RECLAMATION

Managing Water in the West

ENVIRONMENTAL COMMITMENT CHECKLIST: 2009 Update

Animas-La Plata Project, Colorado and New Mexico
Upper Colorado Region

U.S. Department of the Interior
Bureau of Reclamation
Western Colorado Area Office
Durango, Colorado

May 2010

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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BACKGROUND

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

UPDATED ENVIRONMENTAL COMMITMENT TRACKING CHECKLIST

No.	Reference	Commitment	Status as December 31, 2009
1 - General Commitments			
[1-1]	2000 FSEIS, pp. 5-11	Management practices will be included in construction specifications and will be employed during construction activities to minimize environmental effects. All relevant federal, state and local laws, ordinances, regulations and standards will be complied with during implementation of the Preferred Alternative.	Management practices to minimize environmental impacts have been included and are being practiced in all contracts awarded. All relevant laws, ordinances, regulations, and standards are being complied with. When there is an overlap of the laws, ordinances, regulations, and standards, the most stringent is being applied. In 2009, construction continued on C.R. 211 and contracts were developed for the Navajo Nation Municipal Pipeline and Ridges Basin Dam Boat Ramp and Access Road. These contracts included all relevant and required standards. No violations of those standards were identified in 2009.
[1-2]	2000 FSEIS, pp. 5-11	Reclamation will prepare and implement an Environmental Commitment Plan (ECP) for the project to document and track the completion of environmental commitments.	The ECP was first made available to the public in May 2004. The annual review of the commitments within the ECP is posted in the Reclamation ALP web site at http://www.usbr.gov/uc/progact/animas/env_compliance.html. This document represents the Annual ECP Review for Calendar Year 2009 and includes all progress in the implementation of environmental commitments through 2009.

[1-3]	2002 FRFEA, pp. 5-3	Reclamation will follow commitments made in the FSEIS during the relocation of Gas Pipelines and utilities relocation necessary for ALP construction. Reclamation commits to the implementation of the pertinent portions of the Federal Energy Regulatory Commission (FERC) staff's Plan and Procedures for the Northwest Pipeline Corporation (NPC) and Mid-American Pipeline Corporation (MAPCO) pipelines.	Relocation of the NPC and MAPCO pipelines occurred in 2003 with follow up on the re-vegetation occurring in 2004. The commitments were followed. The FERC staff's Plan and Procedures were included in contracts for the relocation of the gas pipelines and were adhered to by the relocation contractors. Re-vegetation plans developed by the utility owners and approved by FERC and adjoining right-of-way land owners were followed. Reclamation participated in a re-vegetation inspection with FERC officials to determine that commitments are met. As of 2005, FERC determined that compliance was met and FERC completed the inspection process. During FERC visits, the Colorado Division of Wildlife (CDOW) was invited to participate in gas pipeline relocation inspections because part of the relocation occurred on CDOW land. With respect to Reclamation's acquisition of perpetual easements from CDOW for the relocation, final settlement stipulations for the acquisition have been reached and submitted to the court. One of the stipulations addresses the post construction revegetation topic. In 2007, Reclamation contracted for follow-up revegetation activities within the gas pipeline right-of –way. Regrowth was determined to be successful. In 2008 the NPC Pipeline and MAPCO Pipeline right-of-way exchange process was completed and closed out the Cooperative Agreement in 2009Additionally the CDOW right-of-way exchange was completed and closed out in 2009. In late fall of 2008, ATMOS Gas developed a new reroute design for its gas line (including a closure plan for the old line) that runs within Ridges Basin. Plans were submitted to La Plata County, the City of Durango and U.S. Department of Transportation for review. In 2009, ATMOS received right of way from the Colorado Department of Transportation and private land holder and completed installation of the new route which followed the Colorado Highway 160 corridor west of Durango. This new pipeline was placed in operation in September 2009. Additionally, ATMOS abandoned in place the old pipeline that lies on the north side of Lake Nighthorse in July of 2009. In 2010 ATMOS will formally relinquish the old right of way within Ridges Basin. Additionally, Tri-State Generation and Transmission Association Inc. (Tri-State) also submitted initial plans for relocation of a high voltage line which runs along the shoreline of Lake Nighthorse in late December 2008. In 2009, Tri-state received approval from Reclamation for the new right of way within Ridges Basin for the relocation. From May through September 2009 construction for the new line and removal of the old power line took place. Restoration of the old right of way was completed in mid October. Formal relinquishment of the old right to Reclamation and

			transfer of the new right of way to Tri-State will occur in early 2010. Additionally, Tri-State has the responsibility to track and ensure vegetation re-growth/restoration on construction corridors in future years.

2 - Water Resources and Hydrology Commitments			
[2-1]	2000 FSEIS, pp. 5-11	. \Reclamation will continue to refine Sam Juan River Basin Hydrology Model and improve operating rules on Navajo Dam to meet flow recommendations and provide additional water for future Indian trust water uses.	This commitment refers to mitigation in regard to future Indian trust uses' ability to obtain water from the San Juan River as described under Refined Alternative 4 Hydrology Impact 2 in Section 3.2 of the FSEIS. In 2009, work continued on refining the Hydrology Model and improving Navajo Dam operating rules to meet the flow recommendations and provide for more water development.
[2-2]	2000 FSEIS, pp. 5-11	Reclamation, in concert with State and Federal agencies, will pursue a method to protect ALP Project water return flows in the La Plata River drainage as a water supply for endangered fish.	The La Plata West Water Authority has been formed to deliver water to residences in the La Plata River Basin. No action occurred on the commitment to preserve return flows within the La Plata Drainage during 2009. The users will develop a more firm plan in coming years. It may not be practicable to identify and protect return flows, nor would amounts of water be significant, however, Reclamation is seeking other avenues to support the La Plata River Compact which may result in more flow reaching the New Mexico state line. One of the avenues being currently explored is a concept of storing Reclamation's share of Pine Ridge Ditch irrigation water in the proposed Long Hollow Reservoir. This water would be available to be released into the La Plata River, which would result in more flow reaching the New Mexico state line. Reclamation plans to initiate investigations of moving its Pine Ridge Ditch water to Long Hollow in 2010.
[2-3]	2000 FSEIS, pp. 5-11	Reclamation will design and develop Lake Nighthorse with a minimum pool of 30,000 acre-feet (af).	A 30,000 af minimum pool has been included in the design for Lake Nighthorse. Construction of the reservoir with a 30,000 af minimum pool was completed in 2008. **This action is complete.**
[2-4]	2000 FSEIS, pp. 5-11	For project operation a stream flow gauging station will be constructed on the Animas River a short distance below the intake to the DPP.	The USGS gauging station "Animas River Below Durango Pumping Plant Near Durango, CO" was installed in 2008 and is operational. **This action is complete.**

3 - Water Quality Commitments			
[3-1]	2000 FSEIS, pp. 5-11	Reclamation will develop and implement a program to reduce, minimize or eliminate temporary, short term increases in suspended sediment loading or other water quality constituents, potentially caused by project construction through incorporation of permits, Best Management Practices (BMPs) and sediment control structures.	Through 2009, all construction contracts for RBD completion, NNMP construction, and RB boat ramp and access road required the inclusion of a program to protect water quality.
[3-1-A]	2000 FSEIS, pp. 5-11	Reclamation or the contractor will be required to obtain discharge permits from appropriate regulatory agencies; storm water permits will be obtained for ground disturbances in excess of five acres.	BMPs and sediment control structures are being used to control sediment loading. All appropriate construction related permits were applied for and in compliance in 2009.
[3-1-B]	2000 FSEIS, pp. 5	BMPs and construction scheduling techniques will be utilized to reduce adverse water quality impacts.	All required permits have been obtained either by the contractor or Reclamation and stipulations in the permits have been adhered to. No violation of compliance standards were noted in 2009.
[3-1-C]	2000 FSEIS, pp. 5	Measures will be implemented to time construction activities to coincide with low flow, and measures to capture sediment will be employed.	BMPs and construction scheduling techniques are being utilized and no violation of this guideline was noted in 2009.
[3-1-D]	2000 FSEIS, pp. 5	Duration of placement of fill material will be minimized to be as short a period of time as practicable to reduce the duration of turbidity.	As much as practicable, construction activities at the DPP that involve working in the river have been timed to coincide with low flows. Some timing-critical construction has occurred outside of the low-flow periods. In 2009 all river construction activities relating to the DPP were completed. All construction actions effecting Basin Creek were completed in 2008, and all Ridges Basin Inlet Conduit construction effecting streams that run to the Animas River were also completed in 2008. In regard to the Navajo Nation Municipal Pipeline (NNMP), no fill placements in the San Juan River and/or associated small water ways in New Mexico occurred in 2009.
[3-1-E]	2000 FSEIS, pp. 5	Temporary cofferdam/berms will be used to contain fine materials and placement of fill materials during periods of low water flows in Basin Creek and the Animas River.	Duration of placement of fill material has been minimized as much as practicable. Non-traditional types of cofferdams have been used at DPP to minimize placement of fill material in flowing water. As of 2009 all in stream construction activities within Basin Creek and the Animas River have been completed. This action is completed.
[3-1-F]	2000 FSEIS, pp. 5	Stockpiles of fill materials will be placed above ordinary high water marks and protected by measures to prevent erosion of those materials into waters of the United States.	Temporary cofferdam/berms were used. The DPP intake structure coffer dam was removed from the Animas River in mid winter 2007. All construction actions adjacent to the Animas River, Basin Creek and closely associated small streams were completed by 2009. Stockpiles associated with the Boat Ramp at Lake Nighthorse were placed above the high water mark. (Lake Nighthorse was recognized by the U.S.

			Army Corps of Engineers as water of the United States during 2009.) In 2009, all construction activity associated with the NNMP incorporated these protective provisions.
[3-1-G]	2000 FSEIS, pp. 5	Silt screens or other appropriate methods will be used in Basin Creek, Animas River, and pipeline crossings of the San Juan River to confine suspended particulates and turbidity to areas where settling or removal can occur.	Silt screens or other appropriate methods have been used in Basin Creek and the Animas River. Construction adjacent to Basin Creek was completed in 2008 and construction adjacent to and within the Animas River was completed in 2009. In regard to the NNMP, all horizontal directional drilling of the San Juan River was completed in 2009. All appropriated BMPs have been utilized for NNMP contracts, and no violations of this guideline were identified.
[3-1-H]	2000 FSEIS, pp. 5	The DPP will be designed to allow for the free unrestricted movement of groundwater on the site. Groundwater levels and quality will be measured at a series of wells agreed upon by US Department of Energy (US DOE) and the State of Colorado. The Construction contractor and /or Reclamation will secure a discharge permit for the DPP from the appropriate agency; regular monitoring of the water removed during the dewatering operations will be required. The contractor will be required to prepare and implement, if necessary, a contingency plan for treating the water removed during excavation in the event groundwater contamination levels exceed anticipated limits.	The DPP has been designed to allow for the unrestricted movement of groundwater. In 2009, observation wells on the DPP property received one annual inspection and sampling. (Sampling reduced from quarterly to Annual.) All necessary discharge permits were obtained. All water removal / dewatering operations for the DPP ceased and the treatment system (ponds) was properly closed out and removed as part of remediation and contouring of the site. The Clean Water Act Section 402 National Pollution Discharge Elimination Permit remained in place in 2009 and a determination by the U. S. EPA was made that the permit would remain in place until completion of construction for the Operation and Maintenance (O&M) Building for the project and final closeout of all construction at the DPP. (The Section 402 permit was renewed by U.S. EPA in 2008.) As part of the closeout of the DPP treatment system, Reclamation will no longer be required to implement contingency plan requirements of the Section 402 permit.
[3-1-I]	2000 FSEIS, pp. 5-11	Comply with applicable state water quality standards under Section 313 of the Clean Water Act (CWA). Overall, the project is designed to comply with Sections 401, 402, 404 of CWA standards.	Through 2009 all standards were complied with.
[3-2]	2000 FSEIS, pp. 5-11	Reclamation will develop and implement a program to reduce, or eliminate temporary increases in suspended sediment loading that may occur during construction of non-binding end uses and water conveyance systems by utilization of BMPs and sediment control devices. Refer to 3-1 for list of BMPs and sediment control devices.	No action on program development for this commitment will take place until a more firm plan is formulated for various end uses of Project water. As planning continues steps will be taken to include methods to prevent sediment loading. In 2007, Reclamation participated in planning efforts with the La Plata West Water Authority (LPWWA) for the development of an intake and pumping facility at Lake Nighthorse. In 2008, Reclamation completed an Environmental Assessment (EA) and issued a Finding of No Significant Impact for the LPWWA project. These documents are available online at: http://www.usbr.gov/uc/envdocs/ea/animas/lakeNH/index.html. Reclamation issued a 25 year License Agreement to LPWWA for construction and operation of the future facility. All construction specifications included protective language relating to water quality and during initial construction the LPWWA

			contractor utilized BMPs and obtained all required permits. In 2009 LPWWA completed construction of Phase 1 of the project which was the construction of the intake structure at Lake Nighthorse. No violations of this guideline were identified in 2009. Subsequent development of Phase 2 (a water treatment plant, main water conduit pipeline, and O&M access road) is expected to occur in 2010 and 2011.
[3-3]	2000 FSEIS, pp. 5-11	Reclamation will develop with the Southern Ute Indian Tribe (SUIT) and the States of Colorado and New Mexico and implement a program to monitor water quality in the Animas River from the DPP to the confluence with the San Juan River for five years after the DPP begins operation.	The Minimal Maintenance Monitoring Program of the Animas River from the DPP to the confluence with the San Juan River was initiated in January 2005. Monthly and quarterly sampling of parameters occurred through 2008. Data acquired since 2005 will be utilized as baseline data, and compared with future data (starting with initial pumping and continuing for five consecutive years). In 2007, Reclamation initiated development of the monitoring plan which will be initiated with DPP operations. This program has been developed in concert with the SUIT, and States of Colorado and New Mexico. The monitoring plan was developed and implemented in 2009. The program will begin as filling commences and then continue for five years from that point.

