

RECLAMATION

Managing Water in the West

Scoping Report

Pojoaque Basin Regional Water System Environmental Impact Statement



U.S. Department of the Interior
Bureau of Reclamation
Albuquerque Area Office



Environmental Management and Planning Solutions, Inc.

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MISSION STATEMENT

Protecting America's Great Outdoors and Powering Our Future

The U.S. Department of the Interior protects America's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our future.

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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ACRONYMS AND ABBREVIATIONS

Full Phrase

ASR	aquifer storage and recovery
af	acre-feet
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
EIS	Environmental Impact Statement
NEPA	National Environmental Policy Act
NOI	Notice of Intent
OSE	New Mexico Office of the State Engineer
Reclamation	US Department of the Interior, Bureau of Reclamation, Albuquerque Area Office
RWS	Regional Water System
Settlement Act	Aamodt Litigation Settlement Act
Settlement Agreement	Aamodt Settlement Agreement
US	United States

EXECUTIVE SUMMARY

The United States (US) Department of the Interior, Bureau of Reclamation, Albuquerque Area Office (Reclamation) is proposing to design and construct a regional water system (RWS) serving the Pojoaque Basin in Santa Fe County, New Mexico. The RWS would deliver potable water to the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and non-Pueblo County residents by diverting and treating water from the Rio Grande. The water would then be transmitted, stored, and prepared for delivery to local residents, as authorized by the Aamodt Litigation Settlement Act (Public Law 111-291, Title VI; 124 Stat. 3065; Settlement Act). The project objectives are to provide a clean reliable source of drinking water to meet current and future demands, decrease reliance on diminishing groundwater supplies that may have impaired water quality, provide a source of water for fire suppression, and provide for future growth in the area. The RWS would have the capacity to divert water from the Rio Grande to provide up to 4,000 acre-feet of annual consumptive use. Reclamation is preparing an Environmental Impact Statement (EIS) to evaluate the environmental and socioeconomic impacts of the proposed RWS in accordance with the National Environmental Policy Act of 1969 (Public Law 91-190; NEPA), Council on Environmental Quality regulations (40 Federal Code of Regulations 1500-1501), Department of the Interior NEPA regulations (Departmental Manual 516), and the Reclamation NEPA Handbook (Reclamation 2012).

This report documents the results of the public scoping process for the Pojoaque Basin RWS EIS. Scoping is a collaborative public involvement process conducted at the beginning of the NEPA process to identify and refine issues to be addressed in the EIS. Public involvement is a vital part of the NEPA process. In addition to scoping, public involvement for this project includes collaboration with federal, state, local, and tribal governments; public outreach efforts; and public review of and comment on the Draft and Final EIS.

PUBLIC SCOPING ACTIVITIES

Public outreach during the public scoping period included: a press release announcing the scoping period; newspaper advertisements announcing the

meetings; a project newsletter distributed to over 4,200 individuals and businesses on the project mailing list; seven open house-format scoping meetings throughout northern New Mexico; and a project website, www.PojoaqueBasinEIS.com. The website provides access to background material and maps of the area of analysis. The public scoping period began on February 24, 2012, with the publication of a Notice of Intent in the *Federal Register*. All comments received on or before May 31, 2013 were included in this scoping report.

PUBLIC SCOPING RESULTS

During the public scoping period, Reclamation accepted written or transcribed submissions commenting on the project. Each submission was reviewed for substantive or meaningful content and separated into discrete comments. A single submission could contain multiple comments on various aspects of the project. The comments were coded by topic, entered into a database, and grouped into categories.

Reclamation received 65 submissions during the public scoping period, resulting in 197 relevant and discrete comments. Of these comments, 118 comments (60 percent) were categorized as resources issues and organized into 13 resource issue statements. The remaining 79 comments (40 percent) were related to the project but did not fit within a resource issue. These comments were organized into three additional issue categories: project alternatives, general project comments, and public and agency collaboration.

An additional 22 comments were identified as substantive but outside the scope of the NEPA process and will not be addressed in the EIS. These comments focus on actions being conducted by Santa Fe County, the New Mexico Office of the State Engineer, and parties to the Aamodt Settlement Agreement (Settlement Agreement), as well as other actions not relevant to this EIS.

A total of 41 individuals (89 percent of commenters), 3 organizations or nonprofit groups (7 percent), 1 elected official (2 percent), and 1 tribal government (2 percent) submitted comments. No federal, state, or local agencies provided comments. No comments were received from businesses or educational institutions.

ISSUE SUMMARY

Comments received during scoping were identified and organized into four issue categories:

- Resource issues – These comments focused on issues that relate to natural resources or project-specific resources. These comments were further developed into the following resource issues:

1. How would aquifer storage and recovery wells be constructed and used as part of the project, and what effect would they have on local aquifers?
 2. What contaminants are currently found in the surface water and groundwater within the Pojoaque Basin, and what methods would Reclamation use to bring the RWS water up to drinking water standards?
 3. How would Reclamation supply water to RWS users during periods of water shortage or prolonged drought?
 4. How would the RWS impact population growth and economic activity in the Pojoaque Basin?
 5. How would Reclamation construct RWS infrastructure to minimize impacts on local water infrastructure and property owners?
 6. How would the RWS impact natural and sensitive resources in the area?
 7. Where would the water for the RWS come from, and how would the RWS affect local water rights?
 8. How could Reclamation incorporate energy conservation strategies and renewable energy technologies into the project?
 9. How would Reclamation acquire and enforce rights-of-way to construct and access RWS components?
 10. How would the RWS impact species listed under the Endangered Species Act?
 11. How much water storage would be included as part of the project?
 12. How would the RWS interact with other projects in the area?
 13. How would Reclamation protect cultural resources and areas designated as Northern New Mexico Historical Traditional Villages during project construction?
- Project alternatives – These comments proposed alternative ways to implement the RWS, including the location and implementation of project infrastructure, expanding the area of analysis for the project, and suggesting additional projects to be analyzed in the EIS.

- General project comments – These comments focused on more general aspects of the project, including the need and justification for the RWS, current and future project analysis, and public outreach methods and materials.
- Public and agency collaboration – These comments stressed the importance of public and agency collaboration, interagency cooperation, and highlighted specific people or groups that should be consulted during the EIS analysis.

Reclamation will use the comments within these four issue categories to help guide the development of a reasonable range of alternative project designs for the EIS that adequately addresses the concerns of the affected public.

DATA SUMMARY AND DATA GAPS

As part of the public scoping process, Reclamation accepted additional sources of information to be considered as part of the analysis conducted during the EIS. The following items were submitted by members of the public for consideration: reports from the US Geological Survey and Bureau of Reclamation, maps detailing information within or near the area of analysis, photographs, local water use information, and a press release from a local newspaper. Reclamation also identified data gaps, or insufficient information, that may be important to the planning process. Future data collecting activities include studies on groundwater, vegetation, wildlife, aquatic habitat, archeological and culture resources, soils and geotechnical data, and visual resources within the area of analysis.

FUTURE STEPS

Scoping is the first opportunity for public involvement in the EIS process. Reclamation will use the information collected during the scoping period to formulate alternatives and prepare the Draft EIS, which is anticipated to be published in late 2015. Release of the Draft EIS will be announced in a Notice of Availability in the *Federal Register*, on the project website, and in the local media. Additional public meetings will be held to solicit public comment on the draft document. At the conclusion of the public comment period, the Draft EIS will be revised, and a Final EIS will be published and made available for public review. While these are the formal opportunities for public involvement as required by NEPA, Reclamation welcomes input from the public throughout the EIS process. Reclamation will also keep the public informed on the progress of the EIS through public informational meetings, updates to the project website, periodic newsletters at project milestones, and additional public outreach efforts throughout the project.

CHAPTER I

INTRODUCTION

I.1 PURPOSE OF THE SCOPING REPORT

The purpose of this scoping report is to provide an overview of the proposed Pojoaque Basin Regional Water System (RWS) project, document the scoping process, and discuss the findings from the process. The findings include a statistical analysis of comments received during scoping, a detailed overview of identified issues that will be addressed in the Environmental Impact Statement (EIS), and information on data collected and outstanding after the scoping process. Scoping is a collaborative public involvement process implemented early in the EIS to identify and refine issues that will be addressed in the planning process.

I.2 PROJECT OVERVIEW

The United States (US) Department of the Interior, Bureau of Reclamation, Albuquerque Area Office (Reclamation) is proposing to design and construct a regional water system (RWS) serving the Pojoaque Basin in Santa Fe County, New Mexico. The RWS would deliver potable water to the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and non-Pueblo County residents by diverting and treating water from the Rio Grande. The project objectives are to provide a clean reliable source of drinking water, decrease reliance on diminishing groundwater supplies that may have impaired water quality, provide a source of water for fire suppression, and provide for future growth in the area. The RWS would have the capacity to divert from the Rio Grande a quantity of water sufficient to provide up to 4,000 acre-feet (af) of annual consumptive use.

In accordance with the Aamodt Litigation Settlement Act (Public Law 111-291, Title VI; 124 Stat. 3065; Settlement Act), Reclamation is proposing to construct a RWS in substantial compliance with the conceptual engineering design as outlined in the Pojoaque Regional Water System Engineering Report (HKM Engineering 2008), commonly referred to as the HKM Report. This report served as the proposed action for the public scoping process.

The HKM Report proposes diverting surface water from the Rio Grande using a side diversion channel intake structure located on the east bank just upstream of the Otowi Bridge at Pueblo de San Ildefonso. A pump station located on the hillside near the bridge would pump raw water to a water treatment facility located on Pueblo de San Ildefonso south of State Highway 502. Treated water would be transmitted to storage facilities through underground pipelines. This treated water would be stored in large tanks and underground aquifers, possibly using aquifer storage and recovery (ASR) well technology. The RWS would include pipelines and pump stations to serve the four Pueblos and County water customers in the Pojoaque Basin.

Under the National Environmental Policy Act of 1969 (Public Law 91-190; NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations 1500-1501), the Department of the Interior NEPA regulations (Departmental Manual 516), and the Reclamation NEPA Handbook (Reclamation 2012), Reclamation is required to consider and disclose the effects of its actions on the natural and human environment prior to taking such actions. Actions that are subject to NEPA include projects and programs that are entirely or partially financed, assisted, conducted, regulated, or approved by federal agencies; new and revised agency rules, regulations, plans, policies, or procedures; and legislative procedures (40 Code of Federal Regulations [CFR] 1508.18). The actions being considered by Reclamation in relation to the proposed Pojoaque Basin RWS are subject to the requirements of NEPA.

Reclamation is preparing an EIS to analyze the environmental and socioeconomic impacts of construction and operation of the proposed RWS or any other alternatives. Once a Record of Decision for the EIS is signed and other conditions of the Settlement Act are satisfied, Reclamation would begin construction of the RWS. Once built, titles to the infrastructure and facilities would be transferred to the Pueblos, Santa Fe County, and the Regional Water Authority, who would be responsible for ongoing operation and maintenance.

1.2.1 Project Background

The issue of scarce water resources in the Pojoaque River Basin was first litigated in the case *State of New Mexico ex rel. State Engineer v. Aamodt* (No. 66cv6639 MV/LCS [D.N.M.]), to determine the nature and extent of the claimants' water rights. In May 2006, a draft settlement agreement was signed by the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque; the city of Santa Fe; Santa Fe County; the State of New Mexico; and representatives of Pojoaque Basin residents. This draft settlement agreement allowed for up to 4,000 af of water to be diverted from the Rio Grande and the construction of the Pojoaque Basin RWS; about 2,500 af of water would be allocated to the four Pueblos and up to 1,500 af would be allocated to Santa Fe County customers. The draft agreement also required County residents to connect to the system. This requirement was removed from the final settlement agreement. The technical

details of the RWS described in the draft settlement agreement were subsequently developed in the engineering report prepared by HKM Engineering, Inc. (HKM Engineering 2008).

The final Aamodt Settlement Agreement (Settlement Agreement) dated April 2012, which was signed by the US on March 14, 2013, does not require County residents to hook up to the RWS. County residents within the Pojoaque Basin would have the option of signing on to the Settlement Agreement under one of three options or not signing on at all. Santa Fe County and the New Mexico Office of the State Engineer (OSE) are currently working with County residents to determine who would hook up to the RWS. The Settlement Act, signed in 2010, ratified the terms of the Settlement Agreement and authorized Reclamation to plan, design, and construct the RWS.

1.2.2 Purpose of and Need for the Proposed Regional Water System

The following purpose and need statement was presented to the public during scoping: The purpose is to provide safe and reliable potable water to the residents of the Pojoaque Basin. The need is to reduce reliance on groundwater and to allow the Pueblos to obtain the water rights provided under the Settlement Act.

The purpose and need statement may evolve during the early phases of the EIS.

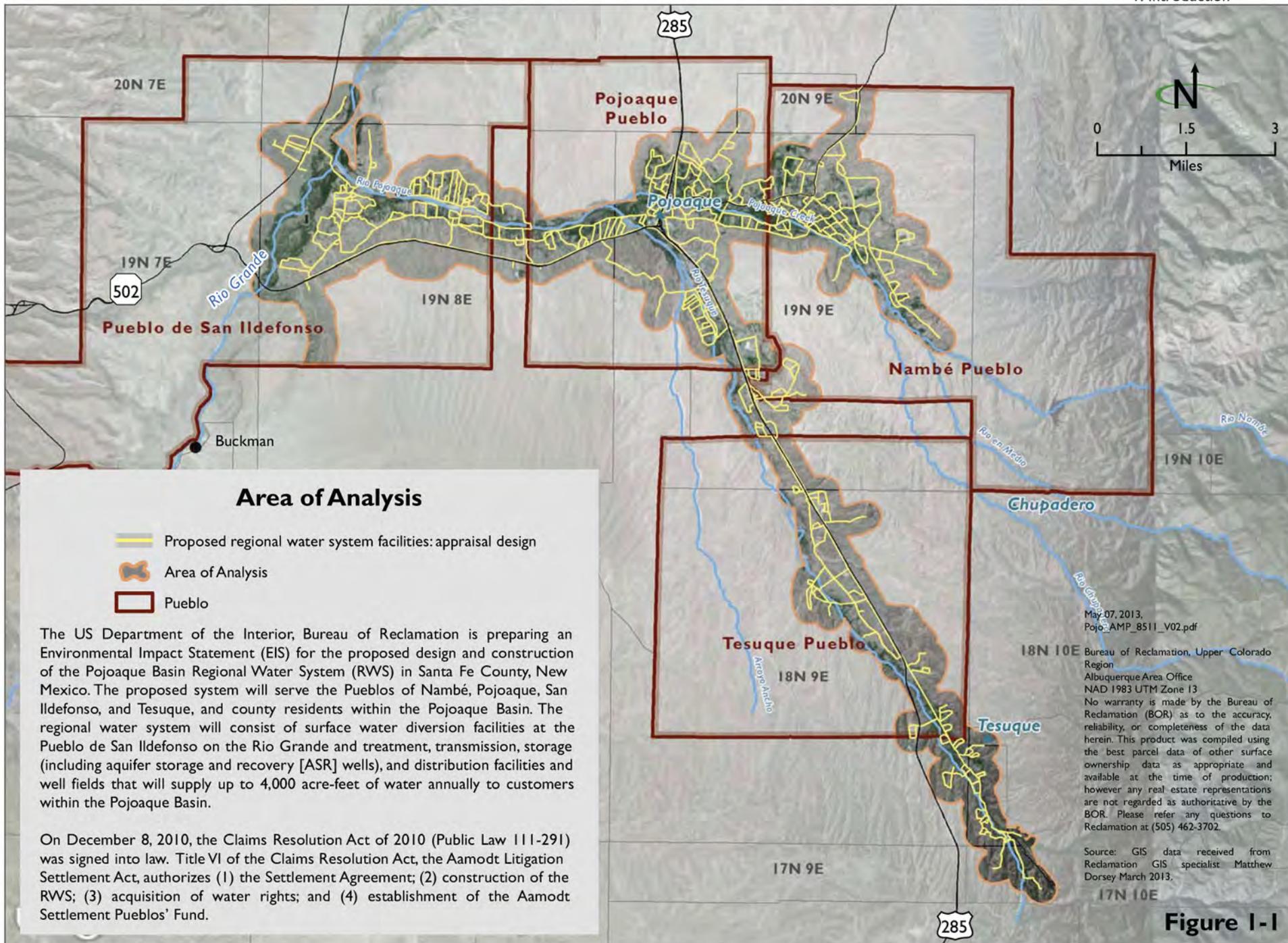
1.2.3 Description of the Area of Analysis

The proposed RWS would be located north of Santa Fe, New Mexico, between Nambé Pueblo to the east, Pueblo de San Ildefonso to the west, Pueblo of Pojoaque to the north, and Bishop's Lodge to the south (**Figure I-1**, Area of Analysis). The area of analysis is within Santa Fe County and includes four Pueblos—Nambé, Pojoaque, San Ildefonso, and Tesuque—and various non-Pueblo communities, including El Rancho, Jacona, Nambé Village, Cuyamungue, and Tesuque Village. In addition, there are three businesses with significant water use that are party to the Settlement Agreement. These include Rancho Encantado, Bishop's Lodge, and the Santa Fe Opera.

