in the EPA/BOR Cooperating Agency Agreement to be developed.

The BOR is preparing an Environmental Impact Statement (EIS) in accordance with NEPA and Clean Water Act (CWA) Section 404 requirements, including the CWA Section 404(b)(1) Guidelines, 40 CFR § 230.10. We understand that the project will require permitting under CWA Section 404(b)(**1**) and, consequently, the BOR has invited the Army Corps of Engineers to be a cooperating agency. The EIS will address two related projects, the AVC and the Contract. The proposed water supply pipeline, the AVC, will be constructed, owned, and operated by the Southeastern Colorado Water Conservancy District (Southeastern). Some of the towns within Southeastern's service area need to replace water of poor quality and some seek increased supply to meet existing and projected demand. The Contract will issue long-term storage to provide about 28,200 acre-feet of excess capacity (i.e., storage) of non-Fryingpan-Arkansas (Fry-Ark) water in Pueblo Reservoir and other features of the Fry-Ark project. The water stored under the Contract will be used by water providers within Southeastern's service area.

The AVC project was authorized in 1962 with annual appropriations as necessary for construction of the AVC including a cost-sharing plan; however, it was not constructed at that

time because the beneficiaries were unable to repay the construction costs. Recently, there has been renewed interest on behalf of water providers within Southeastern's service area and funding for planning has become available through sources such as a State and Tribal Assistance Grant (STAG) from EPA.

EPA's preliminary areas of concern are: 1) consideration of CWA Section 404(b)(1) Guideline requirements in the NEPA process, including a) pre-Draft EIS (DEIS) coordination and concurrence on an appropriate Purpose and Need statement, b) pre-DEIS coordination and concurrence on reasonable/practicable alternatives (and screening criteria) that could meet the overall project purpose of the proposed project, c) identification of appropriate mitigation measures for unavoidable impacts to aquatic ecosystems, and d) full disclosure of direct, indirect, and cumulative impacts to aquatic resources; 2) a full exploration and evaluation of an appropriate range of reasonable and practicable alternatives that includes sustainable water management, conservation and growth considerations, and other water supply and delivery options as identified in the Statewide Water Supply Initiative[1]; 3) identification of water quality and stream morphology impacts due to water supply diversions or other changes in flow; and, 4) impacts of and mitigation for the potential transfer of invasive species. These issues are described further in the enclosed Detailed Comments. EPA prefers to be proactive in developing analyses critical to support these areas of concern in cooperation with the agencies and applicant prior to the DEIS to prevent inadequate ratings on the document and avoid impacts to aquatic resources (if practicable) consistent with the provisions of NEPA and the CWA Section 404(b)(1) Guidelines.

Although the project will be addressing needs beyond growth, the EIS should include a rigorous analysis of indirect and cumulative growth impacts. In addition, the analysis should also disclose the impacts of all reasonably foreseeable actions on environmental resources in a way for decision-makers and any participating municipalities to be able to effectively plan to reduce impacts on such resources as much as possible. The resources that are generally affected by projects of this nature that should be studied cumulatively include, but are not limited to, habitat fragmentation and loss, ecosystem disruption, wetland loss, and changes in water quality and water quantity.

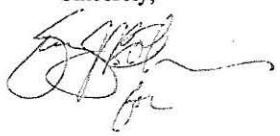
The EIS should consider the project area affected by the project even if the effects are indirect or cumulative in nature. The projects may entail or enable increases in diversions and changes in flow from the Fryingpan River watershed or the sources of water for participants in the Contract, transfers of water from agricultural to municipal uses, and changes in points of waste generation from drinking water treatment. Impacts associated with these actions range from water quality and aquatic resources to shifts in land use and community development. The EIS should analyze any such impacts and characterize the baseline condition.

EPA appreciates the opportunity to provide detailed scoping comments at this early stage of the EIS process. Our review and participation in AVC and Contract projects will be

[1] Colorado Water Conservation Board. 2004. Chapter 8. http://cwcb.state.co.us/public-information/publications/Pages/StudiesReports.aspx

coordinated by Maggie Pierce of my staff. If we may provide further explanation of our comments during this phase of your planning process, please contact Ms. Pierce at 303-312-6550, or me at 303-312-6004.