4 - Vegetation Commitments			
[4-1]	2000 FSEIS, pp. 5-12	The DPP will be located at an upland location, which will avoid impacts to wetland/riparian habitat areas along the Animas River.	The DPP has been constructed at a location where there are no impacts to wetland/riparian habitat. **This action is complete.**
[4-2]	2000 FSEIS, pp. 5-12	Where feasible, directional drilling will be used for river pipeline crossings.	In 2007, Reclamation completed negotiations with the City of Farmington relating to the Farmington Reach of the NNMP; it was determined that the construction of the river crossing at Farmington will be administered by Reclamation. Preliminary planning (2006-07) supported use of directional drilling at three locations (at Farmington, Nenanezad Hill and the Hog Back). In 2008, Reclamation finalized the Horizontal Directional Drilling (HDD) designs to cross the San Juan River and contracted for HDD construction to be completed over an 18 month period. Initial clearing of HDD construction pads for the Farmington Crossing occurred in late 2008. In 2009, two of the three directional drilling components for the NNMP were completed (Farmington and Hog Back). The Nenanezad Hill directional drill is scheduled for completion in 2010. As of 2009, all in river construction activities associated with the DPP, the Ridges Basin Dam and the Basin Creek Drop Structures were completed. In 2009, no violation of water quality standards were identified.
[4-3]	2000 FSEIS, pp. 5-12	Construction ground disturbance will be limited to smallest feasible area and Reclamation will ensure that construction contractors implement BMPs, along with the planting or reseeding disturbed areas using native plant species to reestablish native vegetation.	All construction specifications and contracts included these protective provisions. Reclamation has worked with the various contractors to limit ground disturbance to the smallest feasible area. Reseeding (utilizing seed mixes developed in consultation with the CDOW and SUIT) has occurred at the following: 1. Relocated Northwest and MAPCO gas pipeline corridor, 2. Borrow B, 3. Wheeler Easement, 4. Basin Creek at Drop Structures and the Wheeler Crossing, 5. Ridges Basin Inlet Corridor. 6. La Plata County Road 211 In 2009, the rehabilitation/revegetation of the Wheeler Easement was assessed and determined to be at least 70% effective. Responsibility for management of the property was formally relinquished by the Four Corner Construction Office (FCCO). Additionally, the Borrow B property was assessed and a determination of at least another year of vegetation growth is required prior to the next follow-up evaluation.

			In 2009, Reclamation issued a contract for Integrated Vegetation Management (IVM) for all components of the ALP Project. Weed management and seeding was conducted at Ridges Basin, the DPP, the Basin Creek Drop Structures, and at the mitigation area located adjacent to the La Plata River. This contract for vegetation management will cover a four year period through 2012. With achievement of rehabilitation success in 2012, the FCCO will be able to transfer the properties from construction over to O&M management by the Western Colorado Area Office (WCAO), Division of Resources (Resources). In November 2009 Reclamation amended the four year IVM contract and requested an additional vegetation/weed assessment and plan for all properties within the Ridges Basin that had not been disturbed by construction activities. That new data would be combined with current IVM data and result in the development of an Integrated Vegetation Management Plan for Ridges Basin (IVMP), schedule and cost estimate. This new plan will be completed in early 2010.t In 2008, Reclamation developed reseeding standards for the NNMP in cooperation with the Navajo Nation and in 2009; the first completed sections of the Fruitland Reach were reseeded.
[4-4]	2000 FSEIS, pp. 5-12	Compensate for loss of approximately 1,645 acres of upland vegetation resulting from construction of Lake Nighthorse, DPP, and other features. The compensation will be part of the total estimated 2,700-2,900 acres of wildlife habitat to be acquired and enhanced to compensate for loss of wildlife habitat in Ridges Basin. Mitigation land acquisition to be completed prior to initiation of ground breaking construction at Ridges Basin Dam (RBD) and DPP sites. Reclamation will first attempt to acquire large contiguous acreage within river basins affected by ALP and then outside of those basins, with consultation with state and federal wildlife agencies.	Acquisition of the lands for the compensation of wildlife habitat was completed in September 2002, prior to construction. Approximately 6,000 acres was purchased in the La Plata River drainage to be used for wildlife and wetland/riparian mitigation. This property was transferred from construction status to operation and maintenance status managed by the WCAO Resource Division at the end of fiscal year 2007 (Oct.1, 2007). Improvements have consisted of reseeding, weed control, wildlife water access improvements and livestock exclusion fencing. In 2008 and 2009, the WCAO continued to manage the mitigation properties in accordance with the FSEIS commitments. **This action is complete.**

[4-5]	2000 FSEIS, pp. 5-12	Compensate for the loss of 134 acres of wetland/riparian habitat at mitigation ratio sufficient to replace or exceed habitat value of lost wetland/riparian habitat. Replace lost habitat at 1.5:1, creating 201 acres of replacement wetland/riparian habitat. The program includes land acquisition, development and long-term management; integrate with wildlife habitat mitigation program to expand benefits and provide large contiguous blocks of habitat. Lands for wetland mitigation will be acquired prior to initiation of construction of RBD and overall wetlands mitigation physical features will be at least 95 percent complete prior to beginning reservoir filling. Reclamation will prepare an annual summary progress report for the wetland/riparian work. Upon the completion of the subsequent five-year monitoring period (five years after reservoir filling) Reclamation shall prepare a summary monitoring report that describes the condition of the wetland/riparian mitigation area relative to the mitigation success criteria.	Land for the compensation for the loss of 134 acres of wetland/riparian habitat is a part of the 6,000 acres of land purchased in the La Plata River Basin as discussed in 4-4. The land that will be used to create a minimum of 201 acres of replacement wetlands/riparian habitat encompasses approximately 4.6 river miles of an essentially perennial reach of the La Plata River. Restoration and enhancement of the land along the river was initiated in 2002 and continued through 2007 with the removal of uncontrolled livestock grazing and the removal of non-native plant (weed) species. The river restoration earthwork and partial revegetation was completed in late 2004 with the remaining revegetation of the restoration area completed in 2005 to include minor remediation following 2005 spring flood damage. Ongoing wetland/riparian weed management occurred in 2008. Reclamation reached the important milestone of 95% completion of wetland/riparian mitigation development and full mitigation success in 2007. In October 2007, these properties were transferred from construction to O&M status and are under WCAO Resources Division management for the operating life of the project. Reclamation finalized the wetland/riparian mitigation completion report in 2008 and was made available to the public through the ALP web site (see link under 1-2, above) in 2009. **In 2016, five years after reservoir filling, Reclamation will prepare a summary monitoring report (2016 date is based on the reservoir being filled by fall 2010).**
[4-6]	2000 FSEIS, pp. 5-12	Monitor Animas River riparian corridor to determine effects of pumping regime on downstream resources (riparian vegetation-cottonwood trees specifically); also include Basin Creek wetlands.	Reclamation initiated development of a monitoring strategy for the Animas River riparian corridor in 2007. The 2008 draft report has determined that the current project analyzed within the FSEIS will not result in any new significant effects within the riparian corridor downstream from the DPP and recommends no further riparian vegetation monitoring for the Animas River corridor. The report was completed in 2009. The final findings indicated that no long term significant impacts were identified or expected to occur within the riparian cottonwood vegetation community in the future. The Basin Creek wetland/riparian habitats have been determined to be fully mitigated for by the development of wetland/riparian portion of the MA. Those wetland/riparian habitats cannot be impacted by the operation of the DPP. **Reclamation will initiate supplemental NEPA that will document the reexamination of the commitment to monitor wetlands along Basin Creek in 2010.**

[4-7]	2000 FSEIS, pp. 5-12	Limit ground disturbance due to construction of the Navajo Nation Municipal Pipeline (NNMP) and other pipelines and replace riparian trees lost due to construction at 2:1 ratio.	In 2007 construction specifications for the NNMP were completed and discussions with the City of Farmington were formalized in a memorandum of understanding. Future construction specification will include language requiring replacement of lost riparian vegetation. In 2008, contracts for HDD at three locations on the San Juan River and for the Fruitland Reach of NNMP were negotiated. Contractors initiated site survey and preparation, and participated in construction coordination meetings where the issues of limiting ground disturbance and loss of riparian vegetation were discussed as project requirements. HDD sites were selected that avoid riparian vegetation disturbance. In 2009, work at the three HDD sites was initiated and completed at two sites (Farmington and Hog Back), and construction along the Fruitland Reach was substantially completed. Requirements for this commitment were followed by the NNMP contractor and no riparian vegetation was lost.
[4-8]	2000 FSEIS, pp. 5-12	For the construction of the non-binding end uses, only the minimum construction areas will be used to minimize the construction impacts to wetlands and riparian areas. If avoidance is not possible, a wetland/riparian mitigation and monitoring plan will be developed to compensate for the loss of vegetation.	No non-binding end use construction associated with wetland/riparian areas occurred during 2009.

5 - Wildlife Commitments			
[5-1]	2000 FSEIS, pp. 5-12 to 5-13	Mitigate direct and indirect loss of approximately 2,700-2,900 acres of wildlife habitat through purchase, enhancement and management of 2,700-2,900 acres of suitable habitat; amount of land acquired will depend on wildlife potential of those acquired lands. Priority will be given to lands in La Plata River drainage and Ridges Basin vicinity. Large contiguous unfragmented parcels will be given priority. The land will be managed for wildlife purposes with coordination with the Fish and Wildlife Service (Service), Colorado Division of Wildlife (CDOW) and SUIT. Other uses will not be allowed if they interfere with wildlife habitat benefits. The wildlife mitigation lands will be acquired prior to award of contract for construction of RBD, and mitigation development will be concurrent with dam construction. Site development of the wildlife habitat lands to include: long-term management of area; soil/water inventory, development plan preparation; boundary survey & fencing; rehab of fences and unneeded roads, controlled access, parking, signage, weed control, erosion control, vegetation and habitat enhancement.	Acquisition of the lands for the compensation of wildlife habitat was completed in September 2002. Approximately 6,000 acres was purchased in the La Plata River drainage to be used for wildlife and wetland/riparian mitigation. An interim management plan was developed in 2003 which will be used until a long term management plan can be developed. Boundaries have been surveyed and signs posted. Habitat enhancement occurred under construction funding from 2002 through 2007. Fencing of the tracts containing the riparian corridor for the mitigation area occurred in 2007 and early 2008. Upland tract fencing occurred in 2008 with a small segment completed in early 2009. **This action is complete.** Reclamation further participated in discussions for long-term management options with SUIT and CDOW. In mid 2007, a finding was made within Reclamation that a contract with the SUIT for long-term management could be pursued under the Indian Self Determination Act (Public Law 92-638). Transfer of the mitigation property from construction status to operation and maintenance managed by the WCAO Resource Division occurred on October 1, 2007. In 2008, Reclamation received a proposal from the SUIT for management of the MA through a P.L. 92-638 contract and a draft Environmental Assessment was developed to assess the effects of management of the property under a SUIT contract. In 2009, Reclamation put the NEPA process on hold for discussions between the UMUT and SUIT. Completion of the NEPA process is expected to occur in late 2010 or 2011.
[5-2]	2000 FSEIS, pp. 5-13	Construction specifications will be developed to include noise, traffic, and human restrictions to minimize disturbance to wildlife near construction zone of RBD. Carbon Mountain gas pipeline route, that could affect Golden Eagles, will not be considered. Efforts will be made to avoid construction in the vicinity of elk calving areas during the May-July period.	Noise, traffic, and human restrictions to minimize disturbance to wildlife were included in the specifications of all awarded construction contracts for the RBD. The pipeline route referred to in this commitment was not used resulting in avoidance of golden eagle nests. In 2007, construction specifications for the Ridges Basin Inlet Conduit (RBIC) included standards for the protection of raptors (transmission lines) and golden eagle nests on Carbon Mountain. In 2008, construction was concluded for the RBIC, RBD and reservoir basin clearing, and Basin Creek drop structures. During construction of those features no identified conflicts with protected species was identified. In 2007, the design of CR 211 was finalized and the road will avoid wetland/riparian areas except where it will cross Wildcat Creek. At that location, it is expected that the flow of ground and surface water will not be impeded and only minimal disturbance to wetland vegetation will occur. In 2008 construction of CR 211 was initiated and steps