The area of analysis encompasses all the project components, including the proposed diversion, treatment plant, transmission and distribution pipelines, pumping stations, storage tanks, and ASR wells. The RWS facilities would require approximately 560 acres within the approximately 23,800-acre area of analysis.

1.2.4 Decisions to Be Made

Reclamation is evaluating whether and how to design and construct a water treatment and distribution system for the Pojoaque Basin in accordance with the Settlement Agreement and the Settlement Act. Reclamation's decision will determine the appropriate design alternative for the water system and approve or deny project construction. The terms of the settlement parties' water entitlement and use are established and will not be altered by the decisions



Area of Analysis

-  Proposed regional water system facilities: appraisal design
-  Area of Analysis
-  Pueblo

The US Department of the Interior, Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the proposed design and construction of the Pojoaque Basin Regional Water System (RWVS) in Santa Fe County, New Mexico. The proposed system will serve the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and county residents within the Pojoaque Basin. The regional water system will consist of surface water diversion facilities at the Pueblo de San Ildefonso on the Rio Grande and treatment, transmission, storage (including aquifer storage and recovery [ASR] wells), and distribution facilities and well fields that will supply up to 4,000 acre-feet of water annually to customers within the Pojoaque Basin.

On December 8, 2010, the Claims Resolution Act of 2010 (Public Law 111-291) was signed into law. Title VI of the Claims Resolution Act, the Aamodt Litigation Settlement Act, authorizes (1) the Settlement Agreement; (2) construction of the RWS; (3) acquisition of water rights; and (4) establishment of the Aamodt Settlement Pueblos' Fund.

May 07, 2013,
 Pojo AMP_8511_V02.pdf
 Bureau of Reclamation, Upper Colorado Region
 Albuquerque Area Office
 NAD 1983 UTM Zone 13
 No warranty is made by the Bureau of Reclamation (BOR) as to the accuracy, reliability, or completeness of the data herein. This product was compiled using the best parcel data of other surface ownership data as appropriate and available at the time of production; however any real estate representations are not regarded as authoritative by the BOR. Please refer any questions to Reclamation at (505) 462-3702.

Source: GIS data received from Reclamation GIS specialist Matthew Dorsey March 2013.

Figure I-1

made in this EIS. Decisions that will be made as part of the EIS are included in **Table I-1**, Actions Covered by the EIS.

**Table I-1
Actions Covered by the EIS**

Actions Covered by the Pojoaque Basin RWS EIS
Construction of the RWS ^{1, 2}
Operations and maintenance conducted during construction of the RWS after the initial phases of the RWS are completed but before the entire RWS is complete
Acquisition of temporary easements and rights-of-way for access routes and staging areas needed during construction of the RWS
Acquisition of permanent (perpetual use) land easements and rights-of-way for RWS facilities and for operations and maintenance
Implementation of agreements between the US and Pueblos regarding conjunctive use (ASR) well locations
Channel modifications to improve alluvial recharge on portions of the Rio Tesuque
Completion of a barrier dam and infiltration project on the Rio Pojoaque
Other water-related infrastructure projects requested by the Pueblos to be included in the RWS construction process
Related Actions to Be Described in the EIS but Analyzed Individually
Execution of contributed funds agreements authorizing the state and the County to provide cost-share funds for planning, designing, and constructing the RWS
Acquisition of temporary easements, rights-of-entry, and rights-of-way for design data collection that must take place before final designs can be developed. This includes geotechnical investigations, surface and groundwater quality data collection and analysis, existing infrastructure assessments, phase I environmental site assessments, a pilot water treatment study, potential ASR well location feasibility studies, a radial collector wells feasibility study, site improvement surveys, and topographic and land boundary surveys.
Execution of the contract(s) with the Pueblos for 1,079 af per year of San Juan-Chama Project water
Amendment of the operations, maintenance, and replacement and repayment contracts relating to the supply of water from Nambé Falls and Reservoir, in accordance with the Settlement Agreement and Act
Approval of the RWS Operating Agreement ³
Any other activity related to the RWS that occurs between now and the Record of Decision that is determined to require environmental review

¹Additional Pueblo activities, conducted at the same time as the RWS construction, may be included in the EIS, as authorized by section 615(d)(7) of the Aamodt Litigation Settlement Act (Title VI, Public Law 111-291). These activities could also receive environmental review individually.

²Additional environmental review may be needed after the Record of Decision is signed if anything changes before construction is completed.

³Additional review may be needed after construction for specific operations and maintenance actions undertaken by the Regional Water Authority. The Bureau of Indian Affairs may be the lead federal agency for this action.

I.3 OVERVIEW OF THE PUBLIC INVOLVEMENT PROCESS

Public involvement is a vital part of the EIS process. It provides the opportunity for those affected by project actions to take part in the decision-making process and facilitates full environmental disclosure. Guidance for implementing public involvement under NEPA is codified in 40 CFR Section 1506.6, ensuring that federal agencies make a diligent effort to involve the public in the NEPA process. Additional information on Reclamation's requirements for public involvement in the NEPA process can be found in Reclamation's NEPA Handbook (Reclamation 2012).

Public involvement is being conducted throughout the course of the EIS process; however, the public has specific opportunities to comment during three phases:

1. Public scoping before NEPA analysis begins, to determine the scope of issues and alternatives to be addressed in the EIS. This occurred during the February 2012 to May 2013 scoping period and is summarized in this scoping report.
2. Public review of and comment on the Draft EIS (anticipated in late 2015 or early 2016)
3. Public review of the Final EIS (anticipated in late 2016 or early 2017)

This scoping report documents the results of the first phase of the public involvement process.

Scoping is an early and open process for determining the scope of issues to be addressed and identifying the significant issues related to a proposed action. Reclamation may use information collected during scoping to develop the alternatives to be addressed in a NEPA document. It is designed to be a public process that reaches beyond Reclamation to identify the concerns of high importance of the public. Scoping helps ensure that real problems are identified early and properly studied; that issues of no concern do not consume time and effort; and that the proposed action and alternatives are balanced, thorough, and able to be implemented.

Reclamation's NEPA Handbook requires Reclamation to implement some means of informing the public participants of the decisions made after a major scoping activity (Reclamation 2012). This scoping report summarizes the scoping process and the comments received during the scoping period. It also describes the issues raised during scoping and includes a discussion of how the issues raised during scoping will be incorporated into the EIS.

I.4 DESCRIPTION OF THE SCOPING PROCESS

Reclamation follows the public involvement requirements documented in the CEQ regulations implementing NEPA (40 CFR 1501.7 for scoping and 1506.6 for public involvement). Reclamation solicits comments from relevant tribes, agencies, and the public, and organizes and analyzes all comments received to

identify the issues that will be addressed during the planning and NEPA processes. These issues define the scope of analysis for the EIS and are used to develop the project alternatives.

As part of the scoping process for the Pojoaque Basin RWS EIS, Reclamation hosted public meetings to introduce the project to the public and identify public concerns. Reclamation initially scheduled five scoping meetings to be held around the project area in Tesuque, New Mexico; Pojoaque, New Mexico; Santa Fe, New Mexico; Española, New Mexico; and Taos, New Mexico. These meetings were advertised in a Notice of Public Scoping Meetings published in the *Federal Register*, a newsletter mailed to interested parties, a press release, and newspaper advertisements. At the request of the Pueblo de San Ildefonso, Reclamation scheduled two additional scoping meetings—one on Pueblo de San Ildefonso and the other in El Rancho, New Mexico. These meetings were advertised in newspaper advertisements and at the first five scoping meetings. All meetings and advertisement materials are described in the sections below.

1.4.1 Notice of Intent

The scoping period for the Pojoaque Basin RWS EIS began with the publication of the Notice of Intent (NOI) in the *Federal Register* on February 24, 2012. The NOI published was titled “Notice of Intent to Prepare an Environmental Impact Statement on the Pojoaque Basin Regional Water System, Santa Fe County, NM.” The NOI:

1. indicated that the scoping meetings would be announced through a future *Federal Register* notice and through local media
2. stated the purpose of and need for the project
3. provided a brief overview of the proposed RWS
4. described the decision to be made in the EIS
5. provided contact information for questions about the EIS

The NOI is included in **Appendix A**, Scoping Materials.

1.4.2 Project Website

In February 2013, Reclamation launched a public website to provide the public with the latest information about the EIS process. The website, www.PojoaqueBasinEIS.com, provides background information about the project along with copies of public information documents, a public involvement schedule, and a calendar with information on the locations of the seven public scoping meetings. The website also allows visitors to sign up for the mailing list or submit a comment on the project.

1.4.3 Press Release

In February 2013, Reclamation distributed a press release titled “Reclamation to Hold Public Meetings on Environmental Impact of Pojoaque Basin Regional

Water System” to media outlets across northern New Mexico. The press release provided the dates and venues for the first five scoping meetings (Tesuque, Pojoaque, Santa Fe, Española, and Taos, New Mexico; see **Section I.4.8, Scoping Meetings**), briefly described the proposed RWS, and explained the various methods for submitting comments, including dedicated email and postal addresses, a dedicated fax number, and the project website. The press release is included in **Appendix A**.

I.4.4 Newsletters and Mailing List

In February 2013, Reclamation mailed a newsletter announcing the beginning of the planning phase of the Pojoaque Basin RWS to over 4,200 individuals and businesses who expressed interest in the proposed RWS, had been involved in the Settlement Agreement, or lived within the project’s area of analysis. The newsletter:

1. provided background information on the project
2. stated the purpose of and need for the project
3. listed the project objectives
4. described the decision to be made in the EIS
5. listed the dates and venues for the first five scoping meetings
6. provided a map of the project area
7. described data collection activities that would occur as part of the project
8. provided a preliminary project schedule
9. described the various methods for submitting comments

Reclamation will publish future newsletters for the interested public at major project milestones and will mail them to individuals and organizations that have requested to remain on or be added to the project mailing list. In addition, all newsletters will be posted on the project website (www.PojoaqueBasinEIS.com).

Participants may request to receive newsletters and other project information through electronic or postal mail. The newsletter sent in February 2013 is included in **Appendix A**.

In addition to the project newsletter, Reclamation submitted an article introducing the RWS and the scoping meetings to the Pueblos of Nambé and San Ildefonso for publication in their community newsletters.

I.4.5 Notice of Public Scoping Meetings

On March 13, 2013, Reclamation published a Notice of Public Scoping Meetings in the *Federal Register*. The notice was titled “Notice of Public Scoping Meetings

for the Pojoaque Basin Regional Water System Environmental Impact Statement, New Mexico.” The notice:

1. provided information on the dates, times, and locations of the first five scoping meetings
2. listed updated contact information for questions about the EIS
3. provided a brief overview of the proposed RWS
4. described the scoping process and how to submit scoping comments

The notice is included in **Appendix A**.

1.4.6 Newspaper Advertisements

Reclamation published an advertisement announcing the first five scoping meetings in four newspapers, as shown in **Table I-2**, Newspaper Advertisements.

**Table I-2
Newspaper Advertisements**

Newspaper or Magazine	Date(s) Article Appeared
Rio Grande Sun	March 20
Santa Fe New Mexican	March 19
Journal North	March 18
Taos News	March 21

Reclamation published a second advertisement announcing the scoping meetings at Pueblo de San Ildefonso and El Rancho. This advertisement was published in all of the papers above except the Taos News. Both newspaper advertisements are included in **Appendix A**.

1.4.7 Newspaper and Magazine Articles

Two local newspapers and one online magazine are known to have published their own articles covering the Pojoaque Basin RWS EIS. **Table I-3**, Newspaper and Magazine Articles, lists the media outlets and report dates. The articles are included in **Appendix A**.

**Table I-3
Newspaper and Magazine Articles**

Newspaper or Magazine	Date(s) Article Appeared	Article Title
Santa Fe New Mexican	March 25, 2013 (updated March 26, 2013)	Comments sought on water system
ABQ Journal	March 26, 2013	Around Northern New Mexico
La Jicarita	April 16, 2013	Aamodt Settlement Finally Signed but Not Yet Delivered

I.4.8 Scoping Meetings

Reclamation hosted seven scoping meetings to provide the public with opportunities to become involved, learn about the project and the planning process, meet the Pojoaque Basin RWS EIS team members, and offer comments. The meetings were advertised via press release, newspaper advertisements, and the project newsletter in addition to the Notice of Public Scoping Meetings published in the *Federal Register*. The locations of the scoping meetings are provided in **Table I-4**, Scoping Meetings.

Table I-4
Scoping Meetings

Location	Venue	Date	Number of Attendees
Tesuque, New Mexico	Tesuque Valley Elementary School	April 1, 2013	69
Pojoaque, New Mexico	Pojoaque Valley Middle School	April 2, 2013	89
Santa Fe, New Mexico	Santa Fe Community College	April 3, 2013	28
Española, New Mexico	Northern New Mexico College	April 4, 2013	23
Taos, New Mexico	Taos Convention Center	April 9, 2013	11
Pueblo de San Ildefonso	Tewa Center	April 17, 2013	22
El Rancho, New Mexico	El Rancho Community Center	April 18, 2013	26

Scoping meetings were held in an open house format to encourage participants to discuss concerns and questions with Reclamation and other agency staff representatives. Copies of scoping information, as well as blank scoping comment forms, were available at the sign-in station. A wall-sized map of the area of analysis and proposed project facilities was displayed for the public to mark up with comments about facility and resource locations. Resource stations displayed poster-sized maps to illustrate the area of analysis, proposed components of the RWS, and resource conditions (e.g., vegetation and watersheds). Additional posters displayed information on data collection activities and the NEPA process. At each station, fact sheets for various topics (e.g., planning process, history behind the RWS, water resources, and social and economic resources) provided an overview of the project including current management practices and issues. At each meeting, an approximately 20-minute presentation was given describing the project and the planning process. After the presentation, the public had the opportunity to ask questions of the presenter before returning to the open house format. Commenting stations included a poster showing the various ways to submit comments, a handout with guidance on providing substantive comments, a note-taker to transcribe verbal comments, blank comment forms, and a comment board where visitors could write anonymous comments. All materials from scoping meetings, including the presentation, can be found on the project website (www.PojoaqueBasinEIS.com) and in **Appendix A**. Representatives from Santa Fe County and the OSE were also present at the scoping meetings to answer

questions related to aspects of the Settlement Agreement outside the scope of the EIS (e.g., water rights and connection to the proposed RWS).

I.5 COLLABORATIVE INVOLVEMENT PROCESS

In addition to formal scoping, Reclamation has been implementing collaborative outreach activities aimed at the public, local pueblos, and cooperating agencies. These efforts are summarized below. Reclamation will continue to conduct outreach activities and coordinate with cooperating agencies throughout the planning process.

I.5.1 Cooperating Agencies

A cooperating agency is any federal, state, or local government agency or Native American tribe with jurisdiction by law or special expertise that is invited to and agrees to enter into a formal agreement with the lead federal agency to help develop an environmental analysis.

More specifically, cooperating agencies may help to:

1. identify issues to be addressed
2. arrange for the collection and/or assembly of necessary resource, environmental, social, economic, and institutional data
3. analyze data
4. develop alternatives
5. evaluate alternatives and estimate the effects of implementing each alternative
6. carry out any other task necessary for the development of the environmental analysis and documentation (43 CFR 46.230)

The benefits of enhanced collaboration among agencies in preparing NEPA analyses are:

1. disclosing relevant information early in the analytical process
2. applying available technical expertise and staff support
3. avoiding duplication with other federal, state, tribal, and local procedures and activities
4. establishing a mechanism for addressing intergovernmental issues

In late 2011 and early 2012, Reclamation wrote to 12 local, state, federal, and Pueblo representatives inviting them to participate as cooperating agencies for the Pojoaque Basin RWS EIS. **Table I-5**, Cooperating Agency Participation, provides the status of cooperating agency invitations as of August 2013. Pueblos and agencies accepting invitations to be cooperating agencies sign a

**Table I-5
Cooperating Agency Participation**

Agencies and Pueblos Invited to be Cooperators	Accepted as of August 2013
City of Santa Fe	X
Santa Fe County	X
Indian Health Service	X
Nambé Pueblo	X
New Mexico Department of Transportation	X
New Mexico Office of the State Engineer	
Pueblo de San Ildefonso	X
Pueblo of Pojoaque	X
Tesuque Pueblo	X
US Bureau of Indian Affairs	X
US Army Corps of Engineers	X
US Fish and Wildlife Service	X

Memorandum of Understanding with Reclamation. The Memorandum of Understanding outlines the interests, expertise, and jurisdictional responsibilities of both Reclamation and its cooperating agency partners and also outlines their respective roles and responsibilities in the planning and NEPA processes.