Sincerely,



Larry Svoboda
Director, NEPA Compliance and Review Program
Ecosystems Protection and Remediation

Enclosure

Detailed Comments by the U.S. EPA Region 8
Arkansas Valley Conduit and
Long-Term Excess Capacity Master Contract
U.S. Bureau of Reclamation, Dakotas Area Office

Purpose and Need

The scoping notice describes the proposed pipeline project, the AVC, a previously "authorized" feature of the Fry-Ark project and the other project, the Contract, as approved by BOR. It is somewhat misleading to characterize the project as "authorized" as it has not been through the necessary environmental documentation required by the NEPA or the CWA. To better communicate this authorization, EPA recommends it be qualified as a BOR authorization.

The "project" as described in the notice is actually an alternative for the project purpose. The purpose and need of the project may be found in the description of the fundamental need for additional water to accommodate projected growth and necessary water quality improvements. If the project is built around fulfilling a shortage, EPA recommends the purpose and need explain how water supply options, either individually or collectively, may collaboratively fulfill that shortage, if possible, while reducing impacts to the local human and ecological environments. This demand analysis should identify Project Participants and document existing use by each entity using consistent methodology (e.g., gallons per day *or* gallons per capita), and this methodology should be described in the EIS. Current build-out boundaries should also be described and demand estimated.

The purpose and need statement should remain broad enough to encompass an appropriate range of both "reasonable" and "practicable" alternatives to meet the basic project purpose, including the proposed action and other methods available, (e.g., temporary or permanent agreements for use of agricultural water rights, conjunctive use of groundwater and surface water supplies, alternative development of additional storage or reservoir re-operation, alternative storage sites within the basin, purchase of other water rights that may be less damaging to aquatic resources, blending raw water, etc.). Pursuant to the requirements of the CWA Section 404 implementing regulations, the burden to clearly demonstrate that an alternative is not practicable (i.e., available and capable of being done taking into consideration existing technology, logistics, and cost) rests on the applicant and the general rule of thumb is that if an alternative is a standard industry norm, then it is likely practicable unless clearly demonstrated otherwise (40 CFR 230.10).

Similarly, if domestic water supply improvement is another need, then water quality improvement alternatives that avoid adverse impacts to the environment should also be thoroughly evaluated and disclosed in the EIS. If an alternative includes provision of water to supplement a town's current supply or replace poor quality water, the EIS should make it clear whether the water will be blended with current water or treated and supplied with separate infrastructure. The scoping notice does not explicitly address the need for the Contract, but,

presumably, it is to address similar needs as the AVC project. EPA suggests the EIS clarify the needs associated with each project.

Range of Alternatives

The EIS should summarize the criteria and process used to develop the practicable/reasonable alternatives, including any environmental logistical and cost criteria used to identify and/or screen potential sites in the project alternatives. The EIS should carefully consider the screening criteria used to eliminate alternatives and also disclose the reasoning used to eliminate alternatives. This rationale for eliminating alternatives must be based upon the "practicability" criteria consistent with the CWA 404(b)(1) Guidelines (40 CFR § 230.10). Also see the preamble language defining practicable alternatives.

The range of alternatives should include a suite of structural and non-structural alternatives to meet the basic/overall project purpose. Because non-structural alternatives (e.g., conservation, water rights leasing, etc.) may individually contribute less towards meeting the project purpose than structural components (e.g., new or expanded reservoir storage), screening criteria should be designed so that these non-structural components are not eliminated solely on the basis of their potentially smaller individual contributions to meeting the project purpose and need. A combination of non-structural alternatives could serve to meet a portion of the defined need, and together may reflect a practicable alternative that is potentially less damaging than a single larger structural component.

One of the project's needs is to provide new source water for municipalities that currently have poor drinking water source quality, in some cases attributable to radionuclides. Although the pre-NEPA report indicates that the project will provide treated water, Table 2-4 identifies preferred alternatives that include 100% source water replacement, blending, and reverse osmosis at the tap[1]. EPA recommends the EIS provide a thorough environmental cost-benefit analysis of source water replacement, blending, and treatment alternatives, including the impacts of those alternatives.

Baseline Environmental Conditions

Special attention should be given to the development of the current environmental baseline, as opposed to the No Action alternative. In the past, some projects have described the No Action alternative as potential construction of other water supply projects in the area. However, current environmental conditions also need to be described in the document as a baseline so that future changes to environmental resources can be measured for all alternatives, including the No Action alternative.

[1] Arkansas Valley Conduit Pre-NEPA State and Tribal Assistance Grant (STAG) Final Report. August 2010. http://www.secwcd.org/AVC/STAG%20Final%20Report_Final.pdf

Mitigation

Each alternative in the EIS should explicitly include identification of appropriate mitigation where impacts are expected. The description should include designation of the entity responsible for implementing the mitigation, the funding source, and specific temporal milestones to meet rehabilitation standards.