			are being taken to minimize impacts to wildlife during construction. Construction specifications require efforts to minimize effects to wildlife species. In 2009 construction of the CR 211 continued and will be completed in mid 2010. Construction of the boat ramp occurred in 2009 and no violations were noted.
[5-3-A]	2000 FSEIS, pp. 5-13	Reclamation will ensure that recreation facilities and realignment of CR 211 are sited or restricted in such a way to minimize impacts to elk and deer habitat utilization and design of road crossings will minimize impact to wetland/riparian resources. Indirect impacts will be managed through a plan that will support the minimization or elimination of those conflicts/impacts. Recreation facilities will not be permitted on the west and south sides of the reservoir to reduce big game migration corridor impacts and trails will be restricted to foot traffic only. Wildlife related activities will be encouraged. Future use of Reclamation lands for cabin sites or similar use will not be allowed. Sufficient land will be acquired on the west side (at least a one quarter mile) and along the south side of the reservoir to maintain a wildlife mitigation corridor around the reservoir and to winter ranges to the south.	No decision has been made on the type and magnitude of recreation facilities that will be constructed in the Ridges Basin area. Reclamation continues to conduct informal discussions with the Colorado Division of Parks, the Colorado Division of Wildlife, La Plata County and the City of Durango concerning potential future recreation at Ridges Basin. In 2008 the boat ramp design was initiated and it was preliminarily located on the east side of Lake Nighthorse and would not conflict with the wildlife mitigation corridor, or the golden eagle nesting on Carbon Mountain. In 2009, the boat ramp was constructed and design work for the access road included measures to reduce conflict with wildlife. Property to the west and southwest side of the reservoir was acquired in 2005 to maintain a wildlife migration corridor. In 2007 and 2008, legal research occurred concerning acquisition of property owned by Trappers Crossing which would complete the western buffer migration corridor for wildlife. Acquisition of this parcel was completed in 2009.
[5-3-B]	2000 FSEIS, pp. 5	Seasonal closures from November 30-March 30 in all reservoir and recreation plans to protect wintering wildlife; in some areas critical habitats closure could extend from November 15-May in accordance with the Service's recommendations. Snowmobile and off-highway vehicles will be prohibited to protect wildlife; mountain bike access will be limited to areas that do not impact wildlife. If land is transferred, deed restrictions will be included to protect wildlife values.	No decision has been made on the type and magnitude of recreation facilities that will be constructed in the Ridges Basin area. Seasonal closures and stipulations concerning snowmobile, off-road vehicle, and mountain bikes will be included within the overall recreation plan. A boat ramp, funded by others, was constructed on the east side of Lake Nighthorse as described above. As of the end of 2009 there has been no change in the status of this commitment.
[5-3-C]	2000 FSEIS, pp. 5	The Rafter J route to connect CR 211 to CR 141 is recommended. Secondary roads off of the new alignment of CR 211 will be blocked to motorized traffic. All closed roads will be revegetated with the exception of secondary roads for recreation areas access and utility access.	The design of CR 211 followed this commitment requirement. Construction of the new road was initiated in 2008 and continued through 2009. The final surfacing of the road will occur in spring 2010. CR211 connects CR 141 at a location 3/8 mile south of the Rafter J intersection. In 2009, Re-contouring and seeding of restored areas around CR 211 occurred and the WCAO Resource Division initiated negotiations to a transfer CR 211 to the La Plata County Government. Transfer of the road is expected by summer 2010.

[5-4]	2000 FSEIS, pp. 5-13	Reclamation will collaborate with the Service and CDOW on methods that will be implemented to minimize effects on golden eagles and nests on Carbon Mountain; all reasonable means will be taken to eliminate human activity on Carbon Mountain during the nesting season. All constructed power lines will be raptor-proof. Noise and visual controls will be utilized during construction to minimize impacts between December and June when eagles are nesting. If there is no practical way to avoid affecting nests then Reclamation will apply for a federal permit under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (Takings Permit) to allow the adverse impact on nesting to occur and will follow required mitigation measures.	Reclamation has coordinated with the Service and CDOW to minimize the effects on golden eagles and nests on Carbon Mountain. Temporary power lines needed for contractor and government office facilities have been constructed in accordance with raptor proof standards. In 2006, general environmental commitments and specific requirements for protection of the golden eagles were conveyed to Western Power. Reclamation has coordinated with the Service and CDOW to minimize the effects on golden eagles and nests on Carbon Mountain. Temporary power lines needed for contractor and government office facilities have been constructed in accordance with raptor proof standards. In 2006, general environmental commitments and specific requirements for protection of the golden eagles were conveyed to Western Power Administration (WAPA) and were included within WAPA's construction specifications. During November of 2002 Reclamation applied for a take permit which was denied by the Service. Through consultation and coordination with the Service it was determined that construction activity should continue as much as possible through the winter months to possibly discourage the golden eagles from using the nests on Carbon Mountain. A monitoring process was put into place to monitor the golden eagle activity in Ridges Basin. In 2006, monitoring occurred from approximately January 15, 2006 through the end of July 2006. A pair of golden eagles did nest on Carbon Mountain during 2006 near the construction site and successfully reared and fledged one young. Results of the monitoring indicated that construction with the ALP did not negatively affect the golden eagles on Carbon Mountain during their breeding season. The results of the monitoring were forwarded to the Service and the CDOW and are available for review at Reclamation's Western Colorado Area Office in Durango. In 2007, reduced monitoring occurred during the nesting season. No negative effects on the golden eagles were identified. Reclamation did not monitor golden eagle nests in 2008 due to significantly reduced construction activity. In April 2009, monitoring recommenced during the first fill of the reservoir and will continue for a total of four years. No nesting was noted in the reservoir area during the 2009 season for the Golden Eagle. This is not attributed to the filling of the reservoir. A study showed that 2009 was a poor reproductive year throughout the region.
[5-5]	2000 FSEIS, pp. 5-13	Reclamation will require that a 0.25-mile buffer around the existing golden eagle nests be identified and that all reasonable measures are pursued to preclude human activity on Carbon Mountain during the nesting period of golden eagles (December 1 through July 15).	See response to 5-4. All construction specifications and contracts included language prohibiting construction-related human activity on Carbon Mountain from December 1 through July 15. Reclamation has also prohibited its work force from going near the nests during this period.

			In 2008, construction was concluded for the RBD, RBIC and Basin Creek drop structures. During the period of construction no conflicts with existing golden eagle nests were identified. Construction activities of the CR 211 lies outside of buffer footprint for the golden eagle and no effects are projected. In 2009, Reclamation had the Lake Nighthorse boat ramp constructed and it lies outside of the 0.25 mile buffer zone for existing golden eagle nests. Reclamation will ensure that any future management of Ridges Basin includes the provision for protection during the nesting period from December 1 through July 15th of each year.
[5-6]	2000 FSEIS, pp. 5-14	Reclamation will ensure that development of Non-binding end uses and conveyance systems avoid or minimize impacts to wetlands and riparian vegetation habitat and if avoidance is not possible, require that a riparian/wetland habitat mitigation and monitoring plan is developed to compensate for the loss of habitat value. Construction zones will be minimized; implementation of mitigation for wetland/riparian vegetation will compensate for habitat losses; shield and shroud equipment to minimize noise; signage and restricted access will be put in place to control access; restrictions will be put on night-time construction and lighting.	No activity on construction of non-binding end uses occurred during 2007. In 2007, Reclamation participated in planning efforts with the LPWWA on the development of an intake and pumping facility at Lake Nighthorse. Geologic testing and facility design was completed in 2008. In 2008, Reclamation developed an EA for the LPWWA project and issued a FONSI for the preferred alternative of constructing the intake structure, treatment plant and pipeline on the north shore of Lake Nighthorse. The NEPA process found that no new significant effects would occur to wetland/riparian habitat at Ridges Basin; and the subsequent License Agreement specified Best Management Practices to be utilized during construction and facility operations to minimize impacts. LPWWA initiated construction in late 2008 and construction specifications required use of BMPs and other techniques. See 3-2, above. In 2009, construction for Phase 1 of the LPWWA project was completed and no conflicts with this commitment were identified.

6 - Aquatic Resources			
[6-1]	2000 FSEIS, pp. 5-14	Reclamation will fund a detailed evaluation of Lake Nighthorse's expected limnological conditions to determine if water pumped to Lake Nighthorse needs to be delivered at an elevation below the thermocline. This activity will be completed in coordination with the Service as part of the design data collection activities.	In 2005, Reclamation conducted an evaluation of limnological conditions for the future reservoir and determined that modification to the design of the inlet structure at the reservoir did not require a multilevel intake structure. Additionally, the study indicated that Reclamation could reduce the potential for anoxic (oxygen deficient) conditions in the reservoir by relocating the City of Durango (COD) outfall structure for the COD sewage treatment plant to a point downstream of the DPP intake. In 2007, Reclamation commenced negotiation with the COD for relocating the sewage outfall structure, and determined through supplemental NEPA analysis and documentation that no new significant impacts to the Animas River would occur by the relocation action. Reclamation determined that no additional National Historic Preservation Act (NHPA) compliance actions are necessary. In 2008, Reclamation granted funds to the COD to develop designs for the outfall relocation. As of December 2008, the COD Planning Commission and the City Council had approved the relocation. In 2009, the COD constructed the new outfall structure and put it into operation by September 2009. All COD construction followed ALP construction requirements and commitments. This commitment is complete.
[6-2]	2000 FSEIS, pp. 5-14	Develop and implement a monitoring program for bioaccumulation of trace elements in fish at Lake Nighthorse. The monitoring program will be initiated two years after Lake Nighthorse is filled and will last four consecutive years. As part of construction, vegetation in the reservoir basin will be largely cleared to reduce the magnitude of productivity and reduction potential (methylated mercury). If significant bioaccumulation effects are determined, Reclamation will work with the appropriate local, state and federal agencies to either minimize the impact or otherwise offer protection to potentially impacted fish and wildlife species and to possibly post human consumption advisories. Trout will be the only fish stocked in Lake Nighthorse.	In 2007 Reclamation initiated contracting for development of a monitoring program for bioaccumulation for Lake Nighthorse. The Four Corners Construction Office developed construction specifications for clearing the reservoir basin in 2007 and the contract for clearing was approved in mid 2008. In mid 2008, Reclamation, at the request of CDOW and in cooperation with the Service, developed a revised approach for clearing the reservoir which would reduce the potential for methylation of mercury and thus absorption by Lake Nighthorse fish populations and reduce the potential for negative effects for human consumption. Clearing of the reservoir basin was accomplished by early fall 2008. Also in 2008, substantial progress was made in the development of a monitoring program for bioaccumulation for Lake Nighthorse. A draft monitoring protocol was developed and Reclamation then sought review from the Service, CDOW, and SUIT.