In February and March 2013, Reclamation met with each cooperating agency, including the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, to provide an overview of the project and to begin identifying roles, responsibilities, and any known issues. Cooperating agencies will be engaged throughout the planning process, including during alternatives development. Reclamation has invited the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque to be cooperating agencies in addition to participating in consultation required by the National Historic Preservation Act and the American Indian Religious Freedom Act.

I.5.2 Consultation with Pueblos and Tribes

Reclamation has provided an invitation to consult to Pueblos and tribes that are identified as having religious or cultural affiliation in the vicinity of the project. Consultation is required by the National Historic Preservation Act and the American Indian Religious Freedom Act. In addition to the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, Reclamation has identified the following Pueblos and tribes as having religious or cultural affiliation in the vicinity of the project: Comanche Nation, Hopi Tribe, Jicarilla Apache Nation, Kiowa Tribe of Oklahoma, Navajo Nation, Ohkay Owingeh, Pueblo of Cochiti, Pueblo of Isleta, Pueblo of San Felipe, Pueblo of Sandia, Pueblo of Santa Ana, Pueblo of Santa Clara, and Pueblo of Santo Domingo. Interested tribes were determined by consulting the list maintained by the New Mexico State Historic Preservation Officer for tribes with stated interests in federal actions by the County and by

identifying other pueblos neighboring the Settlement Pueblos. As of August 2013, all of the Pueblos and tribes except for the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque have either declined the invitation or not responded. However, Reclamation did receive requests from the Hopi Tribe and Ohkay Owingeh to be kept informed of project development. Government-to-government consultation will continue throughout the EIS process to ensure that the concerns of Pueblos and tribes are considered during the development of the EIS.

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CHAPTER 2

COMMENT ANALYSIS

2.1 METHOD OF COMMENT COLLECTION AND ANALYSIS

All written submissions received on or before May 31, 2013, were evaluated and are documented in this Draft Scoping Report. All comments received during the EIS process will be considered in alternative formulation and project planning.

A total of 65 unique written or verbal submissions were received during the public scoping period. Of these, 41 were written submissions (63 percent), 21 were transcribed verbal comments from the public scoping meetings (32 percent), and three were from the commenting board at the scoping meetings (five percent). Written submissions include hardcopy letters received via US Mail, email, completed comment cards submitted at the scoping meetings, and comments submitted via the project website.

A list of commenters and the dates of submittal are provided in **Appendix B**, Commenters. Most written submissions included more than 1 comment, so the 65 submissions yielded 219 discrete comments. The comment forms provided instructions for requesting confidentiality and for withholding individual names or addresses from public review or from disclosure under the Freedom of Information Act. There were 17 anonymous comment submissions.

To ensure that public comments were properly registered and that none were overlooked, a multi-phase management and tracking system was used. First, written submissions were logged and numbered. Once all submissions were received and catalogued, they were reviewed for substantive content and separated into discrete comments. Substantive comments are comments that are important or meaningful to the project, present reasonable project alternatives for analysis, bring into question certain parts of the project, or present new data or information to be included in the project analysis. Non-substantive comments include those stating opinions without reasoning that meets the criteria for a substantive comment, comments that agree or disagree

with Reclamation policy, and comments that do not pertain to the area of analysis.

All substantive comments were separated into four issue categories:

1. resource issues
2. project alternatives
3. general project comments
4. public and agency collaboration

All of these issue categories detail topics that will be analyzed in the EIS. Some comments submitted were substantive but related to topics concerning Santa Fe County, the OSE, or parties to the Settlement Agreement. These comments are considered out of scope and will not be analyzed in the EIS. These comments were catalogued and organized and are provided in **Appendix C**, Comments Submitted During Public Scoping, for use by the appropriate agencies.

To assist with the analysis, all coded comments and available contact information was entered into the Public Input and Comment Tracking database (EMPSi 2013). These identifiers were queried and tallied to provide information on issue categories. Details of comments received by issue category are included in **Section 2.2.3**, Comments by Issue Category.

2.2 SUMMARY OF PUBLIC COMMENTS RECEIVED

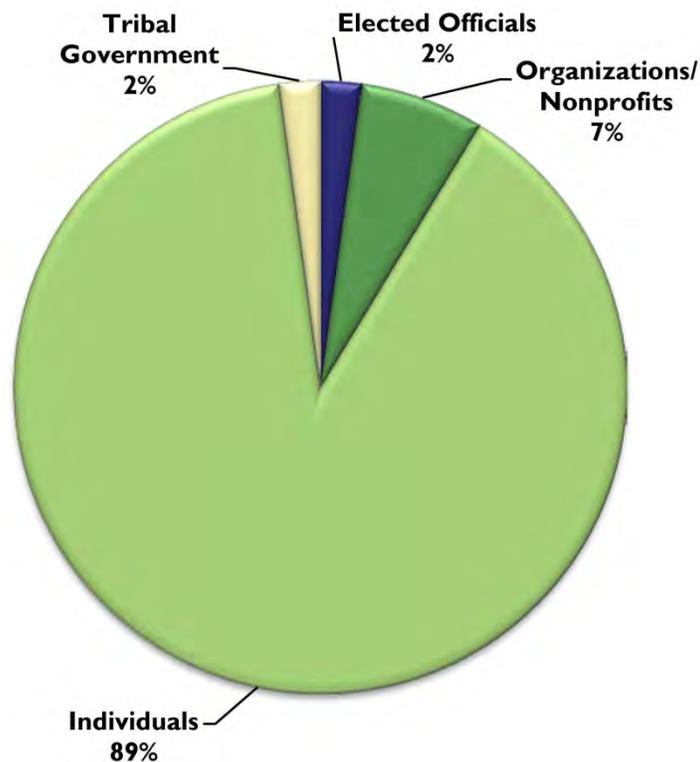
2.2.1 Commenters by Affiliation

The number and proportion of commenters with each type of affiliation are provided in **Table 2-1** and **Figure 2-1**, Commenters by Affiliation. Letters on business, agency, or organization letterhead, or where the commenter signed using their official agency title, were considered to represent that organization. All other letters were considered to represent individuals. A total of 41 members of the general public (89 percent of commenters), 3 organizations or nonprofit groups (7 percent), 1 elected official (2 percent), and 1 tribal government (2 percent) submitted comments. No federal, state, or local agencies provided comments. No comments were received from educational institutions or businesses. Some commenters made multiple submissions; therefore, the total for commenters by affiliation is not equal to the total letter submissions.

Table 2-1
Commenters by Affiliation

Affiliation	Number of Comment Letters	Percentage of Total Comment Letters
Government	0	0%
<i>Federal</i>	0	0%
<i>State</i>	0	0%
<i>Local</i>	0	0%
Elected Officials	1	2%
Educational Institutions	0	0%
Commercial Sector/Businesses	0	0%
Organizations/Nonprofits	3	7%
Individuals	41	89%
Tribal Government	1	2%
Total	46	100%

Figure 2-1
Commenters by Affiliation



2.2.2 Commenters by Geographic Area

Table 2-2, Commenters by Geographic Area, shows the number and proportion of commenters by their geographic location. A total of 26 commenters (57 percent) were from within New Mexico. The remaining 20 commenters (43 percent) did not indicate a geographic location. Some commenters made multiple submissions; therefore, the total for commenters by geographic area is not equal to the total letter submissions.

Table 2-2
Commenters by Geographic Area

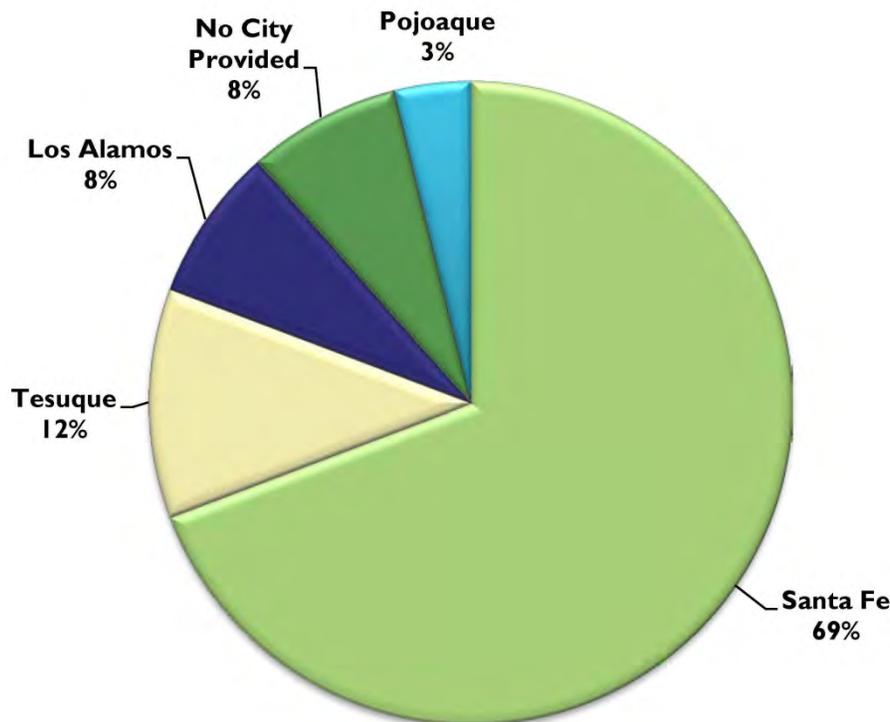
Location	Number of Commenters	Percentage of Total Commenters
Within New Mexico	26	57%
Unknown	20	43%
Total	46	100%

Commenter location within New Mexico was further examined by city of commenter. In New Mexico, Santa Fe (69 percent) and Tesuque Village (12 percent) had the highest numbers of commenters (see **Table 2-3** and **Figure 2-2**, Commenter Location within New Mexico). These statistics are based on the mailing addresses of the commenters. One reason Santa Fe may appear to have the largest representation of commenters is that three of the Pueblos and many of the towns in the Pojoaque Basin use the same zip code with a Santa Fe mailing address (e.g., Nambé Pueblo and Chupadero both use a Santa Fe mailing address). The Tesuque Village area has a distinct zip code, making it more easily distinguishable from nearby areas.

Table 2-3
Commenter Location within New Mexico

Location	Number of Commenters	Percentage of Commenters in New Mexico
Santa Fe	18	69%
Tesuque Village	3	12%
Los Alamos	2	8%
No City Provided	2	8%
Pojoaque	1	3%
Total	26	100%

Figure 2-2
Commenter Location within New Mexico



2.2.3 Comments by Issue Category

Table 2-4, Comment Summary, shows the number of comments that will or will not be addressed in the EIS. Of the 219 comments received, 197 (90 percent of total comments) were related to an issue category that will be addressed in the EIS. These comments are discussed in detail below and in **Chapter 3**, Summary of Public Comments. In addition, 22 comments submitted are outside the scope of the EIS (10 percent of total comments). These comments are related to other projects, actions by Santa Fe County or the OSE, and issues that will be addressed through future action by the parties to the Settlement Agreement. These comments were considered substantive but out of scope of this project and EIS. The comments were catalogued and organized into categories and provided in **Appendix C**. They are included in this report for informational purposes, but are not included in the comment analyses.

Table 2-5 and **Figure 2-3**, Comments by Resource Issue, show the number and proportion of comments received by resource issue category. Reclamation received 119 comments related to resource issues (60 percent of comments to be addressed in the EIS) and categorized them into 13 resource issue categories and subcategories. **Chapter 3** provides a detailed analysis of the comments received for each resource issue category and subcategory.

**Table 2-4
Comment Summary¹**

Issue Category	Total	Percent of Total
Issues that will be addressed in the EIS		
Resource issues	118	60%
Project alternatives	38	19%
General project comments	34	17%
Public and agency collaboration	7	4%
Total Comments Addressed	197	100%
Comments that will not be addressed in the EIS		
Issues for Santa Fe County or OSE	18	86%
Issues related to the Aamodt Settlement Agreement	3	14%
Issues regarding other unrelated projects	1	Less than 1%
Total Comments not Addressed	22	100%

¹Does not include non-substantive comments.

**Table 2-5
Comments by Resource Issue**

Resource Issue Category	Number of Individual Comments	Percent of Total¹
ASR Wells and Hydrology	29	24%
Water Quality	16	14%
Drought and Water Shortage	13	11%
Social and Economic Values	11	9%
Infrastructure and Construction	10	8%
Natural Resources	9	8%
Water Rights	8	7%
Renewable Energy	5	4%
Easements and Rights-of-way	4	3%
Endangered Species	4	3%
Water Storage	4	3%
Other Projects	3	3%
Cultural and Historical Resources	2	2%
Total	118	100%

¹ Percent column may not add up to 100% due to rounding

Figure 2-3
Comments by Resource Issue



Of the resource issue comments, 29 comments (24 percent) related to Issue 1, ASR wells and hydrology. The issue with the second highest number of comments was Issue 2, water quality, with 16 comments (14 percent of resource issue comments). Issue 3, drought and water shortage, had the third most comments, with 13 comments (11 percent). The issue with the fewest comments was Issue 13, cultural and historical resources (two comments, or two percent of resource issue comments). Issue 12, interactions with other projects in the area of analysis, received the second fewest comments with three comments (three percent).

In addition to the resource issue comments, 79 comments (40 percent of comments that will be addressed in the EIS) were related to issues that will be addressed in the EIS but do not fall within a specific resource issue category. These comments were categorized into three additional issue categories: project alternatives, general project comments, and public and agency collaboration.

Of the 79 comments within these three issue categories, 38 comments (19 percent of comments that will be addressed in the EIS) were related to project alternatives, 34 comments (17 percent) were general project comments related

to the proposed RWS and the EIS planning process, and seven comments (four percent) were related to public and agency collaboration.

CHAPTER 3

SUMMARY OF PUBLIC COMMENTS

This chapter provides a summary of the substantive public scoping comments. Comments have been grouped into four issue categories: (1) resource issues, (2) project alternatives, (3) general project comments, and (4) public and agency collaboration. Each category is discussed below.

3.1 SUMMARY OF COMMENTS BY RESOURCE ISSUE

3.1.1 Resource Issue Development

Identifying significant resource issues is one of the primary benefits of scoping. As discussed in Reclamation's NEPA Handbook (Reclamation 2012), defining significant resource issues early in the scoping process allows for more effective communication between the public and the decision makers. A resource issue is a point of concern, disagreement, or debate with an aspect or aspects of a proposed action based on a potential environmental impact. They tend to be associated with physical areas near the project location, although impact areas may vary depending on the specific resource.

A resource issue is more than just a position statement; it should also:

1. have a cause and effect relationship with the proposed action or alternatives
2. be within the scope of the analysis
3. be amenable to scientific analysis rather than conjecture
4. have not been decided by law, regulation, or previous decision

While knowing which issues are of most concern to the public is critical, it is often just as important to understand which resources are not as important to help focus the analysis and scope of the EIS. Information accepted during scoping was compiled to develop discrete resource issues. These issues are provided in

Section 3.1.2, Resource Issues. The purpose of these resource issues is to highlight the key issues distilled from these initial planning and scoping processes. Reclamation will use the resource issues, planning criteria, and other information collected in the early planning and scoping phases of the EIS process to help formulate a reasonable range of alternative project strategies that will be analyzed as part of the EIS.

3.1.2 Resource Issues

A resource issue is a concern, disagreement, or debate over potential project impacts on the environment that is discrete, well defined, and can be addressed by a variety of approaches. Reclamation has taken information gathered during scoping related to resource issues and developed resource issue statements to define these conflicts in a manner that will guide the development of alternatives.

The resource issues presented below are preliminary and based on the information received to date. The process of developing the EIS will afford many opportunities for collaboration on these issues with local, state, federal, and tribal governments; public interest groups; and potential future RWS users. As a result, these issues may need to be refined to reflect public comments and concerns.

The preliminary resource issues Reclamation plans to address in the EIS are listed below. Each issue may have several sub-topics that address more specific uses and resources. Resource issues and their corresponding sub-topics include the following:

Issue 1: How would ASR wells be constructed and used as part of the project, and what effect would they have on local aquifers?