Sustainable Water Management

Each alternative should incorporate sustainable water management practices. Sustainability should be defined as the maintenance and balance of both human and ecological needs. Alternatively, a specific alternative that meets the need or shortage through sustainable water management or conservation of current resources rather than construction of added facilities could be analyzed.

Analysis of Water Supply Shortages

A thorough assessment of the risk of water supply shortages is necessary to establish the least environmentally damaging practicable alternative. The assessment should include information on safe yields from streams and groundwater, water demand, and drought management. We recommend reviewing previously conducted studies by the Institute for Water Resources of the Corps of Engineers. (See "An evaluation of the Risk of Water Shortages in the Lower Peninsula, Virginia," Revised Report, August 15, 2001, IWR Special Study, US Army Corps of Engineers.)

This water supply assessment should also include an evaluation of potential influences of climate change on the proposed project. Climate change influences on the project may translate into modified design and operational assumptions for determining resource supplies, system demands, system performance requirements, and operational constraints (Brekke, L.D., Kiang, J.E., Olsen, J.R., Pulwarty, R.S., Raff, D.A., Turnipseed, D.P., Webb, R.S., and White, K.D., 2009 Climate change and water resources management – A federal perspective: U.S. Geological Survey Circular 1331, p.65).

Although predictions of the potential influences of climate change on specific regions involve inherent uncertainty, several recent and planned publications may be instructive, including;

- A recent overview of climate change impact in the U.S. (Global Climate Change Impacts in the United States, Thomas R. Karl, Jerry M. Melillo, and Thomas C. Peterson, (eds.). Cambridge University Press, 2009);
- A synthesis of climate change in Colorado (Ray et al., 2008; Climate Change in Colorado, A Report by the Western Water Assessment for the Colorado Water Conservation Board); and
- Ongoing and planned studies by the Colorado Water Conservation Board including the *Joint Front Range Climate Change Vulnerability Study* and the *Colorado River Availablitity Study* (see http://cwcb.state.co.us/).

Analysis/Resource Considerations

Affected Environment

Please consider the following when defining baseline conditions:

- Historical data (e.g., data 5 years or older) should be verified as currently representative;
- Selection of stream reaches for analysis is a critical exercise and should include interagency review and comment before actual survey work occurs; and
- The hydrologic analysis should be sufficiently detailed to provide the necessary information for the assessment of biological and geomorphic impacts. At a minimum, wet, average, and dry year analyses should be included. Also, potential influences of climate change on future hydrology should be considered. (See references under *Analysis of Water Supply Shortages.*)

Indirect and Cumulative Effects

Because NEPA and CWA Section 404 have slightly different definitions for indirect and cumulative impacts, the document should identify which statute is being used to evaluate the impacts and how the analysis would differ under the other statute's definition.

The EIS should examine the direct, indirect, and cumulative impacts to the cultural, recreational, and resource characteristics of the project area. This may include impacts to downstream threatened, endangered and/or sensitive species and their habitat; fish and invertebrate assemblages; water quality, and other resources.

The EIS should examine the cumulative impacts of development and water transfer projects. In determining whether a project may have a significant effect on the environment, it should analyze direct and indirect effects, including past, present, and reasonably foreseeable future activities. The impacts should be analyzed according to airsheds and watersheds rather than political boundaries. We request that the EIS specifically clarify the relationship of this project to the Southern Delivery System to aid in the disclosure of any cumulative, indirect, or direct impacts to Fountain Creek.

The cumulative effects analysis should take into account the effects of reasonably foreseeable growth in the area and its effects on the hydrology and aquatic resources. The impacts to aquatic resources can be limited by how the water projects are planned and coordinated with land use planning. This relationship should be explored in the analysis.

The indirect impacts of development should also be analyzed. The project may not affect the location of the expected growth, but it may affect the timing and amount of growth.

Relation to Local Stakeholders and Watershed Groups

The project alternatives and their potential effects on local stakeholders and watershed groups should be analyzed in relation to the following issues:

- How current stream and water usage will be altered and what the opportunity cost of ecosystem disruption in these areas (i.e., recreationists/recreation industry, intrinsic habitat quality, enhanced user experience, etc.) is;
- How water systems in the project participants' areas can be operated for metering, dual use, and/or non-potable recycling;
- How each alternative will affect property and real estate values;
- Existing water rights in relation to downstream existing rights and ecological needs, over-appropriation issues, etc.;
- The impacts and estimates for the change in water use from agricultural to municipal (i.e., consumptive versus irrigation return flow water); and
- The relationship of these water projects to the transportation and land use planning process occurring in the impacted areas.