			In 2012 (based on filling of the reservoir by 2010), Reclamation will begin the bioaccumulation monitoring program that is approved by Reclamation, the Service, CDOW, and SUIT.
[6-3]	2000 FSEIS, pp. 5-14	To minimize downstream stranding of fish due to pumping plant operations, changes in pumping rates will be staged: when river flow are 500 cfs or greater--increase in pumping not to exceed 50 cfs/hr and decrease in pumping not to exceed 100 cfs/hr. When river flows are below 500 cfs, increased pumping not to exceed 25cfs/hr and decrease in pumping not to exceed 50 cfs/hr. Seasonal bypass flows of 225 cfs (April-September), 160 cfs (October-November) and 125 cfs (December-March) will be honored.	Procedures outlined in this commitment are included in the 2009 draft standing operating procedures (SOP) for the pumping plant and scheduled for completion in 2010. Final refinement of the pumping design at the DPP resulted in pumps sized at incremental nominal rates of 14 cfs, 28 cfs, and 56 cfs. This will result in a slight variance from the stage changes for pumping rates identified in the FSEIS. The staged changes would be as follows: When river flows are 500 cfs or greater--increase in pumping not to exceed 56 cfs/hr and decrease in pumping not to exceed 112 cfs/hr. When river flows are below 500 cfs, increased pumping not to exceed 28cfs/hr and decrease in pumping not to exceed 56 cfs/hr. Slight variation of these rates could occur as a result of comparing nominal pump capacities with actual capacities. Seasonal bypass commitments were honored in 2009 with the commencement of first fill of the reservoir. These seasonal bypass commitments will continue to be honored through the life of the Project.

[6-4]	2000 FSEIS, pp. 5-14 to 5-15	Monitoring of the Animas River for native fish and trout will begin prior to project operation and continue for at least four years after project pumping begins. The studies are to be designed to understand native fishery, native sucker recruitment, and monitor trout population. If Project operations have a significant adverse effect, every reasonable effort will be made to reduce or eliminate impacts. In 2000, investigations will be initiated to determine whether or not fish barriers exist, whether small fish/young of the year are lost through entrainment in canals, and whether effects to trout fishery may occur. A recommendation for mitigation on possible effects to native fish will be made by 2005. Once the recommendation is approved by Service, CDOW, New Mexico Division of Game & Fish (NMG&F), and possibly the SUIT, implementation will begin immediately.	Due to the drought and persistent low flows of 2002 and 2003 a decision was made to extend the monitoring of the Animas River through 2005 and delay making a recommendation for mitigation for Animas River native fish until late 2005. An aquatic monitoring report was developed by SUIT in 2005. In 2006, Reclamation decided to perform further examination of the fisheries data to more clearly present fisheries conservation issues and to better explain their recommendations. A final report "Animas River Fish Passage and Canal Entrainment Evaluation and Recommendations", was completed and distributed to Colorado and New Mexico wildlife management agencies and the U.S. Fish and Wildlife Service in April 2007. The agencies provided no comments and Reclamation considers this commitment complete. The report can be viewed on the ALP Project website at: http://www.usbr.gov/uc/progact/animas/env_compliance.html. Post-operational monitoring of Animas River trout will begin in 2010 and is expected to continue every other year through 2018 and will include an evaluation of Reclamation's mitigation stocking program. 2009 was the first year of stocking the Animas River with whirling disease resistant (WDR) rainbow trout. The first monitoring is scheduled for 2010 and will occur every other year for eight years. Stocking of the river in 2009 was conducted under a cooperative agreement with the SUIT and CDOW. In 2008, Reclamation developed a monitoring strategy for Young of the Year native fish which recommends a two-year monitoring study to determine potential ALP Project operation on native sucker recruitment. Reclamation will implement the strategy in 2010. Monitoring to determine the potential effects of ALP Project operation on long-lived native fish (flannelmouth and blue head suckers) will occur at a later date, when operations better reflect a 'normal' operational state. This could be several years in the future.
[6-5]	2000 FSEIS, pp. 5-15	Reclamation will review and adopt established guidelines for screening facilities to minimize fish entrainment and impingement at DPP and utilize Best Available Technologies for the facility to meet those requirements.	The DPP design included screening facilities to be utilized to minimize fish entrainment at the intake. Construction specifications included this requirement. In 2007, the fish screen facility was completed. Testing of the DPP inlet screening structure occurred in 2009 by the Reclamation Technical Service Center in Denver (TSC). The screening structure was found to operate correctly under a wide range of intake velocities. During the first fill operation from April through September 2009 the intake screen structure minimized/prevented the passage of fish from the Animas River from reaching Lake Nighthorse.

[6-6]	2000 FSEIS, pp. 5-15	Screens or other physical structures will be utilized to prevent the release of live fish from Lake Nighthorse. To prevent the release of fish from Lake Nighthorse, the dam outlet structure will be designed to take water from deep water zones (hyplolimnetic water). Basin Creek and Lake Nighthorse will be monitored to determine any fish escapement.	State of the art design has been included in the design of the RBD outlet works to prevent release of fish from Lake Nighthorse. In a letter from the Service, the Service recommended that a monitoring plan be put in place once the outlets works goes into operation to monitor for any type of fish escapement from the reservoir. The design for the outlet works includes the use of an energy dissipating sleeve valve to prevent live fish escapement. The dam outlet structure has been designed to take water from the deep water zones. In 2007, the outlet works dissipation sleeve valve was installed. The outlet works were completed in 2008. In 2009, Reclamation retained the TSC to develop testing procedures to test the sleeve valve's efficiency in preventing fish escapement from Lake Nighthorse. Reclamation will submit the study design to the Service, CDOW, NMG&F and SUIT in 2010 prior to initiating testing. Two preliminary tests of the sleeve valve by TSC occurred in 2009 during first fill operations. The tests were conducted at Lake levels below the minimum pool level of 5802 feet. Final results of the preliminary tests showed 100% mortality for all fish at elevation 5796' and a 99.9% mortality of fish eggs at that elevation. At minimum pool (5802) the results of testing are expected to provide 100% mortality. The actual testing of the sleeve valve will not occur until the spring of 2010, once the reservoir has attained minimal pool (5802 ft) and continue at successive elevation until full mortality for eggs and fish are documented.
[6-7]	2000 FSEIS, pp. 5-15	Reclamation will fund acquisition and stocking of wild strains of trout annually in the Animas River within the boundaries of SUIT. Stocked trout will be marked and monitored according to age class in coordination with SUIT, CDOW, NMDGF and the Service. The success will be assessed after four years. If it is deemed a success the stocking program will continue.	Activities during 2006 included investigating the availability of trout from the Service's Hotchkiss Hatchery and contracting a study conducted by SUIT on the feasibility of construction of a fish hatchery that could be used by both the Tribe and Reclamation. The first phase of the contract was completed in December 2006. In February 2007, the fish hatchery feasibility study was finalized. It was determined that the construction of a hatchery at Basin Creek below the Ridges Basin Dam was not feasible. In May 2007, Reclamation notified the Service of its need for acquisition of trout from a Service hatchery. In November 2007, the Service responded to Reclamation that trout could be provided for ALP Project commitments. However, the Service requested additional construction funding for upgrading the hatchery to prevent whirling disease and predation. In 2008, Reclamation determined that construction funding was not available for upgrade of facilities at the Hotchkiss Hatchery, but that payment of unusual O&M costs for the production of trout for the ALP Project could be paid as part of the fish production contract.

			In 2008, as part of a cooperative effort involving Reclamation, the Service and CDOW it was determined that a CDOW breeding facility could provide the Hotchkiss Hatchery with Whirling Disease Resistant (WDR) trout breeding stock, and that the Hotchkiss Hatchery could then grow-out that subspecies to meet ALP mitigation requirements for the Animas River. In 2009, Reclamation completed an interagency agreement to allow for its mitigation stocking program to include an additional three miles of the Animas River upstream of the SUIT Reservation line as part of the ALP stocking program (DPP to purple cliffs-1.1 miles downstream). In December of 2008, the Hotchkiss Hatchery received the WDR breeding stock and initiated grow-out. Stocking of the Animas River with WDR trout occurred from mid July through mid August 2009. CDOW and SUIT engaged in the stocking of 100,000 five-inch fish. Under a cooperative agreement with the two organizations stocking will take place over an eight year period and monitoring of the success of stocking will occur four times (every other year) during the eight year period (2009-2016).
[6-8]	2000 FSEIS, pp. 5-15	Reclamation will stock Lake Nighthorse with trout for a recreational fishery.	In 2009, Reclamation negotiated an interagency agreement with the Services' Hotchkiss Hatchery and requested that 10 inch WDR trout be provided for stocking the reservoir. The hatchery initiated trout production in December 2009 and stocking of the reservoir will be conducted by Reclamation and CDOW between July and September 2010.
[6-9]	2000 FSEIS, pp. 5-15	Reclamation will acquire at least two new public access points on the Animas River for fishing and other recreation use. See 11-2 for more information.	During 2005, a cooperative agreement was finalized with the COD to help fund two public access points on the Animas River. Construction proceeded in 2006 and 2007. Both public access points (Dallabetta Park and High Bridge access area) were completed and dedicated in 2007. Reclamation formally closed out the cooperative agreement with the COD in 2007. **This action is complete.**

7 - Special Status Species Commitments			
[7-1]	2000 FSEIS, pp. 5-15	Reclamation will implement conservation measures found in the ALP Biological Opinion issued by the Service on June 19, 2000. The measures address the Colorado pikeminnow, razorback sucker, and bald eagle. The conservation measures include:	See the following.
[7-1-A]	2000 FSEIS, pp. 5	Operate Navajo Reservoir to mimic the natural hydrograph of the San Juan River to benefit endangered fishes and their critical habitat. Mimicking of the natural hydrograph will be achieved by following the San Juan River flow recommendations and subject to completion of the Navajo Reservoir Operations Environmental Impact Statement (NROEIS) and execution of a ROD. Before construction of RBD or within one year of the date of the BO, Reclamation will develop criteria to determine a positive population response for concurrence by the Service. If the flow recommendations or other recovery actions do not result in a positive population response for both species within the time frames established in the criteria and as determined by the Service, re-initiation of section 7 consultation will be required.	Reclamation obtained a final Biological Opinion (BO) from the Service in 2005. A final version of the NROEIS went to government printing in March 2006. A ROD for the EIS was received in September 2006. In 2007, 2008 and 2009 Reclamation operated the Navajo Dam and Reservoir meeting commitments provided for in the ROD, which mimic the natural hydrograph for the benefit of endangered fish as brought forward in the San Juan River flow recommendations. The criteria that determine a positive response was developed in 2001 by Reclamation and was concurred with by the Service. Any activity on the commitment to re-initiate section 7 consultation as committed to with the ALP BO will be dependent on the results achieved by the SJBRIP. As of the end of 2009 Reclamation had successfully met all requirements of this commitment. This commitment is complete.
[7-1-B]	2000 FSEIS, pp. 5	The SJBRIP designated the responsibility of maintaining and updating the model to Reclamation. Reclamation is now the "keeper of the model". As such, Reclamation is to be responsible for maintaining the model and its data, within the guidelines provided by the Recovery Program's committees.	Reclamation continues to maintain the model and data. A third generation model is being developed. Final completion of the new Model is subject to resolution of some outstanding issues as well as the development of new flow recommendations currently being discussed by the Biology Committee. No change in implementation of this commitment in 2009.
[7-1-C]	2000 FSEIS, pp. 5	In order to insure accuracy of the Model, Reclamation will take actions necessary to have an independent review of the model conducted with in one year of the biological opinion. Reclamation will complete a review of the Riverware model and then coordinate with the Service to receive concurrence on the results of Reclamation's findings.	The review by Reclamation was completed in September 2000, and discussed in a memo to the Service (October 12, 2000 Memo to the Lee Carlson--Colorado Field Sup. Ecological Services, USFWS from Pat Schumacher--Four Corners Division Manager, WCAO). The memo specifically discussed the Conservation Measures for the June 19, 2000 BO for the ALP Project. This commitment has been fulfilled and is complete.
[7-1-D]	2000 FSEIS, pp. 5	The October 1991 Memorandum of Understanding and Supplemental Agreement to protect the releases from Navajo Reservoir for endangered fish will remain in	The October 1991 Memorandum remains in effect.