- Hydrology
- ASR implementation

Issue 2: What contaminants are currently found in the surface water and groundwater within the Pojoaque Basin, and what methods would Reclamation use to bring the RWS water up to drinking water standards?

- Contaminants
- Treatment

Issue 3: How would Reclamation supply water to RWS users during periods of water shortage or prolonged drought?

- Drought and water shortage

Issue 4: How would the RWS impact population growth and economic activity in the Pojoaque Basin?

- Social and economic values

Issue 5: How would Reclamation construct RWS infrastructure to minimize impacts on local water infrastructure and property owners?

- Infrastructure
- Construction

Issue 6: How would the RWS impact natural and sensitive resources in the area?

- Geology
- Vegetation
- Visual resources

Issue 7: Where would the water for the RWS come from and how would the RWS affect local water rights?

- Water rights

Issue 8: How could Reclamation incorporate energy conservation strategies and renewable energy technologies into the project?

- Renewable energy
- Energy conservation

Issue 9: How would Reclamation acquire and enforce rights-of-way to construct and access RWS components?

- Easements and rights-of-ways

Issue 10: How would the RWS impact species listed under the Endangered Species Act?

- Endangered species

Issue 11: How much water storage would be included as part of the project?

- Water storage

Issue 12: How would the RWS interact with other projects in the area?

- Interactions with other projects in the area of analysis

Issue 13: How would Reclamation protect cultural resource and areas designated as Northern New Mexico Historical Traditional Villages during project construction?

- Cultural and historical resources

Resource issues serve as a starting point to spark public consideration. These preliminary issues are not intended to be comprehensive or exhaustive. Reclamation will continue to work with other government agencies, tribal governments, and private and public stakeholders to refine resource issues and alternatives through the course of the EIS process.

Each comment received during public scoping was reviewed and coded according to resource issue. Of the 197 comments received that will be addressed in the EIS, 119 comments (60 percent) were related to one of the resource issues defined above. (See **Table 2-5** for a breakdown of the number of comments received for each resource issue.) Summaries of the scoping comments received for each resource issue are provided in **Section 3.1.3** below. Adjustments or additions may be made to the resource issues as the planning process proceeds and as Reclamation continues to review information, meet with the interdisciplinary team, and talk with the public. Tables containing all comments are included in **Appendix C**. Non-substantive comments are not included in the total above or in the comment tables.

3.1.3 Summary of Resource Issue Comments

Issue 1: Hydrology and ASR Implementation

Hydrology

Reclamation received 21 comments on impacts on the hydrology of the area (18 percent of resource issue comments). Many comments expressed concern over how injecting water into ASR wells would affect the local aquifer and whether there would be cross-contamination between the injected water and the existing groundwater. Most were concerned with how this method would impact the water table surrounding private wells. Six comments noted the need for an updated hydrological assessment and that previous assessments and models are inadequate. One commenter wanted to know how infiltration basins in the area would be affected, while another wanted to ensure that impacts on the Pojoaque aquifer formation would be considered in the EIS. One commenter wanted to know how deep well fields would change existing, historic aquifer levels.

ASR Implementation

Reclamation received eight comments on the use of ASR wells as part of the project (seven percent of resource issue comments). Four comments questioned why ASR well technology was being used on this project, considering the lack of current research and concern stated by previous studies.

Four comments focused on how ASR wells function, including how much injected water would be returned, how the system would function if there was no water, the storage coefficient of the wells, and the reaction between different pH levels of the injected water and current groundwater.

Issue 2: Water Quality

Contaminants

Reclamation received 9 comments relating to contaminants in the surface water and groundwater (eight percent of resource issue comments). The majority of these comments were concerned with how Reclamation would handle toxic and nontoxic contaminants, including naturally occurring arsenic and uranium, potentially radioactive waste from Los Alamos National Laboratory, and pharmaceuticals. One commenter also noted the importance of full disclosure from Reclamation of contaminants found during water quality testing and the relevant Environmental Protection Agency limits.

Treatment

Reclamation received seven comments related to drinking water treatment (six percent of resource issue comments). Two commenters questioned why the water would be treated before injection into the ASR well when it would need to be retreated after removal from the ASR well. A third wanted to make sure that there would be a secondary treatment of the ASR water. Two commenters wanted to know how the existing well water would be treated and which chemicals would be used. One commenter wanted to know how the hazardous waste generated from removing the uranium in the groundwater would be disposed of safely. Another commenter questioned how pharmaceuticals would be treated.

Issue 3: Drought and Water Shortage

Drought and Water Shortage

Reclamation received 13 comments on water supply issues (11 percent of resource issue comments). Almost all comments voiced concern over what would happen if the RWS did not receive enough water from upstream and how it would impact RWS operations. Many commenters wanted to know what plans were in place to get water during a drought or water shortage and how this would affect the end user. Two commenters requested that a thorough analysis be completed of how climate change will impact water supply in the area over the next 20 to 50 years.

Issue 4: Social and Economic Values

Social and Economic Values

Reclamation received 11 comments on social and economic values (nine percent of resource issue comments). Increased development, population growth, and impact on real estate values in the Pojoaque Basin were common concerns. One

commenter noted that the cost to hook up to the RWS would be more expensive than using a local well, unfairly affecting low income individuals. Other comments focused on the socioeconomic analysis that will be included as part of this project, including which data should be used, the effect on non-Pueblo towns in the area, and how poor water quality may hinder economic growth in the Pojoaque Basin. One comment wanted the study boundary to be expanded based on expected growth due to the RWS. One commenter wanted to know whether homeowner insurance premiums would be reduced due to the predicted increase in fire protection and prevention capabilities provided by the RWS.

Issue 5: Infrastructure and Construction

Infrastructure

Reclamation received seven comments on infrastructure issues (six percent of resource issue comments). Two comments expressed concern on how the RWS would affect current infrastructure, such as further degradation of the septic system and the need to repair or replace acequia culverts. Four comments focused on new infrastructure that may be included as part of the project, including a how a dam on the Rio Pojoaque would affect groundwater; the need for a new, local power system and how it would be funded and constructed; and the need for sound control on project water pumps. One comment questioned who would own the water treatment plant if it were located on tribal lands and whether a perpetual easement would be put in place.

Construction

Reclamation received three comments on issues related to project construction (three percent of resource issue comments). Two commenters wanted to know how local wells would be protected from impairment during construction and operation of the RWS, and one commenter wanted to ensure that quantitative records would be kept during exploratory drilling and groundwater testing.

Issue 6: Natural Resources

Geology

Reclamation received five comments on geological issues (four percent of resource issue comments). Three comments focused on the risk of tectonic activity and earthquakes in the area and how the surface deformations in the area would be documented. One comment discussed how the use of ASR wells could create hydrofracking in the aquifer bedrock. Another comment noted the presence of uranium in the deep bedrock.

Vegetation

Reclamation received two comments on vegetation issues (two percent of resource issue comments). The focus of these comments was the impact on general vegetation and large trees.

Visual Resources

Reclamation received two comments on visual resource issues (two percent of resource issue comments). One commenter was concerned with how the RWS would affect the local scenic values, while the other requested that permanent, above-ground infrastructure be blended into the natural environment as much as possible.

Issue 7: Water Rights

Water Rights

Reclamation received eight comments related to water rights (seven percent of total resource issue comments). Four comments questioned the purchase of the water rights and land for the project and where additional water rights would be purchased if needed. Two comments were concerned with how current water rights would be affected by the RWS. One commenter wanted to know where and from whose water rights water quality testing would occur. One commenter expressed his concern that the RWS would extinguish current, non-Pueblo water rights.

Issue 8: Renewable Energy and Energy Conservation

Renewable Energy and Energy Conservation

Reclamation received five comments on renewable energy development (four percent of resource issue comments). These comments were concerned primarily with incorporating renewable energy technologies into the operation of the RWS. They suggested that energy conservation methods, efficient uses of energy, and federal renewable energy incentives also be considered.

Issue 9: Easements and Rights-of-Way

Easements and Rights-of-way

Reclamation received four comments on project easements and rights-of-way (three percent of resource issue comments). These comments were focused on how Reclamation would obtain and pay for construction easements and long-term rights-of-way needed to construct and maintain the project. One commenter noted challenges associated with accessing long term easements on Pueblo lands. Another requested that RWS infrastructure be placed within existing public rights-of-way and not on Pueblo land to avoid Indian trust assets.

Issue 10: Endangered Species

Endangered Species

Reclamation received four comments on endangered species issues (three percent of resource issue comments), all related to the silvery minnow. Some commenters raised concerns about how silvery minnow populations and habitat located downstream of the RWS would be affected by reduced river flows during years of drought. Others were concerned that, in years of water

shortages, flows into the RWS could be curtailed due to water delivery requirements for the silvery minnow.

Issue 11: Water Storage

Water Storage

Reclamation received four comments related to water storage associated with the RWS (three percent of resource issue comments). The amount and duration of storage, either in storage tanks or ASR wells, was a concern for all of these commenters. Auxiliary concerns included having adequate back up storage for natural disasters (such as floods or fires), how long storage methods, including ASR wells, would be used in times of drought, and how drought relief would be supplied to surrounding well and acequia users.

Issue 12: Interactions with Other Projects in the Area of Analysis

Interactions with Other Projects in the Area of Analysis

Reclamation received three comments related to interactions with other projects or designations in the area (three percent of resource issue comments). Commenters noted three separate issues: how the Northwest Well Protest would impact local water supplies, how the Española Basin Sole Source Aquifer designation would be adhered to, and how the Española superfund site would affect local water quality.

Issue 13: Cultural and Historical Resources

Cultural and Historical Resources

Reclamation received two comments related to cultural and historical resources (two percent of resource issue comments). One commenter was concerned about how areas designated as Northern New Mexico Traditional Villages were going to be protected. Another wanted to make sure cultural best management practices would be put in place during construction of the RWS to protect known and unknown cultural resources.

3.2 SUMMARY OF COMMENTS RELATED TO PROJECT ALTERNATIVES

Reclamation received 38 comments related to project alternatives (19 percent of comments to be addressed in the EIS). The majority of these comments noted possible conflicts with the current preliminary plans. Many comments also suggested possible project additions or alternatives to the proposed action. Others voiced concern about some of the components of the current preliminary plan, including the ASR wells and horizontal collector wells.

The preliminary project design as outlined in the HKM Report was presented as the proposed action during the public scoping process. Details of the proposed action and the suggested alternatives for different project components are discussed below.

3.2.1 Alternative Means of Collecting Water from the Rio Grande: Surface Water Diversion vs. Radial Collector Wells

Five comments were submitted regarding the preferred method of collecting water from the Rio Grande (13 percent of comments related to project alternatives). The HKM Report also notes three options for diverting water from the Rio Grande on Pueblo de San Ildefonso land. These include the proposed surface diversion, installing an infiltration gallery, or the use of radial collector wells (also known as horizontal wells or Ranney® wells) near the Rio Grande. Four comments focused on radial collector wells, expressing a preference for these type of wells to reduce additional steps in the water treatment process; wanting to know the location, depth, and number of radial collector wells that will be installed; and requesting more information on and analysis of how implementation and use of radial collector wells may impact nearby private well users. One comment noted that the surface diversion should be located above both the Los Alamos Canyon and the Otowi gage.

3.2.2 Alternative Water Treatment Plant Location

One comment was submitted related to the water treatment plant (three percent of comments related to project alternatives). In the HKM Report, the original proposed location of the water treatment plant was on Pueblo de San Ildefonso land south of the proposed surface water diversion. The comment noted a new preferred location of the treatment plant as being close to the existing electric sub-station located in El Rancho.

3.2.3 Alternative Transmission and Distribution Pipeline Alignments

Nine comments were submitted concerning the alignment of transmission and distribution pipelines (24 percent of comments related to project alternatives). The HKM Report outlines preliminary placements of this type of infrastructure, which was generated using a coarse-scale model and contained some imprecisions, such as a proposed pipeline going through a private home. This was discussed at the public scoping meetings and Reclamation encouraged individuals to comment on areas where this type of overlap occurred. Six commenters noted a conflict with the current placement of the pipelines on or near their private property, and five of these suggested new placement locations. One commenter wanted to know if using existing water infrastructure was an available option. Another commenter was concerned about pipelines crossing acequias, while another wanted to ensure that existing rights-of-way were utilized to avoid damage to Indian trust assets.

3.2.4 Water Storage Alternatives: ASR Wells vs. Above Ground Storage Tanks

Eight comments were submitted regarding methods of water storage for the RWS (21 percent of comments related to project alternatives). The HKM Report suggested two options for water storage: ASR wells and above ground storage tanks. Four comments expressed concern with ASR wells not working properly, how it would handle peak use in the summer, and the possible

negative implications of using such a new technology. One comment justified their preference for the use of ASR, while another qualified their preference for the use of above ground storage tanks. Two comments asked if existing storage tanks would be integrated into the RWS and if each Pueblo would have their own storage tank as part of the project.

3.2.5 New Alternatives to be Considered

Nine comments were submitted suggesting a new project alternative or the incorporation of new project components into the proposed action that should be considered as part of the EIS (24 percent of comments related to project alternatives). These include: building parallel water networks for potable and non-potable water to reduce water treatment costs; using the plan developed in the 1990s to drill deep wells near the Rio Grande, similar to the Buckman Well Field; integrating the water rights of and expanding the RWS to include distribution to the County of Los Alamos, the City of Espanola, and Okay Owingeh; adding project components to improve irrigation and farming support systems for subsistence farmers on Pueblo lands; and excluding Tesuque Village due to low anticipated use of the RWS.

Four of the nine comments were concerned with the inclusion of a wastewater or sewage network in conjunction with the RWS (11 percent of comments related to project alternatives). These comments expressed concern with using existing systems and requested further analysis in the EIS of including a wastewater system as part of the RWS. A request for a cost analysis was also made. One comment noted that a new wastewater treatment network could be integrated with the existing wastewater system in the Pueblo of Pojoaque, while another advocated for further discussion with the Pueblos to include this as part of the overall project.

3.2.6 Altering the Area of Analysis

Six comments were submitted related to altering the area of analysis for the project (16 percent of comments related to project alternatives). The area of analysis is approximately 23,800 acres and encompasses all project components as outlined in the HKM Report. This area of analysis will be the geographic boundary used for the analysis in the EIS. Three comments wanted the area of analysis to be expanded to include the bosque area in the northwest corner of the project area, communities near Chupadero, and additional areas along NM-502 and NM-30, which are expected to grow once the RWS is operational. Two comments questioned why Bishop's Lodge area is not being serviced by the City of Santa Fe instead of the RWS, and one comment questioned why so much of the infrastructure is being built on Pueblo de San Ildefonso land.

3.3 SUMMARY OF GENERAL PROJECT COMMENTS

Reclamation received 34 comments related to the project overall (17 percent of comments to be addressed in the EIS). Many comments questioned the need and justification for the RWS, while others were concerned about the current

and future project analysis. A portion of the comments focused on the public outreach methods and materials, as well as the format of the scoping meetings.

3.4 SUMMARY OF COMMENTS RELATED TO PUBLIC AND AGENCY COLLABORATION

Reclamation received seven comments related to public and agency collaboration (four percent of comments to be addressed in the EIS). These comments either asked if specific agencies were involved or gave the contact information for important contacts at state agencies. One comment emphasized the importance of agency and public cooperation. Another comment noted that mayordomos and commissioners are available resources for information on individual acequias.

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CHAPTER 4

DATA SUMMARY AND DATA GAPS

4.1 DATA SUMMARY

In addition to accepting public comments on the Pojoaque Basin RWS EIS, Reclamation collected relevant information from the public during the scoping period. This information will be reviewed by Reclamation and incorporated into the project analysis as part of the EIS. During public scoping, Reclamation received the following sources of information:

- Brinkman, James E. “Evaluation of Water Supply and Demand in the Pojoaque River Basin.” April 27, 2005
- US Geological Survey. “Geophysical Interpretations of the Southern Española Basin, New Mexico, That Contribute to Understanding Its Hydrogeological Framework.” Summary. Professional Paper 1761.
- Bureau of Reclamation. “Colorado River Basin Water Supply and Demand Study.” Pre-production copy, executive summary. December 2012.
- Press release from the New Mexico Office of the State Engineer, “City of Santa Fe Well Approved on a Temporary Basis.” January 18, 2002.
- Tano Road Residential Neighborhood Estimated Water Use, August 2011
- Maps of “Pojoaque Water Fair Results Tesuque Area” displaying uranium and arsenic levels near or within the area of analysis
- A map of proposed expansions of the area of analysis
- A photograph of the area where a proposed water line would be constructed at 26 Arroyo Nambé Road

4.2 DATA GAPS

As part of the EIS planning, evaluation, and data-collection process, Reclamation inventoried available information and identified the following data needs and associated studies:

- Hydrogeological studies will be conducted to investigate the existing groundwater chemistry and feasibility of ASR wells, including exploratory observation and demonstration wells that will each be monitored for at least one year prior to permanent well construction.
- Vegetation and special status species surveys will be conducted to identify vegetation communities and the locations of sensitive plant species.
- Wildlife and special status species surveys will be conducted to identify the presence of sensitive wildlife species.
- An aquatic habitat characterization survey will be conducted to collect qualitative data regarding current conditions of riverine reaches to identify aquatic and riparian habitat features and the presence of sensitive aquatic species.
- A Class III pedestrian cultural survey will be conducted in coordination with the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque to identify important cultural resources in the area of analysis.
- Geotechnical investigations will be conducted to test soil properties.
- A visual resources assessment will be conducted to identify sensitive visual receptors.