Wetlands

In order to illustrate effects to wetlands in the area, the EIS should specifically include the following analyses or descriptions:

- Description of impacts under individual or nationwide permits authorizing the discharge of fill or dredge materials to waters of the U.S.;
- Clear maps, including wetland delineation and regional water features;
- Wetland delineation and descriptions, including wetlands function analysis if there is any potential that the project will cause impacts;
- Detailed analysis of the direct, indirect, and cumulative impacts to all wetlands in the system, including potentially hydrologically impacted wetland that are spatially removed from the construction footprint. This analysis should also include the indirect impacts to wetlands from loss of hydrology from water diversion/transfers, as well as the cumulative impacts to wetlands from future development scenarios based on population and growth estimates; and
- Detailed analysis of potentially adverse impacts to aquatic resources from reasonably foreseeable development.

Streams

Analysis of each alternative with respect to the stream system it will affect should account for alterations of seasonal water levels as well as water quantity and quality issues. The EIS should include a reach-by-reach impacts analysis for the tributary system, especially if the point of diversion is altered. These impacts should also be considered regionally within the context of the cumulative analysis portion of the review. Should seasonal water levels, quantity and quality be altered, the EIS should include analysis of:

- Impacts to resident fish species and invertebrate assemblages;
- Impacts to stream morphology;
- Impacts to sediment flow;
- Impacts to the timing, magnitude, duration, frequency, and rate of change of the flow regime, with an emphasis on the implications of these changes on channel complexity, aquatic habitat availability and life history adaptations;
- Impacts to established wasteload criteria and discharge permit requirements or to the development of Total Maximum Daily Loads (TMDLs) (this also includes recognition of future wasteloads resulting from induced project area growth); and
- Impacts to water quality including designated and/or beneficial uses, water quality standards, and the Source Water Protection Program.

In addition, mitigation measures for potentially adverse impacts to stream systems should be described.

Some waters within the area potentially affected by the project are already impaired. Portions of Fountain Creek and the Arkansas River below Pueblo Reservoir are identified on Colorado's 2010 Section 303(d) List of impaired waters[2]. The pollutants associated with these impairments identified vary among the segments but include selenium, *Escherichia coli*, sulfate, and uranium. Specifics of the project, once determined, may necessitate consideration of exacerbating existing impairments, impacts to additional waterbody impairments, or established TMDLs. As described in the bulleted items above, the EIS should analyze the project's affect on water quality, with specific attention to these parameters for which impairments already exist.

Air Quality

Protection of air quality should be addressed in the EIS. The EIS should present existing air quality conditions in the project vicinity, addressing National Ambient Air Quality Standards, Prevention of Significant Deterioration standards, and air quality related values (AQRVs). The amount of stationary, mobile and non-road source emission activities should be quantified and disclosed. Particulate emissions from construction activities and ongoing operation of the roadways should also be addressed. The EIS should evaluate and disclose air quality impacts and, if necessary, detail mitigation steps that will be taken to minimize associated adverse impacts.

EPA recommends an inter-agency air quality workgroup be formed for projects that may have significant pollutant emissions to discuss the approach to air quality analysis, the results of the analysis, and appropriate mitigation measures. An air quality workgroup might include members from the EPA, the applicable State(s), and any other Federal or Tribal agency with management responsibilities in the area (i.e., the National Park Service, the U.S. Forest Service, the U.S. Fish and Wildlife Service). One of the primary purposes of an air quality workgroup is to provide feedback to the lead agency at the earliest stages of EIS development, which can

[2] http://www.cdphe.state.co.us/regulations/wqccregs/100293wqlimitedsegtmdlsnew.pdf

reduce costly delays.

Threatened and Endangered Species

EPA recommends engaging the U.S. Fish and Wildlife Service as early in the analysis as possible to assure that the proposed alternatives responsibly account for or are in compliance with the following:

- River restoration, flow and channel modifications, wetlands, and habitat fragmentation regarding species' habitat requirements;
- Migratory Bird Treaty Act;
- A management plan for surrounding land uses (e.g. pesticide, nutrient, weed, and recreation management), for new reservoir construction alternatives, and
- Protection from invasive species.

Invasive species

The EIS should analyze the project's potential to increase the spread of invasive species. Both zebra (*Dreissena polymorpha*) and quagga (*Dreissena bugensis*) mussel veligers have been detected in Pueblo Reservoir. Construction and utilization of the AVC and associated works have the potential to transfer these organisms to areas where they have previously been undetected. When adult zebra or quagga mussels proliferate, they can smother or displace native mollusks; reduce habitat and water quality; clog inlet or outlet structures; and, disrupt treatment works for public water suppliers.