		effect.	
[7-1-E]	2000 FSEIS, pp. 5	DPP will be operated in a manner that insures that its operations do not interfere with meeting the target flows recommended for the San Juan River. Pumping at the DPP will honor the bypass flows: October-November 160 cfs, December-March 125 cfs, April-September 225 cfs.	In 2009, WCAO was developing a draft SOP for the DPP which include requirements for bypass flows (October-November 160 cfs, December-March 125 cfs, April-September 225 cfs). The draft SOP will be finalized in 2010. This SOP will be utilized during construction filling and future operations.
[7-1-F]	2000 FSEIS, pp. 5	Reclamation will implement all actions necessary to prevent escapement of non-native fish from Lake Nighthorse in any water leaving the reservoir. Reclamation will monitor the water leaving the reservoir. If escapement is occurring, Reclamation will develop a plan of correction and have the plan concurred with by the Service. Develop and implement monitoring program for bioaccumulation of trace elements in bald eagle food chain in Lake Nighthorse. Develop and implement an action plan for corrective action as appropriate.	See 6-6, above, regarding prevention of fish escapement from Lake Nighthorse. See 6-2, above, regarding bioaccumulation of mercury in Lake Nighthorse.
[7-1-G]	2000 FSEIS, pp. 5	Incorporation of bypass flows into ALP operations to promote natural recruitment of cottonwoods on the Animas River.	The SOP's for the DPP will incorporate bypass flows that will promote natural recruitment of cottonwoods on the Animas River. Contracting for the development of a monitoring program to determine potential effect resulting from operation on downstream cottonwood recruitment began in 2007. In 2009, n analysis conducted by the San Juan Institute at Fort Lewis College suggests that Reclamation would not adversely affect cottonwood recruitment by full operation of the DPP. **This action is complete.**
[7-1-H]	2000 FSEIS, pp. 5	Electrical transmissions lines will be designed to avoid injury to raptors, including the bald eagle.	Construction specifications for the ALP construction include the provision that electrical transmission lines are designed to be raptor proof. Temporary power lines to contractor and government office facilities located in Ridges Basin were constructed using raptor proof standards. In 2007 the design of the WAPA power lines for the DPP included this provision. In 2008, the WAPA power lines were completed and included a raptor proof design. In 2009, the Tri-State Power Lines were relocated in Ridges Basin and have a raptor proof design. No further power line relocations will occur as part of the ALP Project. This

			commitment is complete.
[7-2]	2000 FSEIS, pp. 5-16	Wildlife and wetland/riparian areas should provide high quality protected habitat for species such as willow flycatcher and bald eagle.	Work continued during 2007 on the restoration, protection and enhancement of the wetland/riparian area on the La Plata River. The wetland/riparian area will provide a high quality protected habitat for species such as willow flycatcher and bald eagle. At the end of fiscal year 2007, the management of the mitigation property located on the La Plata River was formally transferred out of construction status to operation and maintenance status managed by the WCAO Resource Division. Additionally in 2007, restoration of sections of the Ridges Basin Inlet Conduit and Basin Creek drainage included restoration of small wetland areas disturbed by construction that are considered to be significant habitat for wildlife. (These small wetland areas were located at locations where the RBIC and/or the redeveloped Basin Creek intersected with smaller drainages.) The 2007 evaluation of wetland/riparian mitigation habitats were found to have met or exceeded all vegetative coverage goals. In 2008, WCAO continued management operations of the MA properties; and restoration efforts concluded along the Basin Creek drainage and within the reservoir basin. In 2009, WCAO continues maintenance of the mitigation area. **This action is complete.**

8 - Geology and Soil Commitments			
[8-1]	2000 FSEIS, pp. 5-16	Reclamation will reduce or eliminate the potential for earthquake damage to the RBD site through specific design specifications.	Reclamation has designed and constructed the RBD to reduce or eliminate the potential for earthquake damage to the maximum extent possible by designing the dam to be completely founded on bed rock and use of earthquake resistant embankment materials. **This action is complete.**
[8-2]	2000 FSEIS, pp. 5-16	Reclamation will develop a controlled program for filling Lake Nighthorse to reduce potential for induced seismic impacts.	Filling of the reservoir is a part of the design for the dam and reservoir and will depend upon factors such as hydrology of the Animas River at the start of filling of the reservoir. In 2008, the First Fill model was completed. First fill begin in early spring 2009, and filling is expected to be complete by the fall of 2010. Reclamations geological staff (FCCO) conducts ongoing monitoring of the site during filling. **This action is complete.**
[8-3]	2000 FSEIS, pp. 5-16	Reclamation will develop and implement a facilities operation program that includes monitoring the reservoir shoreline and slope for landslide and slumping and provide for public notification and control public access in areas where high landslide and slumping potential exists.	A plan was put in place in the spring of 2009, before first fill. Monitoring of the reservoir shoreline began in the spring of 2009 and will continue.
[8-4]	2000 FSEIS, pp. 5-16	Reclamation will develop an engineered process plan to limit, control and manage dam site methane gas releases during construction. Also, Reclamation will monitor the area for gas releases during operation.	The construction specification required the development of a plan to limit, control and manage gas releases during construction. No construction activity in potential gas release areas was conducted during 2007 and 2008. During construction filling and long-term operation Reclamation will conduct monitoring for methane seeps at the dam site. This monitoring will be conducted by the WCAO Resource Division, in cooperation with the BLM and Colorado Oil and Gas Conservation Commission. See 8-5 for more information.
[8-5]	2000 FSEIS, pp. 5-16	Reclamation will investigate potential for gas release due to man-made intrusions in Ridges Basin and dam site involving abandoned wells and coal mines. Reclamation will implement prescribed mitigation such as plugging abandoned mines and wells.	The final design for Ridges Basin Dam has avoided possible intrusion into any existing coal beds/mines. The plugging of gas wells in the reservoir basin was part of dam and reservoir construction/development. The RBD was complete in 2007; and the reservoir basin was cleared in 2008 and no gas releases were identified throughout the process. **This action is complete.**

[8-6]	2000 FSEIS, pp. 5-16	Construction contractors will utilize erosion control guidelines and BMPs to control soil erosion. Mitigation to reduce erosion for from construction areas of Lake Nighthorse, RBD, DPP, and NNMP and end-use conveyance structures will include: • using water trucks to minimize wind erosion and dust • conduct soil disturbing activities only May 1-October 15 • avoid disturbing steep slopes when feasible • construct fill slopes to a 2/1 ratio or flatter • construct V-ditches above cut or fill slopes to divert water • revegetate exposed slopes before rainy season • locate sediment traps (straw bale dikes/fabric barriers) down slope of disturbed areas • construct permanent/temporary sediment basins as needed • selective removing, stockpiling and replacement of topsoil • stabilize drainage channels using rock linings or similar material	Erosion control procedures and BMPs have been included in the specification of all awarded contracts. All of the mitigation procedures are being used with the exception of conducting soil disturbing activities only through May 1 – October 15. Because of the project schedule, soil disturbing activities will occur all year where practicable. In 2007, construction specifications for the NNMP were finalized and included requirements for measures to control erosion. Mobilization for the construction of the Fruitland Reach and the horizontal directional drill (HDD) of the San Juan River at Farmington was initiated in late 2008. Specifications for these actions included guidelines for the prevention of erosion. Through 2008 the requirements of this commitment were followed and no violations were noted. A construction contact for NNMP Reaches 2-6 was developed in 2009. In 2010, construction will begin on these reaches.
[8-6]	2000 FSEIS, pp. 5-16	Reclamation will develop a program to reduce erosion and sedimentation resulting from reservoir filling and drawdown rates.	This program will depend upon reservoir operation procedures put in place at the time of filling. The First Fill model was completed during 2008 and incorporates construction design standards to reduce and minimize sedimentation and erosion. **This action is complete.**

9 - Cultural and Paleontological Resources Commitments			
[9-1]	2000 FSEIS, pp. 5-17, Attachment H* & 2002 PA* ES-12	Reclamation will ensure compliance with historic/archeological treatment measures and disseminate results pursuant to Programmatic Agreement (PA)* to meet Section 106 of National Historic Preservation Act (NHPA) standards.	*Executed PA is slightly different than that included in FSEIS (Attachment H). All references herein are in regard to the fully executed (2002) version of the PA. Requirements of PA are being followed. Consultations with PA signatories occur on a continuous basis to assure compliance with the PA.
[9-2]	Technical Appendix 8,	Finalize a Historic Preservation Management Plan (HPMP) to implement the PA.	Completed. HPMP is included as Technical Appendix 8 to the FSEIS. Although labeled as "Draft", the document is considered sufficient and this commitment has been met. **This action is complete.**
[9-3]	2000 FSEIS, pp. 5-17, 2002 PA	Programmatic Agreement (PA) Commitments	See the following
[9-3-A]	2000 FSEIS, pp. 5-17, 2002 PA	Preferred mitigation of impacts will be avoidance, and in-place preservation; mitigation include completing resource data recovery; Mitigation of impacts accomplished through archeological excavation, study and publication; mitigation plan/design achieved through consultation with Advisory Council on Historic Preservation (ACHP), tribes, State Historic Preservation Office (SHPOs) and use of PA and HPMP	Ongoing. Avoidance of approximately 2/3 of sites within Ridges Basin project area has occurred. The final field season of mitigation of impacts to the remainder of sites in Ridges Basin has been completed. Mitigation plans/designs were developed and implemented through consultation with ACHP, Tribes, and SHPOs. Study and publication of findings are anticipated to take another two years (through 638 contract with UMUT—SWCA prime subcontractor). First ten (of an anticipated 16) volumes have been completed and printed. It is anticipated that all volumes will be completed by September 2010.
[9-3-B]	2000 FSEIS, pp. 5-17, 2002 PA	Historic American Building Survey (HABS) / Historic American Engineering Review (HAER) recordation, written/oral histories, site stabilization.	HABS/HAER recordation of Bodo Ranch was done in 2003. A report of this and other historic period resources was included in Historic Sites Volume (through 638 contract with UMU—SWCA prime contractor. A stand-alone HABS report on the Bodo Ranch was completed in 2002.
[9-3-C]	2000 FSEIS, pp. 5-17, 2002 PA	Annual Report and Review Requirements.	Reclamation will provide the 2009 annual review to all PA signatories in 2010.
[9-3-D]	2000 FSEIS, pp. 5-17, 2002 PA	Public Outreach programs will be part of mitigation program.	Outreach Plan was completed in 2003. Educational programs and public access to excavations were an active part of the mitigation plan through completion of field investigations. Since then, public and special interest group presentations, papers, and the development of an internet website continue to occur. Ongoing in 2009and will be closed out in 2010.
[9-3-E]	2000 FSEIS, pp. 5-17, 2002 PA	Curation of all records and materials at the Anasazi Heritage Center (AHC).	In 2009 all records and materials were transported to the Anizazi Heritage Center **This action is complete.**

[9-3-F]	2000 FSEIS, pp. 5-17, 2002 PA	Within 2 years of completion of Lake Nighthorse, Reclamation will develop a Cultural Resource Management Plan (CRMP) to provide long term management which will include: • provision for in-place preservation • management of future recreational development • operation & maintenance of facilities • public interpretation and public involvement	Ridges Basin CRMP will be developed in FY 2011. Preparation of Lake Nighthorse CRMP is included in the CCE, however the implementation is not.
[9-3-G]	2000 FSEIS, pp. 5-17, 2002 PA	A CRMP (with similar provisions) is also to be developed and implemented for the Mitigation Area, to be incorporated in an RMP.	As of 2009 the Mitigation Area CRMP is in a draft format. It will be finalized prior to development of the long-term Operation and Maintenance Contract for the MA.
[9-3-H]	2000 FSEIS, pp. 5-17, 2002 PA	Monitoring/compliance for delivery systems, utilities, end uses (e.g., NNMP, La Plata West, Tri-State), etc.	All RBD, NNMP, and binding end uses remain in compliance though 2009.
[9-4]	2000 FSEIS, pp. 5-17, 2002 PA	Reclamation will ensure that areas to be disturbed are field surveyed prior to construction disturbance and will ensure that construction monitoring is conducted where deemed appropriate.	All construction areas were surveyed prior to disturbance and if cultural resources were found, appropriate action was taken. Monitoring as appropriate is being conducted as construction proceeds; follow discovery provisions of the PA (Stipulation V) in the instance of a discovery. Ongoing through 2009.
[9-4-A]	2000 FSEIS, pp. 5-17, Attachment A of 2002 PA	Ensure compliance with NAGPRA and Executive Order 13007; development of project specific NAGPRA plan. Avoidance and in-place preservation of graves and sacred sites; for mitigation, Reclamation will consult with tribes and develop methods to be followed to deal with human remains and artifacts.	NAGPRA Plan has been developed and implemented in consultation with Tribes. Consulting Tribes have been sent notifications upon discovery of NAGPRA items. The Cultural Affiliation Studies to determine custody of some NAGPRA items have been completed and transfer of custody (via reburial) to representative affiliate Tribes has been accomplished (2005-2007). Final reburials occurred in 2009. Consultation with potentially affiliated Tribes was completed in 2009.
[9-4-B]	2000 FSEIS, pp. 5-17, Attachment A of 2002 PA	NAGPRA for O&M/LRM	Will be ongoing upon transfer to O&M.
[9-5]	2000 FSEIS, pp. 5-17	Paleontological survey of all properties to be disturbed prior to construction; construction monitoring as deemed appropriate. Area underlain by Animas, Kirtland, Fruitland, and Picture Cliff sandstone/foundation will be surveyed prior to construction; Areas underlain by Lewis Shale will be spot checked following construction, prior to filling; immediate notification during construction if fossils are uncovered.	Reclamation performed paleontological surveys before and during construction activities for the RBD, RBIC, DPP and relocations for gas pipelines and county roads. No discoveries of paleontological remains occurred during those activities. A final report on the paleontological surveys was completed in 2009 and no significant discoveries were made during construction.
[9-6]	2000 FSEIS, pp. 5-17	Periodic shoreline monitoring for paleontological resources as part of facilities operations.	We started implementing this action in 2009 and it will be completed in 2010.