Both new data and existing resource information will be used in formulating alternatives in the EIS. To facilitate this process, information is being compiled and put into digital format for use in analysis and map production using Geographic Information Systems. Because this information is imperative to quantify resources, update maps, and manipulate information during alternatives development, this digitization process must be completed before analysis can begin. New data generated during the EIS process will be used to address resource issues and will meet applicable established standards.

CHAPTER 5

FUTURE STEPS

5.1 SUMMARY OF FUTURE STEPS AND PUBLIC PARTICIPATION OPPORTUNITIES

The next phase of Reclamation's planning process is to develop draft alternatives based on the issue category summaries presented in **Chapter 3** of this scoping report. These alternatives will address planning issues identified during scoping and will meet the project objectives described in **Section 1.2.1**, Project Background. In compliance with NEPA, CEQ regulations, and Reclamation planning regulations and guidance, alternatives should be reasonable and capable of implementation. Reclamation will also meet with cooperating agencies, Pueblos, community groups, and individuals.

The analysis of the alternatives will be documented in the Draft EIS. Although Reclamation welcomes public input at any time during the planning process, the next official public comment period will begin when the Draft EIS is published, which is anticipated in late 2015. The draft document will be widely distributed to elected officials, regulatory agencies, and members of the public, and will be available on the project website (www.PojoaqueBasinEIS.com). The availability of the draft document will be announced via a Notice of Availability in the *Federal Register* and a 60-day public comment period will follow. Public meetings will be held throughout the project area during the 60-day comment period.

At the conclusion of the public comment period, the Draft EIS will be revised. A Final EIS will then be published. The availability of the final document will be announced in the *Federal Register*, and a 30-day public review period will follow (40 CFR Part 1506.10).

At the conclusion of the public review period, Reclamation will resolve any issues, and the Record of Decision will be published. The availability of this document will be announced in the *Federal Register*.

All publications, including this report, newsletters, the Draft EIS, the Final EIS, and the Notices of Availability, will be published on the Pojoaque Basin RWS EIS

website (www.PojoaqueBasinEIS.com). In addition, pertinent dates regarding solicitation of public comments will be published on the website.

5.2 CONTINUING PUBLIC PARTICIPATION

The public is invited and encouraged to participate throughout the planning process for the EIS. Some ways to participate include:

- Reviewing the progress of the EIS at the project website: www.PojoaqueBasinEIS.com, which will be updated with information, documents, and announcements throughout the duration of the EIS preparation
- Requesting to be added to or to remain on the official project mailing list in order to receive future newsletters and information. (subscribe online or e-mail PojoaqueBasinEIS@usbr.gov)
- Attending public open houses and informational meetings, which will be advertised in local newspapers and through the project mailing list

Anyone wishing to be added to or deleted from the distribution list, wishing to change their contact information, or requesting further information may email a request to PojoaqueBasinEIS@usbr.gov or contact Molly Thrash, NEPA Specialist, Bureau of Reclamation, Albuquerque Area Office (ALB-842), 555 Broadway NE, Suite 100, Albuquerque, New Mexico 87102, phone (505) 462-3702. Please provide your name, mailing address, and e-mail address, as well as the preferred method to receive information.

CHAPTER 6

REFERENCES

EMPSi (Environmental Management and Planning Solutions, Inc.). 2013. Public Input and Comment Tracking database. June 2013.

HKM Engineering. 2008. Pojoaque Regional Water System Engineering Report, September 2008.

Reclamation (US Department of the Interior, Bureau of Reclamation). 2012. Reclamation's NEPA Handbook. February 2012. 292 pp.

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Appendix A

Scoping Materials

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APPENDIX A

SCOPING MATERIALS

Public scoping for the Pojoaque Basin RWS EIS included a press release, project newsletter, newspaper advertisements, seven public meetings, and a public website (www.PojoaqueBasinEIS.com).

The following material is included in this appendix:

1. *Federal Register* Notice of Intent
2. Press release
3. Project newsletter
4. *Federal Register* Notice of Public Scoping Meetings
5. Newspaper advertisements
6. Newspaper and magazine articles
7. Scoping meeting handouts and exhibits
8. Scoping meeting presentation
9. Scoping meeting comment form

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meetings on the Draft RMP/EIS, in potentially affected regions. The BLM will announce notice of specific dates and locations for ANILCA hearings at least 15 days in advance, through public notices, media releases, and/or mailings.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 40 CFR 1506.6, 1506.10, and 43 CFR 1610.2

Bud Cribley,
State Director.

[FR Doc. 2012-4039 Filed 2-23-12; 8:45 am]

BILLING CODE 4310-JA-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCO922000-L13100000-FI0000;
COC73670]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease COC73670

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Proposed Reinstatement of Terminated Oil and Gas Lease.

SUMMARY: Under the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2-3(a) and (b)(1), the Bureau of Land Management (BLM) received a petition for reinstatement of oil and gas lease COC73670 from Hannon & Associates Inc., for lands in Huerfano County, Colorado. The petition was filed on time and was accompanied by all the rentals due since the date the lease terminated under the law.

FOR FURTHER INFORMATION CONTACT: Milada Krasilinec, BLM Land Law Examiner, Fluid Minerals Adjudication, at (303) 239-3767.

Persons who use a telecommunications device for the deaf

(TDD) may call the Federal Information Relay Service (FIRS) at (800) 877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The lessee has agreed to the amended lease terms for rentals and royalties at rates of \$5 per acre or fraction thereof, per year and 16 $\frac{2}{3}$ percent, respectively. The lessee has paid the required \$500 administrative fee and \$163 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Section 31(d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the BLM is proposing to reinstate lease COC73670 effective December 1, 2010, under the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Steven Hall,
Acting State Director.

[FR Doc. 2012-4322 Filed 2-23-12; 8:45 am]

BILLING CODE 4310-JB-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Notice of Intent To Prepare an Environmental Impact Statement on the Pojoaque Basin Regional Water System, Santa Fe County, NM

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent.

SUMMARY: The Bureau of Reclamation (Reclamation) intends to prepare an environmental impact statement (EIS) on the Pojoaque Basin Regional Water System. Reclamation will serve as the lead Federal agency. The U.S. Army Corp of Engineers, Bureau of Indian Affairs, U.S. Fish and Wildlife Service, New Mexico Interstate Stream Commission, New Mexico Office of the State Engineer, County of Santa Fe, and the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque will be invited to participate as cooperating agencies for the EIS. Other entities will be considered as necessary during the EIS process.

The proposed Pojoaque Basin Regional Water System will divert, treat, and distribute potable water to the Pueblo and non-Pueblo residents of the Pojoaque Basin. The Regional Water System will consist of surface water

diversion and water treatment facilities at San Ildefonso Pueblo on the Rio Grande and storage tanks, transmission and distribution pipelines, and aquifer storage and recovery well fields that will supply up to 4,000 acre-feet of water annually to customers within the Pojoaque Basin.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have your name added to the mailing list, please contact Marsha Carra, Bureau of Reclamation, Albuquerque Area Office, 555 Broadway NE., Suite 100, Albuquerque, New Mexico 87102; telephone (505) 462-3602; facsimile (505) 462-3780; email mcarra@usbr.gov. Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: This **Federal Register** notice provides the public with information regarding Reclamation's intent to prepare an EIS pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended.

The Pojoaque Basin Regional Water System is described in and authorized by the Aamodt Litigation Settlement Act (Settlement Act) which is Title VI of the Claims Resolution Act of 2010 (Pub. L. 111-291, Title VI; 124 Stat. 3065). The Settlement Act authorizes implementation of a Settlement Agreement among the United States, the State of New Mexico, the County of Santa Fe, the City of Santa Fe, the four Pueblos, and other non-Pueblo parties, and allows for the annual diversion of up to 4,000 acre-feet of water per year and the construction of the Pojoaque Basin Regional Water System to treat and distribute the water to residents of the Pojoaque Basin. The Settlement Agreement provides for settlement of water rights claims of the Nambé, Pojoaque, San Ildefonso, and Tesuque Pueblos in the Pojoaque Basin.

As described in the Settlement Act, Congress is requiring compliance with relevant laws protecting the environment, including but not limited to NEPA and the Endangered Species Act of 1973. Pursuant to NEPA, Reclamation is preparing an EIS that will describe the existing environment and environmental impacts of the proposed Pojoaque Basin Regional Water System.

Public scoping meetings will be held to solicit comments on the scope of the

EIS and the issues and alternatives that should be analyzed. Scoping meetings will be held for Pueblo members at or near each of the four Pueblos. In addition, public scoping meetings will be held in multiple locations in northern New Mexico. Additional information regarding specific dates and times for the upcoming meetings and identification of relevant comment periods will be provided in a future **Federal Register** notice, in the local news media, and through direct contact with interested parties.

Purpose and Need for Action

The purpose is to provide safe and reliable potable water to the residents of the Pojoaque Basin. The need is to reduce reliance on groundwater and to allow the Pueblos to obtain the water rights provided under the Settlement Act.

Proposed Federal Action

Reclamation proposes to plan, design, and construct the Pojoaque Basin Regional Water System in accordance with the Settlement Agreement and the Settlement Act. The Regional Water System shall divert and distribute water in the Pojoaque Basin and shall consist of surface water diversion facilities at San Ildefonso Pueblo on the Rio Grande, and treatment, transmission, storage and distribution facilities and well fields that are necessary to supply 4,000 acre-feet of water within the Pojoaque Basin in accordance with the Settlement Agreement and the Settlement Act.

Possible Alternatives

Alternatives have not been developed at this time. However, the Settlement Act includes provisions for additional construction proposed and paid for by the four Pueblos, the County of Santa Fe, or a Pojoaque Basin Regional Water Authority. Such additional infrastructure would be designed to fully use the water delivered by the Pojoaque Basin Regional Water System or to improve existing, or develop new, water-related infrastructure.

Nature of Decision To Be Made

The decision to be made is which design alternative for the Pojoaque Basin Regional Water System will be constructed. **Note:** The information in the EIS regarding water rights will be presented for background and descriptive purposes only. The terms of the parties' water entitlement and use are established under state and Federal law through the Settlement Agreement and nothing in the EIS is intended to suggest that any of those provisions are

subject to reconsideration, litigation, or alteration through the NEPA process.

Public Disclosure

Before including a name, address, telephone number, email address, or other personal identifying information in the comment, please be advised that the entire comment—including personal identifying information—may be made publicly available at any time. While a commenter may request that Reclamation withhold personal identifying information from public review, Reclamation cannot guarantee that they will be able to do so.

Dated: February 14, 2012.

Larry Walkoviak,

*Regional Director—Upper Colorado Region,
Bureau of Reclamation.*

[FR Doc. 2012-4293 Filed 2-23-12; 8:45 am]

BILLING CODE 4310-MN-P

INTERNATIONAL TRADE COMMISSION

[DN 2878]

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Consumer Electronics, Including Mobile Phones and Tablets*, DN 2878; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT:

James R. Holbein, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>, and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the

Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Pragmatus AV, LLC on February 17, 2012. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain consumer electronics, including mobile phones and tablets. The complaint names as respondents ASUSTeK Computer, Inc. of Taiwan; ASUS Computer International Inc. of CA; Pantech Co., Ltd. of South Korea; Pantech Wireless, Inc. of GA; Research In Motion Ltd. of Canada; Research In Motion Corp. of TX; Samsung Electronics Co, Ltd. of South Korea; Samsung Electronics America, Inc. of NJ; and Samsung Telecommunications America LLC of TX.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) Identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) Indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to

News Release

RECLAMATION

Managing Water in the West

**Albuquerque Area Office
Albuquerque, New Mexico**

Media Contact: Molly Thrash (505) 462-3702
sthresh@usbr.gov

February 2013

MEDIA ADVISORY: Reclamation to Hold Public Meetings on Environmental Impact of Pojoaque Basin Regional Water System

ALBUQUERQUE, N.M. – The Bureau of Reclamation will conduct five public meetings to provide information and seek public input regarding topics to be addressed in an Environmental Impact Statement being prepared for the proposed construction of the Pojoaque Basin Regional Water System (RWS) in Santa Fe County, N.M. The proposed system would serve the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and county residents within the Pojoaque Basin. The RWS, authorized under the Aamodt Litigation Settlement Act, would provide storage to supply up to 4,000 acre-feet of water annually and would consist of surface water diversion or collection facilities along the Rio Grande at the Pueblo de San Ildefonso and treatment, transmission, and distribution facilities.

Meeting dates and locations are as follows:

- **Monday, April 1, 2013:** 6:00 – 8:00 p.m., Tesuque Valley Elementary School cafeteria, 1555 Bishops Lodge Road, Tesuque, N.M. 87574
- **Tuesday, April 2, 2013:** 6:00 – 8:00 p.m., Pojoaque Valley School District campus, West Wing Conference Room, 1574 State Road 502 West, Santa Fe, N.M. 87506
- **Wednesday, April 3, 2013:** 6:00 – 8:00 p.m., Santa Fe Community College, Jemez Rooms 1&2, 6401 Richards Ave., Santa Fe., N.M. 87508
- **Thursday, April 4, 2013:** 6:00 – 8:00 p.m., Northern New Mexico College cafeteria, 921 N. Paseo de Oñate, Española, N.M. 87532
- **Tuesday, April 9, 2013:** 6:00 – 8:00 p.m., Taos Convention Center, Rio Grande Hall, Room A, 120 Civic Plaza Drive, Taos, N.M., 87571

Each meeting will include a brief presentation and the opportunity for the public to provide input regarding resources to be evaluated, significant issues or concerns, and potential alternatives. Written comments will be accepted through close of business May, 3, 2013, and should be submitted to: Bureau of Reclamation, attn: ALB-842, 555 Broadway NE, Suite 100, Albuquerque., NM 87102; fax to: (505) 462-3780; email to: PojoaqueBasinEIS@usbr.gov; submit on-line to: www.PojoaqueBasinEIS.com. For more information, contact Molly Thrash at (505) 462-3702, sthresh@usbr.gov.

###

Reclamation is the largest wholesale water supplier and the second largest producer of hydroelectric power in the United States, with operations and facilities in the 17 Western States. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits. Visit our website at <http://www.usbr.gov>.



Bureau of Reclamation Begins Planning Phase of the Pojoaque Basin Regional Water System

Introduction

The US Department of the Interior, Bureau of Reclamation, Albuquerque Area Office (Reclamation) is proposing to design and construct a regional water system (RWS) serving the Pojoaque Basin in Santa Fe County, New Mexico. The RWS would deliver potable water to the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and to county residents by diverting and treating water from the Rio Grande. The water would then be transmitted, stored, and prepared for delivery to local residents, as authorized by the Aamodt Litigation Settlement Act (Public Law 111-291, Title VI; 124 Stat. 3065) (Settlement Act), which was signed on December 8, 2010. Reclamation is preparing an Environmental Impact Statement (EIS) to analyze the environmental and socioeconomic effects of various alternatives for the project, including constructing the RWS.

Once a Record of Decision for the EIS is signed and other conditions of the Settlement Act are satisfied, Reclamation would begin construction of the RWS. After construction is complete, titles to the infrastructure and facilities would be transferred to the Pueblos, Santa Fe County, and the Regional Water Authority, who would be responsible for ongoing operation and maintenance of the RWS.