Tamarisk (*Tamarix* spp.) is common throughout the Arkansas River basin. Habitat disturbance associated with construction and flow alterations in the Arkansas River and its tributaries could enable tamarisk to spread, outcompeting native plants, and causing changes to riparian or wetland habitats and their quality.

In addition to analysis for potential impacts from invasive species, the EIS should describe monitoring, mitigation, and control measures for any impacts. EPA also recommends that the EIS also consider and describe integration with any ongoing efforts to control invasive species within the project area.

Environmental Justice

The project area is located in a potential Environmental Justice area; therefore, the EIS should address whether any minority or economically-disadvantaged communities will be disproportionately and adversely affected by the project. The following references may be helpful:

- Environmental Justice Guidance Under the National Environmental Policy Act, Council on Environmental Quality, December 1997[3];
- EO 12898, Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and Memorandum, February 11, 1994[4];
- EPA Guidance for Consideration of Environmental Justice in Clean Air Act Section 309 Reviews, EPA Office of Federal Activities, EPA 315-B-99-001, July 1999[5]; and
- Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses, EPA Federal Activities, April 1998[6].

Demand Analysis Update for Current Economic Downturn

Information on the demand shortfall within the Eastern Plains, Colorado Springs, and Pueblo, should reflect the changes in the real estate market and job projections due to the overall downturn in the national and world markets affecting the service area. These changes may slow community growth significantly in the areas served by the project. The most recent population forecasts for Colorado were produced in October 2009 by the Colorado State Demography Office. The 2009 projected growth rates vary among the different regions likely to be served by these projects. The projections show a rate of community growth increasing slightly for the Pueblo Municipal Statistical Area (MSA) and Eastern Plains regions and decreasing for the Colorado Springs MSA[7]. New information will be available from this office in October 2010 annual report.

[3] http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf
[4] https://www.denix.osd.mil/denix/Public/Legislation/EO/note19.html
[5] http://www.epa.gov/compliance/resources/policies/nepa/enviro_justice_309review.pdf
[6] http://www.epa.gov/compliance/resources/policies/ej/ej_guidance_nepa_epa0498.pdf
[7] Colorado State Demography Office, Population Totals for Colorado & Sub-State Regions. http://dola.colorado.gov/dlg/demog/population/forecasts/substate5yr.xls

RECLAMATION
Managing Water in the West

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OCT 18 2010
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CLASSIFICATION
PROJECT
CONTROL NO.
FOLDER I.D.

We Invite Your Comments!

Arkansas Valley Conduit and Long-Term Excess Capacity Master Contract

Environmental Impact Statement

Public Scoping

Name* Norman Noe	**Date** 10-6-10
Company /Organization South Swink Water Company	
Street Address or PO Box P.O. Box 442	
City, State, Zip Swink, CO 81077	
Phone (719) 469-5031 **FAX**	**E-mail** normannoe@yahoo.com

The names and comments of those making written or oral statements on this process will become part of a public record. You may request that your name and/or address be withheld from public release. Those requests will be honored to the extent permissible by law.

Comments: Would BOR consider an alignment that adjusts the Hwy. 50 corridor to run South From the Manzanola \ Rocky Ford Area to Hwy. 10, and continue east along Hwy 10 to approximately County Rd. 27, continue south 1 mile to County Rd. 2 otero county, follow County Rd. 2. east 1 mile to County Road 28, continue 1 mile south on Rd. 28 to County Road Y, Continue 2 miles east along County Road Y to Hwy 109, and follow 109 through La Junta to Cheraw. This alignment would have spurs to Rocky Ford,

Please continue on reverse side

Comments (continued):

and Swink off of Hwy 10. This alignment would also catch Newdale Grand Valley, Hilltop, West Grand Valley, South Swink Water Co., and Homestead Improvement, for a total of approximately 640 Rural taps. This alignment would also run right by La Junta's WTP located just off of Hwy 109 in La Junta. The alignment would also lie in a less congested area than along the Hwy. 50 corridor.

Sorry this is late, but please consider.

Sincerely,

Thank you for your comments

Please send comments to the mailing address or e-mail address below. To be fully considered, comments must be received by **September 13, 2010**.

J. Signe Snortland
Bureau of Reclamation, Dakotas Area Office
P.O. Box 1017
Bismarck, ND 58502
E-mail: jsnortland@usbr.gov