10 - Agricultural Commitments			
[10-1]	2000 FSEIS, pp. 5-17	Location, design, and construction timing of NNMP will protect agricultural lands. Schedule construction during no-production time to eliminate impacts.	Firming up the alignment of the NNMP occurred during 2003. Geologic surface mapping occurred from 2003 through 2006. In 2007, an agreement with the City of Farmington (COF) was developed and approved for construction of the Farmington Reach of the NNMP. Environmental and cultural resource commitment implementation as part of Farmington Reach construction was discussed with the COF and preliminarily planned for by the COF. Additionally, the construction specifications for the NNMP were developed and approved; and the Four Corners Construction Office initiated development of contract procedures for the pipeline features. The construction specifications for COF include requirements to ensure protection of agricultural lands. In 2008 and 2009, contracts for construction of HDD at three San Juan River crossings and for the NNMP Reaches 2-6 of the NNMP were put in place. Specifications for the construction covered the requirements for protection of agricultural lands.
11 - Recreation Commitments			
[11-1]	2000 FSEIS, pp. 5-17	Reclamation will pursue a pumping regime to reduce adverse effects on boating in the Animas River, such as altering pumping regimes during competitive/other events to minimize affect of pumping on the event.	The Standard Operating Procedures for the DPP will ensure that a pumping regime is developed to comply with this commitment. SOP draft was not complete in 2009, but concepts that will be included in the SOP were used for operations. In 2009Reclamatin coordinated with representatives of special event s (i.e., the Animas River Days) and it was determined that, due to relatively high flows in the Animas River, pumping would not have an effect on the event(s) therefore pumping was not curtailed during that time. Reclamation will continue to coordinate with special events representatives in 2010 to minimize affects during those special events.
[11-2]	2000 FSEIS, pp. 5-17	Reclamation will provide funding (not to exceed $500,000) for the acquisition of public access at a minimum of two points on the Animas River between the High Bridge and Basin Creek.	During 2005, an agreement was finalized with the City of Durango to help fund two public access points on the Animas River. Construction proceeded in 2006 and 2007. Both public access points (Dallabetta Park and High Bridge access area) were completed and dedicated in 2007. Reclamation formally closed out the cooperative agreement with the COD in 2007. **This action is complete.**

12 - Socioeconomic Commitments			
[12-1]	2000 FSEIS, pp. 5-17	No environmental commitments are made for Socioeconomic Resources	**This action is complete.**
13 - Land Use Commitments			
[13-1]	2000 FSEIS, pp. 5-18	No environmental commitments are made for Land Use	**This action is complete.**
14 - Hazardous Materials Commitments			
[14-1]	2000 FSEIS, pp. 5-18	The DPP will be designed to minimize disturbance of contaminated materials. Procedures will be put in place for radiological monitoring of excavated soils and groundwater encountered and that remedial procedures are planned in advance to counteract the potential exposure and for the prevention of contaminated groundwater release from the construction site. The human exposure to contaminated soils and the potential for release of contaminated groundwater from the site will be mitigated by the following measures:	Construction specification for the DPP required that: construction actions and methods be employed which would minimize disturbance to locations that potentially could have contaminated materials; that procedures are in place requiring radiological monitoring; and remedial procedures are in place to counteract exposure and prevent releases of contaminated ground water.
[14-1-A]	2000 FSEIS, pp. 5	· review remediation reports and current monitoring data to understand existing subsurface conditions in respect to radioactive material.	Areas of known high levels of contamination were isolated and not disturbed during construction; and requirements for disposal of contaminated soil were included in contract specifications. **This action is complete.**
[14-1-B]	2000 FSEIS, pp. 5	· obtain preconstruction soil and water samples at site for lab testing	Preconstruction sampling was following in compliance with construction specifications. **This action is complete.**
[14-1-C]	2000 FSEIS, pp. 5	· develop site safety and health management plan with radiation protection for workers and public.	The contractor developed safety and health procedures including protection of workers and public from radiological exposure. Radiological monitoring of excavated soil and rock was performed daily basis; and all site workers were provided with training in radiological hazards and safety. **This action is complete.**
[14-1-D]	2000 FSEIS, pp. 5	· develop construction plan to deal with hazardous conditions of excavated soil and groundwater.	A treatment plan was developed; however, monitoring indicated that no treatment of contaminated water was necessary during 2004. **This action is complete.**
[14-1-E]	2000 FSEIS, pp. 5	· utilize analytical data to design treatment system for contaminated water.	A discharge permit in compliance with Section 402 and 401 of the Clean Water Act is in place from EPA. It was renewed in 2008 and remains in effect until project completion.
[14-1-F]	2000 FSEIS, pp. 5	· receive Colorado Discharge Permit (CDP) for treated water.	Pumping plant design and management plans were approved by Department of Energy and Colorado Department of Public Health and Environment in 2003. **This action is complete.**
[14-1-G]	2000 FSEIS, pp. 5	· pumping plant design and construction management plans are to be approved by Environmental Protection Agency (EPA) and state regulatory agencies.	As of 2008, the DPP main structure, intake and WAPA substation are completed; and re-contouring of the property including seeding and plantings have also been completed. The construction contractor complied with all requirements relating to this

			commitment and no violations were identified. **This action is complete.**
[14-2]	2000 FSEIS, pp. 5-18	Reclamation will ensure that all federal & state requirements pertaining to the handling and management of hazardous materials, mixed wastes, and radioactive wastes are followed. Those requirements will be included in the construction contract for construction safety and environmental compliance.	Requirements to follow for handling and management of hazardous materials, mixed wastes, and radioactive wastes were included in all construction specifications. Permits requirements and environmental compliance adequacy was monitored by Reclamation construction inspectors and compliance technicians. The construction contractor was in full compliance with these requirements through 2009. With the completion of the DPP and re-contouring of the site Reclamation has successfully met its requirements for this commitment. **This action is complete.**
[14-3]	2000 FSEIS, pp. 5-18	Contract specification for all parts of the project will ensure that the Bodo Canyon disposal cell is not disturbed. The disposal cell will have appropriate signage communicating associated hazards.	All contractors were instructed to avoid disturbing the Bodo Canyon UMTRA site and requirements to do the same are included in construction contracts. The construction contractor was in full compliance with these requirements through 2009. **This action is complete.**
[14-4]	2000 FSEIS, pp. 5-18	Reclamation will confer with Department of Energy on the Long-Term Surveillance and Maintenance Program (LTSMP) for the Bodo Canyon disposal cell; ensure the cells integrity; reactive sampling and monitoring of wells DH-228/DH-229 for indicator parameters, to include but not be limited to Molybdenum, Selenium, & Uranium.	Reclamation continues to communicate with the DOE to assess the UMTRA cell integrity through monitoring of observation wells. Reclamation observation well DH-228 is dry and no sampling was performed in 2007. Observation well DH-229 standpipe was destroyed by vandals in 2003 and the well was removed from the sample list. Reclamation remains in full compliance with this commitment through 2009.
[14-5]	2000 FSEIS, pp. 5-18	Reclamation will require that preconstruction surveys of non-binding end-use facilities and conveyance systems be conducted to meet hazardous material requirements. If hazardous waste sites are found, site surveys and sampling will be conducted to determine site history, and appropriate containment cleanup will be conducted.	The Resource Division of WCAO will work closely with developers of non-binding end-use facilities and conveyance systems to ensure that construction standards include proper management of hazardous materials and appropriate standard operating procedures on how to manage uncovered waste materials and deal with hazardous spills. In 2008, Reclamation worked closely with the LPWWA during planning for the water project; and required that a preconstruction survey of lands involved in the project be evaluated prior to construction. The results of the survey were negative. No new actions in 2009.
[14-6]	June 2002 FRFEA, pp. 5-5	In order to avoid adverse effects to surface waters and ground water in the project area, as well as impacts to endangered species from petroleum products spills, Reclamation will implement or have implemented the following measures that will apply to the 10-inch diameter MAPCO pipeline if it is converted to a petroleum products pipeline:	The Resource Division of the WCAO will work closely with the operator of gas line(s) that in the future are converted from gas to a liquefied petroleum product. The purpose of the coordination will be to inform the pipeline operator of the commitment to protection of endangered species, groundwater and surface water made by Reclamation. Reclamation will endeavor to influence the operator to develop and implement standard operating procedures that would protect those resources. Specifically, Reclamation will request that the operator adopt the following:
[14-6-A]	June 2002 FRFEA, pp. 5	BMPs will be used by crews to minimize spills of hazardous materials during construction that could get into water ways.	BMPs will be used by crews to minimize spills of hazardous materials during construction that could get into water ways. **This action is complete.**
[14-6-B	June 2002 FRFEA, pp. 5	Spill avoidance technology will be implemented to minimize the risk of a spill in the petroleum product line.	Spill avoidance technology will be implemented to minimize the risk of a spill in the petroleum product line.

[14-6-C]	June 2002 FRFEA, pp. 5	Appropriate technology will be implemented to minimize the volume of a spill from the petroleum product line.	Appropriate technology will be implemented to minimize the volume of a spill from the petroleum product line.
[14-6-D]	June 2002 FRFEA, pp. 5	An Emergency Response Plan for operations will be developed that details measures to contain spills and prevent further disposal.	An Emergency Response Plan for operations will be developed that details measures to contain spills and prevent further disposal.
[14-6-E]	June 2002 FRFEA, pp. 5	A petroleum product monitoring element will be incorporated into the water quality monitoring program for potential adverse bioaccumulation of trace element in bald eagle food items in Lake Nighthorse.	In 2007, Reclamation initiated development procedures for the water quality monitoring program for Lake Nighthorse. This plan was formally adopted in 2009. The pipeline operators conduct surface and aerial inspections of pipeline corridors, as required under operating provision governed by the Federal Energy Regulatory Commission and the Federal Department of Transportation.
[14-6-F]	June 2002 FRFEA, pp. 5	Periodic surface and/or aerial inspections will be conducted along the pipeline corridor and the Lake Nighthorse shoreline to provide early detection of small leaks that go undetected by small pressure loss in the pipeline.	Reclamation will require that operators of the Ridges Basin Dam and Reservoir (Lake Nighthorse) conduct inspections of shorelines to detect leaks from converted gas pipeline(s). This will be an operation and maintenance function for the facility.