Project Background

The issue of scarce water resources in the Pojoaque River Basin was first litigated in 1966, in the case *State of New Mexico ex rel. State Engineer v. Aamodt* (No. 66cv6639 MV/LCS (D.N.M.)), to determine the nature and extent of the claimants' water rights. In May 2006, a draft Settlement Agreement was signed by the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque; the City of Santa Fe; Santa Fe County; the State of New Mexico; and representatives of Pojoaque Basin residents. This draft settlement agreement allowed for up to 4,000 acre-feet of water to be diverted from the Rio Grande and the construction of the Pojoaque Basin Regional Water System; about 2,500 acre-feet of water would be allocated to the four Pueblos, and up to 1,500 acre-feet would be allocated to Santa Fe County customers. The technical details of the RWS described in the draft Settlement Agreement were subsequently developed in an engineering report

prepared by HKM Engineering, Inc. (available on the project website at www.PojoaqueBasinEIS.com). The final Settlement Agreement, dated April 2012, does not require County residents to hook up to the RWS. County residents within the Pojoaque Basin would have the option of signing on to the Settlement Agreement under one of three options or not signing on at all. The Settlement Act ratified the terms of the Settlement Agreement and authorized Reclamation to plan, design, and construct the RWS.

Project Overview

The proposed project would divert, treat, transmit, store, and deliver water to Pueblo and non-Pueblo residents of the Pojoaque Basin as part of the RWS. The water would be diverted at Pueblo de San Ildefonso, either by diverting surface water into a side channel intake structure or by collecting groundwater that is hydrologically connected to the river through the use of horizontal collector wells. The collected water would then be treated at a water treatment facility and transmitted to storage facilities through underground pipelines. Water would be stored in large tanks and underground aquifers. The RWS would include pipelines and pump stations to serve the four Pueblos and County water customers in the Pojoaque Basin. General requirements of the project are outlined in the HKM Engineering, Inc. report, but specific aspects and alternatives will continue to be developed throughout the planning process.

What is the National Environmental Policy Act (NEPA)?

The NEPA was passed in 1969 and laid the foundation for environmental review in the United States. Two major requirements of the NEPA are that agencies analyze the environmental impacts of federal actions and engage the public in the decision-making process.

What is an Environmental Impact Statement (EIS)?

An EIS is a detailed analysis of a project that the proposing agency views as having significant environmental impacts. The EIS provides a discussion of effects on the human environment from the proposed action and other reasonable alternatives (including a No Action alternative).

The purpose of the project is to provide safe and reliable potable water to the residents of the Pojoaque Basin. The need is to reduce reliance on groundwater and to allow the Pueblos and settlement parties to utilize the water rights under the terms and conditions of the Settlement Agreement.

Project Objectives

- Provide a source of water for drinking, fire suppression, and future growth in the Pojoaque Basin;
- Reduce dependence on local groundwater sources;
- Improve alluvial recharge on portions of the Rio Tesuque with channel modifications;
- Provide a barrier dam and infiltration project on the Rio Pojoaque;
- Develop a design for Rio Grande water diversion facilities; treatment, transmission, storage and distribution facilities; and well fields, in accordance with the Settlement Agreement, that best meets the needs of settlement parties, while limiting the impacts on sensitive resources; and
- Provide opportunities for additional construction projects, proposed and paid for by the four Pueblos, Santa Fe County, or a Pojoaque Basin Regional Water Authority, to improve existing or develop new water-related infrastructure.

Decisions to be Made

The federal action is for Reclamation to evaluate whether and how to design and construct a water treatment and distribution system for the Pojoaque Basin in accordance with the Settlement Agreement and the Settlement Act. Reclamation’s decision will determine the appropriate design alternative, if any, for the water system and approve or deny project construction. The terms of the settlement parties’ water entitlement and use are established under state and federal law through the Settlement Agreement and will not be altered by the decisions made in this EIS.

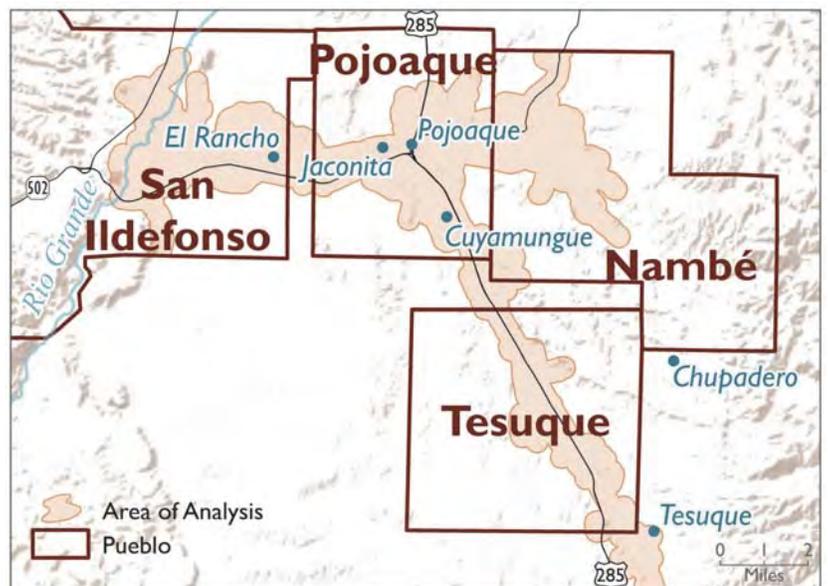
Do you want to get involved in the planning phase of the project? Or just looking for more information? Attend one of the public scoping meetings to learn more about the project, visit with Reclamation staff, view maps, and submit comments. **All meetings will run from 6:00 pm to 8:00 pm, and will include a brief presentation at 6:30 pm.** Presentation materials will be on display throughout the meeting and will also be available on the project website (www.PojoaqueBasinEIS.com). Comments can be submitted in person at the public scoping meeting, by fax or US mail to the Bureau of Reclamation, or electronically through the project website. Locations for the public scoping meetings are listed below.

City	Date	Location
Tesuque NM	Mon 4/1/13	Tesuque Valley Elementary School Cafeteria 1555 Bishops Lodge Road, Tesuque, NM 87574
Pojoaque NM	Tues 4/2/13	Pojoaque Valley High School District Campus West Wing Conference Room 1574 State Road 502 West, Santa Fe, NM 87506
Santa Fe NM	Wed 4/3/13	Santa Fe Community College Jemez Rooms 1&2 6401 Richards Avenue, Santa Fe, NM 87508
Española NM	Thurs 4/4/13	Northern New Mexico College Cafeteria 921 N. Paseo de Oñate, Española, NM 87532
Taos NM	Tues 4/9/13	Taos Convention Center Rio Grande Hall, Room A 120 Civic Plaza Drive, Taos, NM 87571

Project Area



Want more information? Visit the project website at www.PojoaqueBasinEIS.com for detailed information on the project, EIS developments, the Aamodt Litigation Settlement Act, and how to get involved!



Data Collection Activities are Beginning!

Over the course of the next year, you may notice an increase in the number of people and equipment working within the project area. These are professionals performing various surveys and studies to assess on-the-ground conditions and help develop project alternatives. This is part of the engineering design and data collection phase of the project, and will include:

- Archeological and historic resources surveys
- Biological and wetlands surveys
- Geotechnical investigations and exploratory drilling for aquifer storage and recovery wells
- Land surveys
- Geomorphology and hydrology surveys



Geotechnical investigations will occur along Highways 285 and 502 to assess soil conditions so that foundations and buried pipelines can be properly designed. This investigation will involve some excavation and drilling. In some cases, a 40,000-pound drill rig will be used (see the photo above). If you see one of these near the highways or on Pueblo land, you can be sure that it is the geotechnical investigation and not oil and gas development. Every pit and hole for the investigation will be filled in with native soil and restored after the investigation is complete.

These surveys and studies will be completed by Reclamation and its subcontractors and could include heavy machinery and photography equipment. But don't worry, there will be no permanent impact on the area from these surveys. Surveyors are also trained to avoid taking photos of sensitive cultural resources.

Next Steps

The preliminary schedule on this page outlines major steps in the EIS process and formal opportunities for public involvement at each step. While there are various ways to get involved, submitting a comment during the public scoping period and later during the comment period for the draft EIS are the most effective ways to make your voice heard in the EIS process.

Preliminary dates have been provided for informative purposes only and are subject to change.



Public Scoping

What Happens:

- Gather public comments on project scope
- Publish scoping report summarizing public comments
- Use public comments in determining issues and alternatives

February 2012 through April 2013

Draft EIS

What Happens:

- Publish draft EIS
- Public review and comment period
- Accept public comments on draft EIS

Publish draft EIS Late 2015

Final EIS

What Happens:

- Review and incorporate public comments
- Revise draft EIS
- Publish final EIS

Publish final EIS Late 2016

Record of Decision

What Happens:

- Write and publish Record of Decision (ROD)

Publish ROD Early 2017



Public Involvement Activities:

- Public scoping meetings (April 1-9, 2013)
- Project newsletter and project website updates
- Submit public comments via e-mail, postal mail, fax, web, or in person at meetings

Public Involvement Activities:

- Public distribution of draft EIS
- Public meetings
- Project newsletter and project website updates
- Submit public comments via e-mail, postal mail, fax, web, or in person at meetings

Public Involvement Activities:

- Public distribution of final EIS
- 30-day public review period
- Project newsletter and project website updates

Public Involvement Activities:

- Public distribution of Record of Decision

Pojoaque Basin Regional Water System to serve the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and other residents in Santa Fe County, New Mexico. This edition of the newsletter provides an overview of the project, the NEPA process, and guidance on how to get involved, including a schedule of public scoping meetings and how to submit comments. Contact us at PojoaqueBasinEIS@usbr.gov if you would like to be removed from the mailing list or to receive future mailings via email.

Want More Information?

Get on the mailing list: Send a request to PojoaqueBasinEIS@usbr.gov

Visit the project website: www.PojoaqueBasinEIS.com

Attend public meetings: Public meetings will be held in five locations across northern New Mexico and are open to the public.

Submit comments: Comments may be submitted at a public meeting or by using one of the methods listed below. To be most helpful, comments should be provided by May 3rd, 2013. You can submit comments even if you have not attended a public meeting.

- Online:* www.PojoaqueBasinEIS.com
- E-mail:* PojoaqueBasinEIS@usbr.gov
- Fax:* 505-462-3780
- Postal Mail:* Molly Thrash
Bureau of Reclamation
Albuquerque Area Office, ALB-842
555 Broadway NE, Suite 100
Albuquerque, NM 87102

Public Meeting Schedule

Tesuque, NM	Monday, 4/1/13
Pojoaque, NM	Tuesday, 4/2/13
Santa Fe, NM	Wednesday, 4/3/13
Española, NM	Thursday, 4/4/13
Taos, NM	Tuesday, 4/9/13

See Page 2 of the newsletter for meeting times, locations, and format

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Santa Fe, NM 87501

**Acting as contracted agent for the
Bureau of Reclamation*

Chapter 07—Revocation of Licenses

07.010—Revocation of licenses. The Executive Committee shall revoke a license upon any of the following grounds.

A. The misrepresentation of a material fact by an applicant in obtaining a license or a renewal thereof.

B. The violation of any condition imposed by the Executive Committee on the issuance, transfer or renewal of a license.

C. A plea, verdict, or judgment of guilty, or the plea of *nolo contendere* to any public offense involving moral turpitude under any federal or state law prohibiting or regulating the sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors.

D. The violation of any tribal ordinance.

E. The failure to take reasonable steps to correct objectionable conditions constituting a nuisance on the licensed premises or any immediately adjacent area leased, assigned or rented by the licensee within a reasonable time after receipt of a notice to make such corrections has been received from the Executive Committee or its authorized representative.

07.020—Accusations. The Executive Committee, on its own motion through the adoption of an appropriate resolution meeting the requirements of this section, or any person may initiate revocation proceedings by filing an accusation with the Secretary of the Executive Committee. The accusation shall be in writing and signed by the maker, and shall state facts showing that there are specific grounds under this ordinance which would authorize the Executive Committee to revoke the license or licenses of the licensee against whom the accusation is made. Upon receipt of an accusation, the Secretary of the Executive Committee shall cause the matter to be set for a hearing before the Executive Committee. Thirty (30) days prior to the date set for the hearing, the Secretary shall mail a copy of the accusation along with a notice of the day and time of the hearing before the Executive Committee. The notice shall command the licensee to appear and show cause why the licensee's license should not be revoked. The notice shall state that the licensee has the right to file a written response to the accusation, verified under oath and signed by the licensee ten (10) days prior to the hearing date.

07.030—Hearing. Any hearing held on any accusation shall be held before a majority of the Executive Committee under such rules of procedure as it may adopt. Both the licensee and the person filing the accusation, including the Tribe, shall have the right to present

witnesses to testify and to present written documents in support of their positions to the Executive Committee. The Executive Committee shall render its decision within sixty (60) days after the date of the hearing. The decision of the Executive Committee shall be final and non-appealable.

Chapter 08—Enforcement

08.010—Right to inspect. Any premises within the area under the jurisdiction of this Ordinance on which liquor is sold or distributed shall be open for inspection by representatives of the Executive Committee at all reasonable times during business hours for the purposes of ascertaining whether the rules and regulations of this Ordinance are being complied with.

08.020—General penalties. Any person adjudged to be in violation of this ordinance shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500.00) for each such violation. The Executive Committee may adopt by resolution a separate schedule of fines for each type of violation, taking into account its seriousness and the threat it may pose to the general health and welfare of tribal members. Such schedule may also provide, in the case of repeated violations, for imposition of monetary penalties greater than the Five Hundred Dollars (\$500.00) limitation set forth above. The penalties provided for herein shall be in addition to any criminal penalties which may hereafter be imposed in conformity with federal law by separate Chapter or provision of this Ordinance or by a separate ordinance of the Cedarville Rancheria Tribal Code.

08.020—Initiation of action. Any violation of this ordinance shall constitute a public nuisance. The Executive Committee may initiate and maintain an action in tribal court, or, if the tribal court does not have jurisdiction over the action, the United States District Court for the Eastern District of California shall have jurisdiction to abate and permanently enjoin any nuisance declared under this ordinance. Any action taken under this section shall be in addition to any other penalties provided for this ordinance.

Section 08—Severability. If any part or provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and affect. To this

end the provisions of this ordinance are severable.

[FR Doc. 2013-05811 Filed 3-12-13; 8:45 am]

BILLING CODE 4310-4J-P

DEPARTMENT OF THE INTERIOR**National Indian Gaming Commission****Fee Rate***Correction*

In notice document 2013-05334, appearing on page 14821 in the issue of Thursday, March 7, 2013, make the following correction:

On page 14821, in the second column, in the eighth line from the bottom of the page, "Dated: March 4, 2013." should read "Dated: March 4, 2013."

[FR Doc. C1-2013-05334 Filed 3-12-13; 8:45 am]

BILLING CODE 1505-01-D

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Notice of Public Scoping Meetings for the Pojoaque Basin Regional Water System Environmental Impact Statement, New Mexico**

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of public scoping meetings.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation is preparing an environmental impact statement for the Pojoaque Basin Regional Water System. As part of that process, Reclamation will host five public scoping meetings to provide information on the project and to solicit input on the scope of the document, alternatives, concerns, and issues to be addressed in the environmental impact statement.

DATES: Public scoping meetings will be held from 6:00 p.m. to 8:00 p.m. on the following dates:

- Monday, April 1, 2013, in Tesuque, New Mexico.
- Tuesday, April 2, 2013, in Pojoaque, New Mexico.
- Wednesday, April 3, 2013, in Santa Fe, New Mexico.
- Thursday, April 4, 2013, in Española, New Mexico.
- Tuesday, April 9, 2013, in Taos, New Mexico.

The scoping period will be open from March 13, 2013 to May 3, 2013.

ADDRESSES: Public scoping meetings will be held at the following locations:

- Tesuque—Tesuque Valley Elementary School Cafeteria, 1555

Bishop's Lodge Road, Tesuque, New Mexico, 87574.

- Pojoaque—Pojoaque Valley School District Campus, West Wing Conference Room, 1574 State Road 502 West, Santa Fe, New Mexico 87506.

- Santa Fe—Santa Fe Community College, Jemez Rooms 1&2, 6401 Richards Avenue, Santa Fe, New Mexico 87508.

- Española—Northern New Mexico College, Cafeteria, 921 N. Paseo de Oñate, Española, New Mexico 87532.

- Taos—Taos Convention Center, Rio Grande Hall, Room A, 120 Civic Plaza, Taos, New Mexico 87571.

FOR FURTHER INFORMATION CONTACT: Ms. Molly Thrash, Bureau of Reclamation, Albuquerque Area Office, 555 Broadway NE., Suite 100, Albuquerque, New Mexico, 87102; telephone (505) 462-3702; facsimile (505) 462-3780; email sthrash@usbr.gov. Persons who use a telecommunications device for the deaf may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Bureau of Reclamation is the lead Federal agency for preparation of the Pojoaque Basin Regional Water System Environmental Impact Statement (EIS). As such, Reclamation published a Notice of Intent to Prepare an EIS on February 24, 2012 (77 FR 11155). The U.S. Army Corps of Engineers, Bureau of Indian Affairs, U.S. Fish and Wildlife Service, Indian Health Service, New Mexico Department of Transportation, New Mexico Office of the State Engineer, County of Santa Fe, City of Santa Fe, and the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque have been invited to participate as cooperating agencies. Other entities may be considered as necessary during the EIS process.

Reclamation is proposing to plan, design, and construct the Pojoaque Basin Regional Water System in accordance with the Aamodt Litigation Settlement Act, which is Title VI of the Claims Resolution Act of 2010 (Pub. L. 111-291, Title VI; 124 Stat. 3065). The proposed project would divert, treat, and distribute potable water to the Pueblo and non-Pueblo residents of the Pojoaque Basin. The Regional Water System would consist of surface water diversion and water treatment facilities within the boundaries of San Ildefonso Pueblo on the Rio Grande and storage tanks, transmission and distribution

pipelines, and aquifer storage and recovery well fields that would supply up to 4,000 acre-feet of water annually to customers within the Pojoaque Basin.

Additional Information on the project is available at the project Web site at PojoaqueBasinEIS.com.

Public Scoping

Scoping is an early, ongoing, and open public process for determining the relevant issues to be addressed in the EIS and for identifying any significant issues and suggested alternatives related to the proposed Federal action.

Public comments on the scope and content of the EIS may be provided at the public meetings, submitted online through the project Web site, sent via email or facsimile, or mailed to the address shown below. To be most effectively considered, comments should be submitted by May 3, 2013.

Public comments and/or requests to be added to the project mailing list will be accepted at all of the public scoping meetings or by any of the methods shown below:

- *Email:* PojoaqueBasinEIS@usbr.gov.
- *Facsimile:* (505) 462-3780.
- *Web site:* PojoaqueBasinEIS.com.
- *Address:* Bureau of Reclamation, Albuquerque Area Office, Suite 100 (ALB-842), 555 Broadway NE., Suite 100, Albuquerque, New Mexico, 87102.

In addition to the public scoping meetings described above, Reclamation may host additional scoping meetings with Pueblo members at or near each of the four Pueblos. Government-to-government consultation will continue with the Pueblo governments and coordination will continue with other Federal and State agencies.

Special Assistance for Public Meetings

If special assistance is required to participate in a particular scoping meeting, please contact Ms. Molly Thrash at (505) 462-3702, or via email at sthrash@usbr.gov. A telephone device for the hearing impaired is available at 1-800-877-8339. Please provide notification as far in advance as possible to enable Reclamation to secure the needed services. If a request cannot be honored, the requestor will be notified.

Public Disclosure

Before including your address, phone number, email address, or other personal identifying information in any communication, you should be aware that your entire comments—including your personal identifying information—may be made publicly available at any time. While you can ask us in your communication to withhold your personal identifying information from

public review, we cannot guarantee that we will be able to do so.

Dated: January 16, 2013.

Larry Walkoviak,

Regional Director—Upper Colorado Region, Bureau of Reclamation.

[FR Doc. 2013-05604 Filed 3-12-13; 8:45 am]

BILLING CODE 4310-MN-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances, Notice of Application; Meridian Medical Technologies

Pursuant to Title 21 Code of Federal Regulations 1301.34 (a), this is notice that on January 8, 2013, Meridian Medical Technologies, 2555 Hermelin Drive, St. Louis, Missouri 63144, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as an importer of Morphine (9300), a basic class of controlled substance listed in schedule II.

The company manufactures a product containing morphine in the United States. The company exports this product to customers around the world. The company has been asked to ensure that its product sold to European customers meets standards established by the European Pharmacopeia, which is administered by the Directorate for the Quality of Medicines (EDQM). In order to ensure that its product will meet European specifications, the company seeks to import morphine supplied by EDQM to use as reference standards. This is the sole purpose for which the company will be authorized by DEA to import morphine.

Any bulk manufacturer who is presently, or is applying to be, registered with DEA to manufacture such basic class of controlled substance listed in schedule II, which falls under the authority of section 1002(a)(2)(B) of the Act (21 U.S.C. 952(a)(2)(B)) may, in the circumstances set forth in 21 U.S.C. 958(i), file comments or objections to the issuance of the proposed registration and may, at the same time, file a written request for a hearing on such application pursuant to 21 CFR 1301.43 and in such form as prescribed by 21 CFR 1316.47.

Any such written comments or objections should be addressed, in quintuplicate, to the Drug Enforcement Administration, Office of Diversion Control, Federal Register Representative (ODL), 8701 Morrisette Drive, Springfield, Virginia 22152; and must be filed no later than April 12, 2013.

Public Scoping Meetings on Pojoaque Basin Regional Water System

The Bureau of Reclamation is preparing an Environmental Impact Statement to analyze the effects of construction of the Pojoaque Basin Regional Water System in Santa Fe County, New Mexico. The proposed system will serve the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, along with County residents within the Pojoaque Basin. The regional water system would consist of surface water diversion or collection facilities along the Rio Grande at the Pueblo de San Ildefonso and treatment, transmission and distribution piping, and storage (including aquifer storage and recovery wells) to supply up to 4,000 acre-feet annually.

Five public scoping meetings are being held to solicit public input on topics to be addressed in the EIS including resources to be evaluated, alternatives to be considered, and significant concerns and issues. The meetings are scheduled as follows:

Public Scoping Meetings

A brief presentation will be given at 6:30 pm at each meeting.

Tesuque	Monday, April 1 6:00 - 8:00 pm	Tesuque Valley Elementary School, Cafeteria 1555 Bishops Lodge Road Tesuque, NM 87574
Pojoaque	Tuesday, April 2 6:00 - 8:00 pm	Pojoaque Valley School District Campus, West Wing Conference Room 1574 State Road 502 West Santa Fe, NM 87506
Santa Fe	Wednesday, April 3 6:00 - 8:00 pm	Santa Fe Community College, Jemez Rooms 1&2 6401 Richards Ave. Santa Fe, NM 87508
Española	Thursday, April 4 6:00 - 8:00 pm	Northern New Mexico College, Cafeteria 921 N. Paseo de Oñate Española, NM 87532
Taos	Tuesday, April 9 6:00 - 8:00 pm	Taos Convention Center, Rio Grande Hall, Room A 120 Civic Plaza Drive Taos, NM 87571

Written comments on the scope of the EIS should be received by close of business Friday, May 3, 2013, and should be sent to Bureau of Reclamation, Albuquerque Area Office (ALB-842) 555 Broadway NE, Suite 100, Albuquerque, NM 87102; faxed to (505) 462-3780; emailed to PojoaqueBasinEIS@usbr.gov; or submitted online at <http://www.PojoaqueBasinEIS.com>.

For more information, please contact Molly Thrash at (505) 462-3702 or visit the project website at <http://www.PojoaqueBasinEIS.com>.

Before including your name, address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Public Scoping Meetings on Pojoaque Basin Regional Water System

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) to analyze the effects of construction of the Pojoaque Basin Regional Water System in Santa Fe County, New Mexico. The proposed system will serve the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, along with County residents within the Pojoaque Basin. The Regional Water System would consist of surface water diversion or collection facilities along the Rio Grande at Pueblo de San Ildefonso and treatment, transmission and distribution piping, and storage (possibly including aquifer storage and recovery wells) to supply up to 4,000 acre-feet annually.

Two additional public scoping meetings are being held to solicit public input on topics to be addressed in the EIS, including resources to be evaluated, alternatives to be considered, and significant concerns and issues. The meetings are scheduled as follows:

Additional Public Scoping Meetings

Pueblo de San Ildefonso	Wednesday, April 17 6:00 - 8:00 pm	Tewa/Visitor Center 02 Tunyo Po, Santa Fe, NM 87506
El Rancho	Thursday, April 18 6:00 - 8:00 pm	El Rancho Community Center 394 County Road 84, El Rancho, NM 87506

A brief presentation will be given at 6:30 pm at both meetings.

Written comments on the scope of the EIS should be received by close of business Friday, May 3, 2013, and should be sent to Bureau of Reclamation, Albuquerque Area Office (ALB-842) 555 Broadway NE, Suite 100, Albuquerque, NM 87102; faxed to (505) 462-3797; emailed to PojoaqueBasinEIS@usbr.gov; or submitted online at <http://www.PojoaqueBasinEIS.com>.

For more information, please contact Molly Thrash at (505) 462-3702 or visit the project website at <http://www.PojoaqueBasinEIS.com>.

Before including your name, address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Federal agency seeks comments on Pojoaque water system

The New Mexican

The U.S. Bureau of Reclamation will host several meetings next week seeking public comments on a regional water system proposed for the Pojoaque Basin.

The regional water system, which will divert water from the Rio Grande, is a key part of a water rights settlement in the Aamodt case.

While the federal court still has to finalize all settlement documents and claims associated with water rights in the basin, the bureau is beginning the task of analyzing the environmental impacts of the proposed water system. The water system would serve the pueblos of Tesuque, Nambe, San Ildefonso and Pojoaque, plus nonpueblo residents.

The system involves more than 20,000 acres for pipeline easements, a river diversion system, a treatment plant and other infrastructure.

The first meeting is 6 to 8 p.m. April 1 at the Tesuque Valley Elementary School cafeteria. The next meeting is April 2 at the Pojoaque Valley School District. Santa Fe Community College will host a meeting April 3 in the Jemez Rooms. A fourth meeting is scheduled April 4 at the Northern New Mexico College cafeteria. The final meeting is scheduled April 9 at the Taos Convention Center. All meetings are from 6 to 8 p.m.

More information about the Aamodt settlement and the regional water system is available at www.santafecountynm.gov/county_commissioners/daniel_mayfield/aamodt_outreach.



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8 Remaining

Comments sought on water system

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Posted: Monday, March 25, 2013 7:08 pm | Updated: 12:46 pm, Tue Mar 26, 2013.

The New Mexican | 2 comments

The U.S. Bureau of Reclamation will host several meetings next week seeking public comments on a regional water system proposed for the Pojoaque Basin.

The regional water system, which will divert water from the Rio Grande, is a key part of a water rights settlement in the Aamodt case.

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More information about the Aamodt settlement and the regional water system is available at

www.santafecountynm.gov/county_commissioners/daniel_mayfield/aamodt_outreach

Submit Your News

We're always interested in hearing about news in our community. Let us know what's going on.

[Submit news](#)

MOST READ MOST COMMENTED

1. Bobcat Bite managers to leave over dispute with property owner (35)



Around Northern New Mexico

By Journal Staff

Mumford & Sons to play at Taos park on June 6

Mumford & Sons, the British alternative folk rock band that won this year's Grammy for album of the year, is selling out shows in Paris, Amsterdam and Copenhagen on its current European tour.

And now the band — which is on the latest Rolling Stone magazine cover — is coming to Taos.

North American tour dates for Mumford & Sons announced on the band's website show a June 6 stop in Taos at Kit Carson Park.

Taos Solar Music Festival announced on its website that fans can register before Sunday for an "invitation onsale" online. Information about the ticket sale is available at the band's website, www.mumfordandsons.com.

Kiwanis Club seeks Zozobra poster entries

The Kiwanis Club of Santa Fe is seeking submissions for images that will be used for 2013 Zozobra poster and T-shirts and for the annual Zozobra art and photography event in August.

More information about the art contest, for both children and adults, can be found at www.burnzozobra.com.

LANL official to oversee West Virginia capitol

CHARLESTON, W.Va. — An official at the Los Alamos National Laboratory will oversee the West Virginia capitol and other state buildings.

Administration Secretary Ross Taylor announced Gregory Melton as the new director of the General Services Division on Monday. Melton starts April 1.

A West Virginia native, Melton has been a maintenance manager and group leader at Los Alamos.

The New Mexico complex is 36 square miles with more than 1,200 buildings and 8 million square feet of facility space.

General Services oversees the state capitol building and its campus as well as other state government buildings around West Virginia.

Melton is a West Virginia University graduate and a former U.S. Air Force officer.

He succeeds David Oliverio, who helped oversee a major turnaround at General Services before his departure earlier this month.

Transit District adds buses to Española route

The North Central Regional Transit District will add buses along its Española to Chimayó route Friday to accommodate people making the annual pilgrimage to El Santuario de Chimayó.

Two ADA-accessible buses will run on a continuous loop from 8 a.m. to 5:30 p.m., departing from the RTD stop on the north side of the Big Rock Phillips in front of the Santa Claran Hotel. The route then follows N.M. 76 with multiple stops along the way. The route concludes at the Benny Chavez Center at the County Road 98

Delays will be unavoidable due to the heavy pedestrian traffic along the route, so regular passengers need to be aware that buses will not be at their stops at the posted time.

For route and schedule information, log onto www.ridethebluebus.com or call toll free 1-866-206-0754.

Cash prizes at annual Fishing Derby Saturday

The Fishing Lakes at Ohkay Owingeh is holding its annual Fishing Derby on Saturday.

Gates will open at 6:30 a.m. Advance tickets (\$30) are available at Ohkay Casino Ticket Office; tickets at the gate are \$35 on the day of the event.

Cash prizes will be awarded for the three biggest trout caught during the day: \$1,000 for first prize, \$500 for second, and \$250 for third.

Traffic light changes begin on Cerrillos Road

Monday marked the first of several traffic light changes planned along Cerrillos Road that will provide a flashing yellow arrow signal for motorists to turn left when there is a gap in oncoming traffic.

The first change was scheduled at the intersection with Camino Carlos Rey, to be followed by those at Lujan Street, Cielo Court and Siler Road.

The city's Traffic Engineering Division is installing the flashing yellow arrows as part of a new timing plan to improve the flow of traffic.

Summer camp teaches guitar, string orchestra

Santa Fe Public Schools will hold a Summer Music Camp on weekday mornings from May 28-June 21 at Gonzales Community School. Programs offered include elementary music grades K-6, band grades 5-12, guitar grades 5-12, and string orchestra grades 5-12.

Running 8 a.m.-noon, the camp will feature large ensembles as well as small group settings, music theory, intensive instrumental instruction, master classes, clinics with renowned musicians, and solo performance opportunities. It will culminate in a public concert.

Registration received by May 4 is \$200, rising to \$220 after then. To register, contact Todd Hansen at 505-310-2411. Further information can be found at www.sfps.info.

If not enough students are registered by May 10, the camp may be cancelled.

Bureau holds 5 meetings on Pojoaque Basin plan

The Bureau of Reclamation will conduct five public meetings to provide information and seek public input on an environmental impact statement being prepared for the proposed construction of the Pojoaque Basin Regional Water System in Santa Fe County.

The proposed system would serve the pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and county residents within the Pojoaque Basin. The water system, authorized under the Aamodt Litigation Settlement Act, would consist of surface water diversion or collection facilities along the Rio Grande at the Pueblo de San Ildefonso and treatment, transmission and distribution facilities.

Meetings, all running 6-8 p.m., are scheduled on:

- ◆ April 1 at Tesuque Valley Elementary School cafeteria, 1555 Bishop's Lodge Road, Tesuque.
- ◆ April 2 at Pojoaque Valley School District campus, West Wing Conference Room, 1574 N.M. 502 West.
- ◆ April 3 at Santa Fe Community College, Jemez rooms 1 & 2, 6401 Richards Ave., Santa Fe.
- ◆ April 4 at Northern New Mexico College cafeteria, 921 N. Paseo de Oñate, Española.
- ◆ April 9 at Taos Convention Center, Rio Grande Hall, Room A, 120 Civic Plaza, Taos.

Each meeting will include a brief presentation and the chance for public comment.

Written comments will be accepted through close of business May 3 and should be submitted to:

Bureau of Reclamation, attn: ALB-842; 555 Broadway NE, Suite 100; Albuquerque., N.M. 87102. You also can fax comments to 505-462-3780, email to pojoaquebasineis@usbr.gov or submit online at www.pojoaquebasineis.com.