15 - Transportation Commitments			
[15-1]	2000 FSEIS, pp. 5-18	Reclamation will conduct a transportation survey prior to construction of Ridges Basin Dam and Reservoir and implement methods to reduce traffic related impacts.	A traffic survey was completed prior to construction and where feasible, procedures such as starting work earlier than the general public and carpooling have and are being put in place to minimize impacts related to traffic. **This action is complete.**
[15-2]	2000 FSEIS, pp. 5-18	Reclamation will maintain CR 211 roadway, shoulder, drainage and roadside to standards adequate to avoid noticeable degradation. CR 211 will be maintained by the following guidelines;	In 2008, use of the Ridges Basin Inlet Conduit (RBIC) was completed and use of the eastern paved section of CR 211 will no longer be accessed from the RBIC right-of-way. Additionally, relocation/reconstruction of the western portion of CR 211 from its intersection with CR 212 to CR 141 began in mid summer 2008. This new portion of CR 211 was completed in 2009 and the WCAO initiated discussions for transfer with La Plata County. No violations of transportation related commitments were identified in 2009.
[15-2-A]	2000 FSEIS, pp. 5	Roadway maintained to moderate degree of user comfort and protects the county's investment and resource values. Surfacing, where present to be replaced to the depth required for blade maintenance and to prevent wear of the base course. Dust suppression using dust/surface palliative.	CR 211 from where it leaves US Highway 550/160 to a point near it's intersect with CR 212 was paved during 2004. A determination was made that it would be more economical to pave this section of road than try to maintain the road as a gravel road through 2010, the time required for construction of Project facilities. **This action is complete.**
[15-2-B]	2000 FSEIS, pp. 5	Road drainage will be maintained as necessary to prevent unacceptable environmental damage.	The right of way for the paved section of CR 211 was turned over to La Plata County following completion of construction. The County then assumed maintenance of that section of the road. **This action is complete.**
[15-2-C]	2000 FSEIS, pp. 5	Roadway slides and slumps will be repaired or removed to provide passage by prudent drivers in standard passenger cars and to allow unimpeded travel by construction trucks.	The portion of the road west of the pavement is maintained by the construction contractor. Maintenance measures include: grading, watering/magnesium chloride, and litter cleanup. The road has been maintained through 2009.
[15-2-E]	2000 FSEIS, pp. 5	Roadside litter will be cleaned in accordance with road management objectives. Hazards will be abated as needed with minimal environmental damage.	In 2007, the contractor periodically cleaned paved sections of CR 211 affected by traffic from construction of Ridges Basin Inlet Conduit. No deficiencies through 2009.
[15-3]	2000 FSEIS, pp. 5-18	Third party developers of recreation facilities at Lake Nighthorse to conduct traffic engineering impact analysis studies and to mitigate facilities according to state and county standards. Associated costs will be the responsibility of the developing entity.	The WCAO Resource Division will work with developers of recreation facilities at Lake Nighthorse and require that prior to development traffic analyses are conducted and if required mitigation is developed that meets State and County standards. Reclamation continues to conduct informal discussions with the Colorado Division of Parks, Colorado Division of Wildlife, La Plata County and the City of Durango concerning potential future recreation at Lake Nighthorse.

16 - Air Commitments			
[16-1]	2000 FSEIS, pp. 5-19	Construction contractor will implement measures to control fugitive dust and exhaust emission during construction.	All construction specifications require that measures be implemented to control fugitive dust and emission during construction. Through 2009, all specifications and standard operating procedures have been complied with by the contractor and no violations have been identified.
[16-1-A]	2000 FSEIS, pp. 5-19	Dust will be controlled through spraying of roads and stockpiles; foundation.	Throughout construction, dust has been controlled through the wetting of roads, stockpiles, foundation stripping/excavation and embankment areas. No deficiencies through 2009.
[16-1-B]	2000 FSEIS, pp. 5-19	Stripping/embankment will be sprayed.	Throughout construction stripped and denuded surfaces have been sprayed to control dust. No deficiencies through 2009.
[16-1-C]	2000 FSEIS, pp. 5-19	Dust emission from the DPP will be controlled by water and other measures designed to reduce health hazards.	The DPP contractor has undertaken stringent measures to control dust and prevention its movement off-site. No deficiencies through 2009.
[16-1-D]	2000 FSEIS, pp. 5-19	Seeding of disturbed areas will occur immediately after final grading	All construction contracts require site stabilization following construction which includes seeding following final grading and placement of top soiling. Seeding of the areas disturbed by the gas pipelines relocation contractor was initiated in the fall of 2003 and continued in the spring of 2004. Regrowth continues through 2008. In 2007, initial restoration grading including placement of top soil and seeding occurred on sections of the: Ridges Basin Inlet Conduit, Basin Creek drop structures, Wheeler waste area, and Borrow B. In 2008, final grading and seeding of the RBIC, DPP, Basin Creek drop structures, Borrow B, and Wheeler waste area was completed. In 2009, there was follow-up seeding and weed maintenance as part of an integrated vegetation management program.
[16-1-E]	2000 FSEIS, pp. 5-19	Personal protective devices provided to workers as required by Occupational Safety & Health Standards.	All construction specifications require that personal protective devices that limit exposure to air borne contaminants be utilized by workers on-site. Throughout construction, personal protective devices have been provided to workers as required by Occupational Safety & Health Standards. Ongoing compliance.
[16-2]	2000 FSEIS, pp. 5-19	Third party developers of non-binding end uses will be required to meet standards to control fugitive dust and other emissions.	The WCAO Resource Division will work with developers of non-binding end uses to require that specifications and standard operating procedures for construction include methods to minimize fugitive dust and emission. In 2007, there was no activity relating to construction of non-binding end uses.In 2008, Reclamation worked the LPWWA on developing the design and construction standards for the proposed water intake, treatment plant and pipeline. Standards accepted by LPWWA included controls for fugitive dust and other emissions. In 2009, no non-binding end use action occurred.

17 - Noise Commitments			
[17-1]	2000 FSEIS, pp. 5-19	Pumping plant construction contractor will restrict operations at the DPP during evening hours. Provisions governing nighttime construction will be included in the construction specifications. The contractor will be required to meet Durango noise ordinance and to obtain permits for unavoidable noise levels. Signs will be placed on the west side of Animas River notifying boaters of construction.	Contractor has restricted operations (construction) at the DPP during evening hours. Provisions governing night time construction were included in the construction specifications. All necessary permits have been obtained from the COD. Signage was placed on the Animas River to inform boaters of the construction and associated blasting schedule. During 2007 the construction contractor complied with all construction specifications, and required night time restriction and COD noise ordinance requirements. In 2008, the external features of the DPP were completed and the grounds received final grading and seeding with the exception of the construction headquarters trailer. **This action is complete.**
[17-2]	2000 FSEIS, pp. 5-19	Pumping plant construction contractor will provide blasting notification to residents, sound pre-blast alarms, and follow safety plans.	Construction specifications required pre-blast planning and public notification. During construction, blasting notification was provided to residents, was published weekly in the local newspaper and was posted on the internet. Signs were placed on the highway that passes the pumping plant site to notify the public of any blasting that was taking place. A safety plan and pre-blast alarms were used. In 2007, constructions specifications were complied with, and no construction blasting occurred on-site. In 2008, all physical earth moving activities were completed for the DPP property and the construction headquarters trailer was removed in 2009. **This action is complete.**
[17-3]	2000 FSEIS, pp. 5-19	Construction and operation of the DPP will be carried out to reduce noise impact. Noise reduction will be provided in the form of sound insulation within the plant and vegetation screening on the outside.	The Construction Specifications require that noise reduction methods be implemented to reduce noise and subsequent impacts. Construction at the DPP is being carried out in such a way as to reduce noise impacts. The plant has been designed to include sound insulation within the plant to reduce/eliminate operational noise outside the plant. In addition, landscaping around the plant will also help to absorb activities and related noise in and around the plant. In 2007, construction specifications were complied with and no violations were identified. In 2009, the DPP external facilities were complete, including final grade, plantings and seeding with the exception of the construction contractor headquarters trailer. Plantings of evergreen species were placed to provide sound reduction and visual screening. In 2009, no change occurred.
[17-4]	2000 FSEIS, pp. 5-19	Lake Nighthorse construction and operation specifications will provide for noise control relating to protection of golden eagle nesting sites. Construction will be scheduled to avoid high noise level activities in	See 5-2, above, regarding golden eagle monitoring and protective measures.

		the vicinity of golden eagle nest during nesting season and nesting areas will be off limits to construction workforce and visitors.	
[17-5]	2000 FSEIS, pp. 5-19	Require that third-party developers of recreation facilities at Lake Nighthorse incorporate in their plan the requirements to prohibit particularly loud forms of water craft and to include signing to advise people of eagle sensitivity to human presence and noise.	The WCAO Resource Division will work with recreation development organizations to include standard operating procedures which include prohibitions for loud forms of water craft and signage to inform public of noise sensitive areas in the reservoir basin. Reclamation continues in 2009 to conduct informal discussions with the Colorado Division of Parks, Colorado Division of Wildlife, La Plata County, ALP Water District, and the City of Durango concerning potential future recreation at Lake Nighthorse.
[17-6]	2000 FSEIS, pp. 5-19	Contractors associated with development of non-binding end uses will implement methods to minimize noise during construction and operation.	The WCAO Resource Division will work with developers of future water treatment and conveyance systems to standardize requirements during construction that minimize noise during construction. In 2007, the Environment and Planning Group of WCAO-Durango attended planning sessions for the La Plata West Water Authority. No formal requests were brought forward to Reclamation by the Authority in 2007. In 2008, Reclamation processed an Environmental Assessment for the construction and operation of the LPWWA project. A FONSI and a license agreement for construction and long-term operation of the facility were issued in August 2008. No further non-binding actions in 2009.

18 - Public Health and Safety Commitments			
[18-1]	2000 FSEIS, pp. 5-19	Public access to structural component construction areas will be controlled by signage and fencing.	Construction specifications for all ALP construction contracts require that public access to structural components and construction areas be controlled by signage and fencing. An agreement was obtained from La Plata County to close CR 211 to through traffic until the end of the construction period. Through 2009 all requirements were complied with.
[18-2]	2000 FSEIS, pp. 5-20	Contractors will configure haul routes and access roads to prevent public vehicular entry including placement of signs warning against entry.	Construction specifications for all ALP construction contracts require that no public vehicular entry be allowed at construction sites. Through 2009 all requirements were complied with.
[18-3]	2000 FSEIS, pp. 5-20	Gas companies will be notified of construction crossings of gas pipelines and locations/routes of pipelines will be marked in the field and on construction specifications.	Construction specifications required that gas companies will be notified of all construction crossings. In 2009, notifications and coordination took place with gas companies as required.
[18-4]	2000 FSEIS, pp. 5-20	Construction sites for end-use and delivery systems will have public access controlled through signage and fencing.	There was no construction activity on non-binding end uses during 2007. In 2008, Reclamation worked closely with LPWWA to ensure that construction methods included standards to restrict public access to construction sites. In 2009, there were no end use activities.
[18-5]	2000 FSEIS, pp. 5-20	Reclamation will investigate the potential of gas release due to man-made intrusions, prior to construction and will monitor excavations for coal bed methane gas. Investigations for gas emissions at abandoned exploration wells, Gates Coal Mine, foundation trench and outlet works tunnel, and along works in Basin Creek. If levels are detected that exceed safety standards, appropriate actions will be taken to protect public and workers.	Preconstruction investigations evaluated the potential for gas releases which could potentially be man-made. The RBD was designed to eliminate the need for intrusion into coal beds and mines and thereby reduce potential of gas releases. In 2007, monitoring of construction activities in the outlet works and Basin Creek areas for release took place, and no reportable/exceedance of acceptable levels were identified. In 2008, the RBD was completed and there were no known releases of coal bed methane throughout construction. In 2009, a final report detailing compliance with this commitment was completed.
[18-6]	2000 FSEIS, pp. 5-20	Access to operation areas that pose a threat to public safety will be controlled.	See response to 18-1 and 18-2. Through 2009 all requirements were complied with.
[18-7]	2000 FSEIS, pp. 5-20	Safety and accident management techniques are to be utilized during recreation planning, design of facilities, and development of reservoir access points.	As of 2009, no recreation facility manager has been determined. Reclamation will require that future specifications for development include provisions for public safety.

19 - Public Service and Utilities Commitments			
[19-1]	2000 FSEIS, pp. 5-20	Contractors will adequately secure work sites, patrol work areas, and coordinate with city/county law enforcement.	Construction specifications for all ALP construction contracts contain language requiring that secure work sites and coordination with local municipalities. Through 2009, the construction contractors for the RBD, RBIC, DPP, CR 211 Relocation and the NNMP have worked with the appropriate community and county governments to secure work sites.
[19-2]	2000 FSEIS, pp. 5-20	Contractors will mark location of buried utilities and develop a notification system for coordination with affected utilities during construction.	All construction specification for the ALP Project has required that buried utilities are marked and notification/coordination with affected utilities occur. Through 2009, all buried utilities have been marked and very close coordination has been maintained with the utility companies.
20 - Visual Resource Commitments			
[20-1]	2000 FSEIS, pp. 5-20	Reclamation will ensure that as part of design, the DPP blends into natural land form and that following construction site is revegetated. The form, color, and lines of the plant will compliment natural form, colors, and lines on the west side of the Animas River. The design elements will blend with surrounding vegetation and river terrace topography, and color. Native species will be used for revegetation. Blended form, color, and vegetation design elements will limit views of the pumping plant facilities.	The DPP has been designed to comply with this commitment. The design was coordinated with the COD. A revegetation /seeding plan is part of the final stage of the DPP, and it utilizes native species. The construction specifications have the structure blending into the native landscape and topography with the exception of power poles installed by others outside of Reclamation control. Elements of the restored perimeter have been designed in 2007, and will obscure views of the main plant from the offsite highway corridor. In 2009, final grading, plantings, and seeding of the DPP property were complete. Re-growth of grass species will be monitored until 70 percent re-growth and stabilization required by the site Stormwater Management Plans is achieved. As of 2009 the DPP contractor has not been released from responsibility for site stabilization.
[20-2]	2000 FSEIS, pp. 5-20	Design of project structural facilities will incorporate, to the extent practicable, non-intrusive design elements. Reclamation will utilize the services of a qualified landscape architect to develop and supervise implementation of a landscaping plan that specifically focuses on minimizing impacts of project structure components and project disturbed areas.	The services of a landscape architect were utilized and the design of the project facilities has been designed to comply with this commitment, to the extent practicable. In 2007, the Western Area Power Administration (WAPA) contracted for the construction of the substation at the DPP. The facility design was reviewed by the COD for its visual appearance from offsite locations. Installations at the substation were completed in 2008. WAPA included Reclamation's criteria for landscaping within its construction specifications, with the exception of the power poles to the DPP substation which do not blend with the color of the natural landform. In 2008, the DPP landscape plan was followed for the final grading, plantings and seeding of facility grounds. The landscape process was closed out in 2009 with the removal of the construction trailer.
[20-3]	2003 FRFEA, pp. 5-4	To minimize the temporary, short-term loss of vegetation cover and visual impacts from pipeline construction Reclamation committed to the following measures:	Reclamation worked closely with the Northwest Pipeline Company (NPC) in developing measures for the reroute of three gas and gas product pipelines from within Ridges Basin to the north of the basin on Wildcat Canyon Ridge just south of CR 141. Reclamation has met its commitment on this issue, and the 2007 annual review

			completes all required actions. **This action is complete.**
[20-3-A]	2003 FRFEA, pp. 5	· In visually sensitive areas, restoration of the construction right-of-way shall include the revegetation and establishment of small trees and shrubs, using locally native species wherever possible, to buffer the cleared right-of –way (NPC and Enterprise will be responsible).	Requirements for this commitment were included in the agreement between Reclamation and NPC and Enterprise. A re-vegetation plan was developed which includes a weed management plan and implementation of the commitment requirements. Revegetation of the right-of-way included seeding for native grasses, and small wood plants, shrubs and trees. **This action is complete.**
[20-3-B]	2003 FRFEA, pp. 5	· Noxious weeds will be identified prior to construction of the pipelines, and control measures during construction (eg. pre-construction herbicide spraying, equipment clearing) will be implemented to reduce the potential spread of such noxious weeds within the right-of-way and into adjacent disturbed lands (NPC and Enterprise will be responsible).	NPC environmental staff and consultants evaluated the pipeline corridor prior to construction, and developed measures/SOPs to control noxious weeds during and following construction. Methods adopted met FERC (Federal Energy Regulatory Commission) permitting requirements. **This action is complete.**
[20-3-C]	2003 FRFEA, pp. 5	· A weed management plan will be prepared as part of the Plan to minimize the risk of weed infestations by eliminating existing weeds through scarification of the right-of –way before seeding and further weed control measures (NPC and Enterprise will be responsible).	A weed management plan was developed by NPC prior to construction and met FERC requirements. Implementation of the plan became apart of NPC and Enterprise operations following completion of the construction and pipeline reroute. **This action is complete.**
[20-3-D]	2003 FRFEA, pp. 5	· To minimize the clearing of ponderosa pines, the final route alignment, construction right-of-way configuration and placement of extra work space will be planned to minimize impacts on ponderosa pine parkland.	Clearing of ponderosa pine trees in temporary work spaces was limited to only those trees that would unavoidably be impacted**.** **This action is complete.**

21 - Indian Trust Assets and Environmental Justice			
[21-1]	2000 FSEIS, pp. 5-21	Interior will support the modification of the Settlement Agreement to recognize new limits placed on the use and amount of water provided to the Colorado Ute Tribes and establish a water acquisition fund.	Interior supported the new limits and a water acquisition fund was established. Reclamation has met its' commitment on this issue, and the 2007 annual review completes all required actions. **This action is complete.**
[21-2]	2000 FSEIS, pp. 5-21	Interior will pursue the development of operation plans for Lake Nighthorse and Navajo Reservoirs that will optimize more efficient delivery of the flow recommendations for endangered fish in the San Juan River and limit certain project pumping to allow for making additional depletion and developable water available for other Indian Tribe's present and future water needs.	Through 2009, Reclamation continued to operate Navajo Reservoir to attempt to meet the flow recommendations for endangered fish in the San Juan River. In 2009, Reclamation finalized the Standard Operating Procedures for the DPP and Lake Nighthorse. These procedures will ensure that a joint operating plan with Navajo Reservoir is developed to comply with this commitment by the end of 2012.
[21-3]	2000 FSEIS, pp. 5-21	Interior will facilitate discussions between the Jicarilla Apache Nation and other parties with interest in the San Juan River Basin to develop options of obtaining 25,500 afy depletion as authorized under the Jicarilla Apache Tribe Water Rights Settlement Act.	This action is ongoing**.**
[21-4]	Record of Decision, Appendix 2	Continued active participation in the SJRBRIP to promote the dual goals of recovery of endangered fish and proceed with water development in the Basin.	Reclamation continued to participate in the SJRBRIP through 2009.
[21-4-A]	Record of Decision, Appendix 2	Reclamation will provide substantial technical support in the development and refinement of a comprehensive hydrology model to allow realistic, supportable projections of future water uses within the basin.	Reclamation continued to provide technical support during 2009, including technical support to update the hydrology model to generation 3.
[21-4-B]	Record of Decision, Appendix 2	Reclamation will continue to optimize the operating rules for the Navajo Dam to provide efficient fulfillment of the flow recommendations necessary for endangered species recovery.	The ROD on the NROEIS was signed in July 2006. The operating rules to provide for the fulfillment of the flow recommendations for endangered fish have been adopted and are being implemented. **This action is complete.**
[21-4-C]	Record of Decision, Appendix 2	Reclamation will implement an adaptive management program associated with the operations of Navajo Reservoir to evaluate biological responses to a more natural hydrograph.	Through 2009, Reclamation has continued to work and coordinate with the SJBRIP on actions supporting adaptive management. Revisions to the SJBRIP Flow Recommendations are currently being considered as new information on habitat and biological response to flows is obtained from the SJBRIP's long-term monitoring activities. Reclamation has been, and will continue to be involved in this process as it evolves.

[21-5]	Record of Decision, Appendix 2	Reclamation will operate the DPP to limit pumping during dry years, allowing more water to be available in Navajo Reservoir to meet project demands.	Methods and procedures for the operation of the DPP, as they relate to the operation of Navajo Dam are included in the standard operating rules for the pumping plant. This action is complete.
[21-6]	Record of Decision, Appendix 2	Work with Navajo Nation and the Jicarilla Apache Tribe to combine resources in evaluating options for proceeding with the Navajo-Gallup project, the Navajo River Water Development Plan, and the restoration of the Hogback Project to try to minimize the likelihood that any single Tribe bears a disproportionate burden for the conservation of listed species under the ESA.	Reclamation continued to work with the Navajo Nation and the Jicarilla Apache Nation through 2009. Reclamation supported Jicarilla Apache Nation consultation for the Navajo River Water Development Plan, and the continued planning of the Navajo-Gallup Water Supply Project. In 2008 a draft final EIS for the Navajo-Gallup Project received public and Tribal review. The EIS and Biological Opinion were completed in 2009.
[21-7]	Record of Decision, Appendix 2	Facilitate discussions among the parties with interests in the San Juan Basin. Discussions will aim to develop options for obtaining adequate water for the Navajo Nation and Jicarilla Apache Nation future needs.	This commitment is being addressed through discussions with the Jicarilla Apache Nation on ESA consultation on their full 25,500 af depletion of their water rights settlement water, and through the implementation of the Navajo Nation Water Rights Settlement in New Mexico, which is included in P.L. 111-11 which was passed in 2009.
[21-8]	Record of Decision, Appendix 2	BOR will conduct an independent review of hydrologic model to ensure accuracy and a tool in future water planning activities.	This review was completed in 2000 (Oct. 12, 2000 memo to Service on "Conservation Measures". As the model continues to be improved, its accuracy is continually being checked. **This action is complete.**
[21-9]	Record of Decision, Appendix 2	Reclamation will work with the Jicarilla Apache Tribe to facilitate their ability to independently utilize the SJRBRIP Hydrology Model.	Reclamation has continued to work with the Jicarilla Apache tribe to facilitate their ability to utilize the model through 2007. Reclamation has met its' commitment on this issue, and the 2007 annual review completes all required actions. **This action is complete.**
[21-10]	Record of Decision, Appendix 2	Through the appraisal investigation of the Navajo – Gallup Project, evaluate:	The Final EIS and associated BO were completed in 2009. Actions 21-10-A through 21-10-C are completed.
[21-10-A]	Record of Decision, Appendix 2	An alternative project design that would take water from the San Juan River below its confluence with the Animas River which may increase the potential yield of the project while protecting flows for endangered fish.	The PR/DEIS was distributed to the public on March 30, 2007. The preferred alternative diverts water below the Animas River confluence on the San Juan River which helps maintain flows for endangered fish. The EIS was finalized in 2009; the ROD selected the San Juan River PPNM alternative. This action is complete.
[21-10-B]	Record of Decision, Appendix 2	Modify the Navajo-Gallup Project to reduce demands.	Project water demands are the lowest per capita in the SW United States. This action is complete.
[21-10-C]	Record of Decision, Appendix 2	Utilizing a portion of the Navajo Indian Irrigation Project (NIIP) allocation to meet the needs for the Gallup Navajo Project.	The Navajo Nation has agreed to reduce water use on NIIP and/or other Navajo projects as needed to provide endangered fish flows while providing NGWSP full water needs. This action is complete.

[21-11]	Record of Decision, Appendix 2	Consult with the Navajo Nation and the Jicarilla Apache Tribe on the implementation of the Indian Trust Assets mitigation measures and commence consultation early in the implementation process.	Consultation with the Navajo Nation and the Jicarilla Apache Nation has continued since the completion of the 2000 FSEIS. **This action is complete.**
[21-12]	Record of Decision, Appendix 2	The NNMP corridor will be routed to minimize disturbance or relocations of residences.	The NNMP alignment and design specifications were finalized in 2007 and included minimization of disturbance and no relocations are required. Through 2009, NNMP contracts included provisions to protect private residences and minimize disturbance during construction.
[21-12-A]	Record of Decision, Appendix 2	If residences are required to be relocated, the residents and the Navajo Nation will be compensated.	No residences along the NNMP alignment are required to be relocated. **This action is complete.**
[21-12-B]	Record of Decision, Appendix 2	Project planners will work to avoid disturbances to the cemetery. Consultation will take place with the Navajo Nation Historic Preservation Department (NNHPD) and representatives from affected Navajo Chapters prior to disturbing any human remains or funerary objects.	Consultation with the Navajo Nation Historic Preservation Department continued through 2009. Steps were taken by Reclamation to avoid cultural resource sites and human burials by realigning the NNMP right of way.
[21-12-C]	Record of Decision, Appendix 2	Mitigation measures will be used to minimize noise and vibration impacts. Construction activities will be scheduled during daytime hours when within 0.25 miles of a residence and would be scheduled during non-school hours when feasible.	Specifications for the NNMP construction include actions to minimize noise and vibration effects during future on the ground construction.
[21-13]	2000 FSEIS, pp. 5-21	Non-binding Scenarios and relocation of the natural gas pipeline.	In 2007, the La Plata West Water Authority initiated planning for constructing a diversion and treatment facility at Lake Nighthorse. The two Colorado Ute Tribes are participants in the authority and in future years will be part of the approval process for conveyance pipelines and facilities. In 2008, the LPWWA received approval from Reclamation and specification included provisions to protect Tribal rights. No further action in 2009.
[21-13-A]	2000 FSEIS, pp. 5-21	No construction will occur on Tribal lands without approval of the appropriate Indian tribe.	The natural gas pipelines within Ridges Basin were relocated in 2002 and the new right of way lies on Reclamation lands and does not affect any tribal properties. As conveyance systems are built, the sovereign Tribal governments will have right of approval or denial.
[21-13-B]	2000 FSEIS, pp. 5-21	BMPs will be implemented during construction. Impacts will be mitigated.	The Tribal governments will implement commitments for BMPs and mitigation as appropriate and within the authority held by the Tribal government for conveyance systems within their reservation properties.