Suggested Reading:

- [Around Northern New Mexico](#)
 - [Around Northern New Mexico](#)
-

La Jicarita

AN ONLINE MAGAZINE OF ENVIRONMENTAL POLITICS IN NEW MEXICO
GROUNDWATER, LAW AND COURTS, NEW MEXICO, SANTA FE COUNTY,
SUSTAINABILITY, WATER ADJUDICATION, WATER AND ACEQUIAS

Aamodt Settlement Finally Signed but Not Yet Delivered

POSTED BY [LAJICARITA](#) · APRIL 16, 2013 · [1 COMMENT](#)

FILED UNDER [AAMODT ADJUDICATION SETTLEMENT](#), [AQUIFER STORAGE AND RECOVERY](#), [NAMBE PUEBLO](#), [POJOAQUE BASIN REGIONAL WATER SYSTEM](#), [POJOAQUE BASIN WATER ALLIANCE](#), [POJOAQUE PUEBLO](#), [SAN ILDEFONSO PUEBLO](#), [TESUQUE PUEBLO](#), [TOP OF THE WORLD](#)

By KAY MATTHEWS

Revisions to the Aamodt Litigation Settlement Act dragged on for two years as the parties to the settlement had to go back to the drawing board and make the language in the 2006 act conform to the 2010 federal act that approved it (as well as the Cost Sharing and System Integration Agreement). These agreements were completed earlier this year and when Secretary of the Interior Ken Salazar came to New Mexico, the settlement was signed on March 14. Meanwhile, the Environmental Impact Statement (EIS) for the Pojoaque Basin Regional Water System (RWS), which will deliver the amounts of water stipulated in the settlement to the pueblos (Tesuque, Nambe, San Ildefonso, and Pojoaque) and non-pueblo residents of the Pojoaque Valley, is generating some speculation as to how and if it can be completed by September 15, 2017, the date by which the terms of the settlement must be fulfilled.

The Bureau of Reclamation (BOR), charged with the promulgation of the EIS, has scheduled two additional scoping meetings for Wednesday, April 17, at the Tewa Visitor Center at the Pueblo of San Ildefonso; and Thursday, April 18, at the El Rancho Community Center. Both meetings will run from 6 to 8 p.m. Comments will be accepted until May 3 and can be submitted by email, regular mail, fax, or on the web as well: e-mail to PojoaqueBasinEIS@usbr.gov; mail to Bureau of Reclamation, Albuquerque Area Office (ALB-842), 555 Broadway NE, Suite 100, Albuquerque, NM 87102; fax to (505) 462-3797; or **Submit a Web Comment Here!** See the Bureau of Reclamation [web site](#) for more information.

The settlement stipulates that approximately 4,000 acre feet per year (afy) of water will be diverted from the Rio Grande: up to 2,500 (2,381 afy reflects conveyance loss from the original 2,500 afy) to the pueblos and up to 1,500 afy to Santa Fe County customers, who can voluntarily become members of the delivery system or retain their private wells. The water sources are: San Juan/Chama Project, 1,079

afy; Nambe Reserved Right, 302; a transfer of water rights from Top of the World Farms (TOW) in northern Taos County, 1,752; and domestic well transfers, 611 (reduced from 750). Of the 1,079 afy San Juan/Chama water, 300 afy was taken from the Taos Pueblo Settlement (Abeyta) in a negotiated deal, and the remaining 800 afy are Cochiti Lake Contract water rights that were set aside to compensate for evaporation. The 611 afy is an estimate of the maximum potential of domestic well transfers into the water delivery system.

The water will be taken from the Rio Grande, most likely at San Ildefonso Pueblo, by either diverting the surface water into a side intake structure or by collecting groundwater that is hydrologically connected to the river through the use of horizontal collector wells or infiltration gallery. This idea of a collector was first put forward back in the late 1990s when the County of Santa Fe proposed that a Ranney Collector be used to divert Top of the World water rights (600 afy) to the Buckman Well Field to offset over pumping and allow for future development.

The county's application to transfer the TOW water rights was protested by nineteen groups and individuals concerned that the transfer could open the door to other municipalities and development interests hoping to acquire water rights in northern New Mexico and transfer them to other locations south of the Otowi Gauge. There was also concern that the infiltration gallery would affect ground water supplies in a wide radius of the pumping. The 1999 transfer was never completed, and eventually, after the County purchased an additional 1,100 afy of TOW water rights, the water was designated for the Aamodt settlement. Now that the settlement has been signed, the County and the Department of the Interior, which bought the portion of the Top of the World water rights intended for the pueblos, will apply to the Office of the State Engineer to transfer them, a process that will no doubt be extended due to many anticipated protests from groups and individuals in Taos County.

Aquifer Storage and Recovery System

While the Santa Fe County web site states that the diverted water will be treated at a water treatment facility and transmitted to storage facilities, either storage tanks or underground aquifers called Aquifer Storage and Recovery (ASR), it appears that because of cost concerns the ASR, where water is injected into underground aquifers for storage and then recovered when needed, will be used for the water system. This concept has become more common in the last 10 to 15 years, largely because of its economic benefits—as opposed to the capital outlay for a reservoir or storage tanks—and because of already depleted aquifers that the injected water can help restore. The BOR will have to prove the feasibility of the proposed ASR system by drilling wells to make sure the contained system won't mix with other aquifers.

All of this is going to cost a lot of money, of course, and the bill for the RSW is steadily climbing from the original \$163 million (as stated on the Santa Fe County web site) in 2006 dollars to over \$200 million today. While cost increase indexes are factored into the settlement legislation, many of the original estimates for various components of the project, including the ASR wells, may be well below actual costs. Another major concern is that as the drought continues the imported water slated for the settlement—both San Juan/Chama and TOW—may end up being paper, not wet water. And member of the Pojoaque Basin Water Alliance (PBWA), a group of non-pueblo valley residents who have

consistently opposed the water delivery system to non-pueblos residents (see [article](#) in *La Jicarita*), are wondering if the County of Santa Fe, which will be responsible for operating the RWS for the first 10 years, has the capacity to enforce the terms of the agreement.

PBWA member Paul White disseminated a list of questions he hopes will be answered during the EIS public scoping period. They include:

- Is the original hydrographic survey, completed in 1964, adequate to determine the proper location for the proposed ASR wells?
- If restrictions are put in place that limit the amount of water that can be removed from the river where will the replacement water come from?
- How will pharmaceuticals be removed from the river water?
- Will there be a need to build more power lines for the pumping stations and filtration plant and will they all be underground? Will new substation/stations be required?
- What would prolonged drought and lack of San Juan Chama Water do to affect the regional water system?
- How would other challenges to Rio Grande water rights (Texas claims, Elephant Butte challenges, priority calls on the Colorado River) including protection for species such as the silvery minnow affect the regional water system?
- Are the Top of the World water rights actually connected to the Rio Grande?
- How will contaminants from Los Alamos such as airborne particulates be treated?
- The Aamodt Settlement was touted as a non-discriminatory process, however Chupadero and other communities along Route 592 were left out of the planning for the water utility. Will there be additional federal funding for a water utility along this corridor? The Aamodt adjudication suit was filed in 1966; if the terms of the settlement are fulfilled by 2017 the process will have taken 51 years.

The Aamodt adjudication suit was filed in 1966; if the terms of the settlement are fulfilled by 2017 the process will have taken 51 years.

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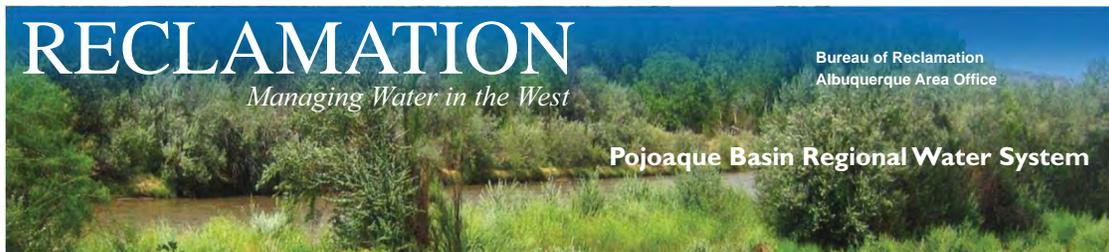
Bureau of Reclamation
Albuquerque Area Office

ACRONYMS AND ABBREVIATIONS

Full Phrase

ASR	Aquifer Storage and Recovery (wells)
BIA	Bureau of Indian Affairs
EIS	Environmental Impact Statement
EMPSi	Environmental Management and Planning Solutions, Inc. (NEPA consultant)
ESA	Endangered Species Act
GPS	global positioning system
HKM	Hurlbut, Kersich, and McCullough Engineers (engineering consultant)
IHS	Indian Health Service
NEPA	National Environmental Policy Act
NM	New Mexico
NMDGF	New Mexico Department of Game and Fish
NMDOT (a.k.a. "DOT")	New Mexico Department of Transportation
NMOSE	New Mexico Office of the State Engineer
NOA	Notice of Availability
NOI	Notice of Intent
Reclamation	Bureau of Reclamation
ROD	Record of Decision
RWS	Regional Water System
US	United States
USACE	United States Army Corps of Engineers
USFWS (a.k.a. "Service")	United States Fish and Wildlife Service





How to Get Involved

Get on the mailing list: Send a request to PojoaqueBasinEIS@usbr.gov

Visit the project website: www.PojoaqueBasinEIS.com

Attend public meetings: Meetings will be held in seven locations across northern New Mexico and are open to the public

How to Submit Comments

Comments may be submitted at a public meeting or by using one of the methods listed below. To be most helpful, comments should be provided by **Friday, May 3, 2013**. You can submit comments even if you have not attended a public meeting.

<i>Comment Form:</i>	Submit a comment form at a public meeting
<i>Online:</i>	www.PojoaqueBasinEIS.com
<i>E-mail:</i>	PojoaqueBasinEIS@usbr.gov
<i>Fax:</i>	505-462-3797
<i>Postal Mail:</i>	Molly Thrash Bureau of Reclamation Albuquerque Area Office, ALB-842 555 Broadway NE, Suite 100 Albuquerque, NM 87102

Only comments submitted by Friday, May 3, 2013 will be considered part of the scoping process

Next Steps

The comments received during the scoping process will be reviewed and compiled into a scoping summary report and published during the summer of 2013. This report will help guide the development of the project alternatives to be analyzed in the draft Environmental Impact Statement, which will be released in late 2015.

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Guide to Public Input and Commenting

What is Scoping?

The scoping process is an opportunity for the public to identify topics to be covered in the Pojoaque Basin Regional Water System (RWS) Environmental Impact Statement (EIS) and provide recommendations to Reclamation. Your input may help Reclamation identify:

- Relevant topics to be analyzed in the EIS
- Specific resource concerns within the project area
- Potential alternatives to the proposed RWS
- Potential mitigation measures for anticipated impacts of the RWS
- People or organizations who are interested in the EIS process
- Data gaps and information needs

Issues and Topics that may be Addressed in the Pojoaque Basin Regional Water System EIS

- Water Resources, including surface and groundwater quality, wetlands, and floodplains
- Vegetation, including sensitive, threatened, or endangered plant species
- Wildlife, including sensitive, threatened, or endangered animal species
- Aquatic Life, including sensitive, threatened, or endangered fish species
- Cultural Resources, including archaeological and historic resources
- Indian Trust Assets
- Air Quality
- Traffic
- Geology and Soils
- Land Use and Realty
- Paleontological Resources
- Climate Change
- Noise
- Visual Resources
- Recreation Resources
- Socioeconomics
- Environmental Justice

Making the Most of Your Comments

While every comment received will be considered, the most useful comments are those that provide specific, detailed information about the effects of the project and issues that should be considered for analysis in the EIS. For example, if a comment states that an action will have “significant environmental effects,” further explanation of the relevant causes and environmental effects will help us refine and focus our alternatives and impact analysis. Comments that are solution-oriented and provide specific examples will be the most helpful to our process. Comments that contribute to developing alternatives that address the purpose and need for the action will also be particularly appreciated. Please note that commenting is not a form of “voting” on the RWS.



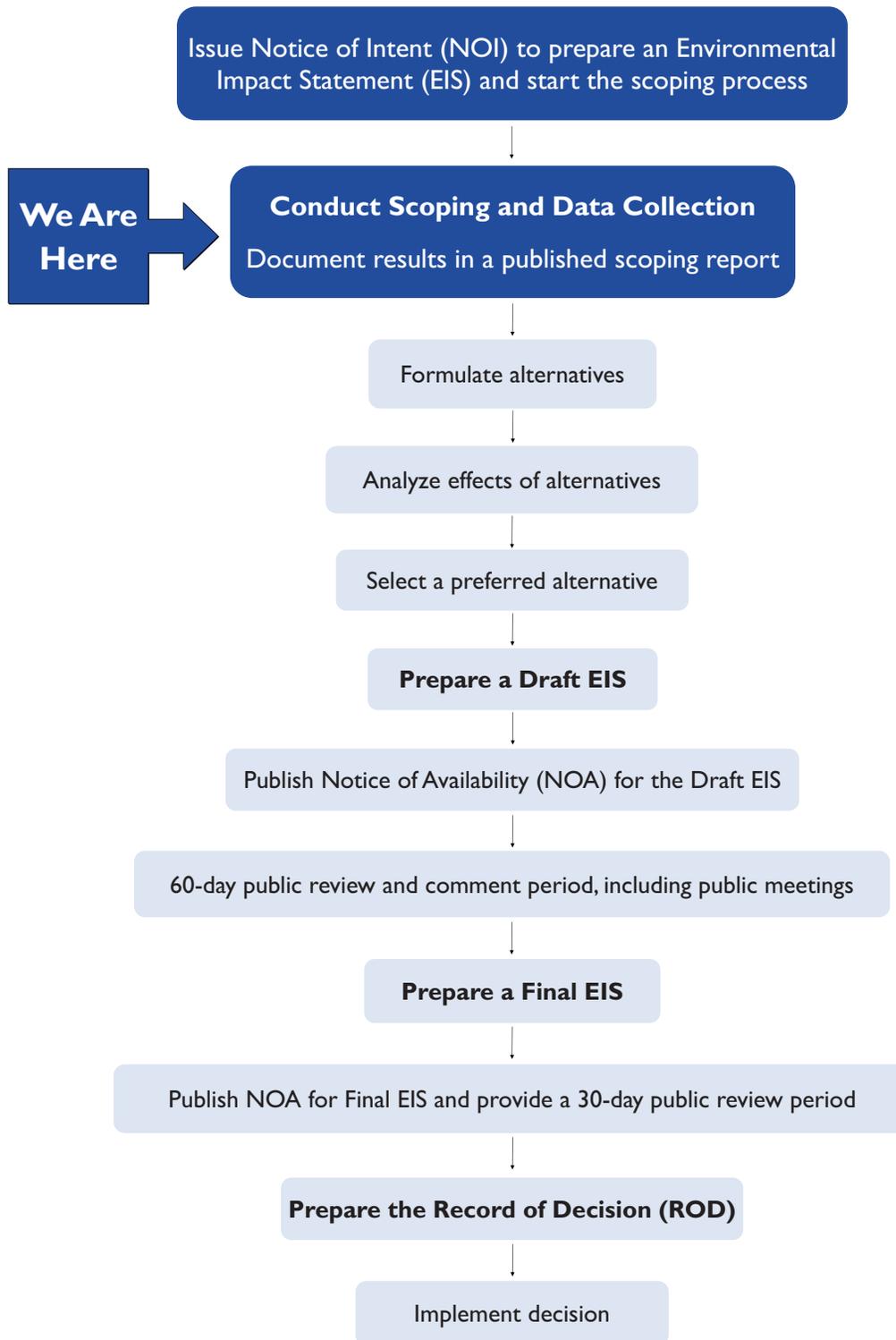
Photo credit: EMPSi

Example of a Helpful Comment	Example of an Unhelpful Comment
I disagree with the storage tank siting in Alternative B. There is southwestern willow flycatcher habitat there!	Stop hogging our water in storage tanks!





NEPA Planning Process



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About the National Environmental Policy Act Process

The Bureau of Reclamation is preparing an Environmental Impact Statement (EIS) for the Pojoaque Basin Regional Water System. The purpose of the EIS is to comply with the National Environmental Policy Act (NEPA) and associated Council on Environmental Quality regulations. NEPA is designed to foster environmentally responsible decision making informed by public participation.

Steps in the EIS Process

Notice of Intent, February 24, 2012

States the need for action and provides preliminary information on the EIS scope, including the provision for alternative actions and additional construction proposed by the Settlement Parties to be evaluated.

Scoping (WE ARE HERE)

Reclamation coordinates with the four Pueblos and cooperating agencies and requests comments from the public on the scope of the EIS (alternatives to be evaluated, significant issues, and environmental impacts to be analyzed).

Data Collection (WE ARE HERE)

Reclamation conducts a literature review to identify existing sources of information. Reclamation conducts studies and surveys to gather baseline data. Example studies are:

- Archaeological and historic resources surveys
- Biological and wetland surveys
- Geomorphology and hydrological surveys
- A socioeconomic study

Alternatives Development

Reclamation coordinates with the four Pueblos and cooperating agencies to develop alternatives to address planning issues using data on the existing environment, as well as scoping comments received from Pueblos, agencies, and the public.

Draft EIS

Reclamation develops a draft EIS that includes a comparison of the various alternatives and analysis of their effects on the existing environment.

Comment on the Draft EIS, 60 days

Public and Pueblo meetings conducted to receive questions and concerns on the content of draft EIS.

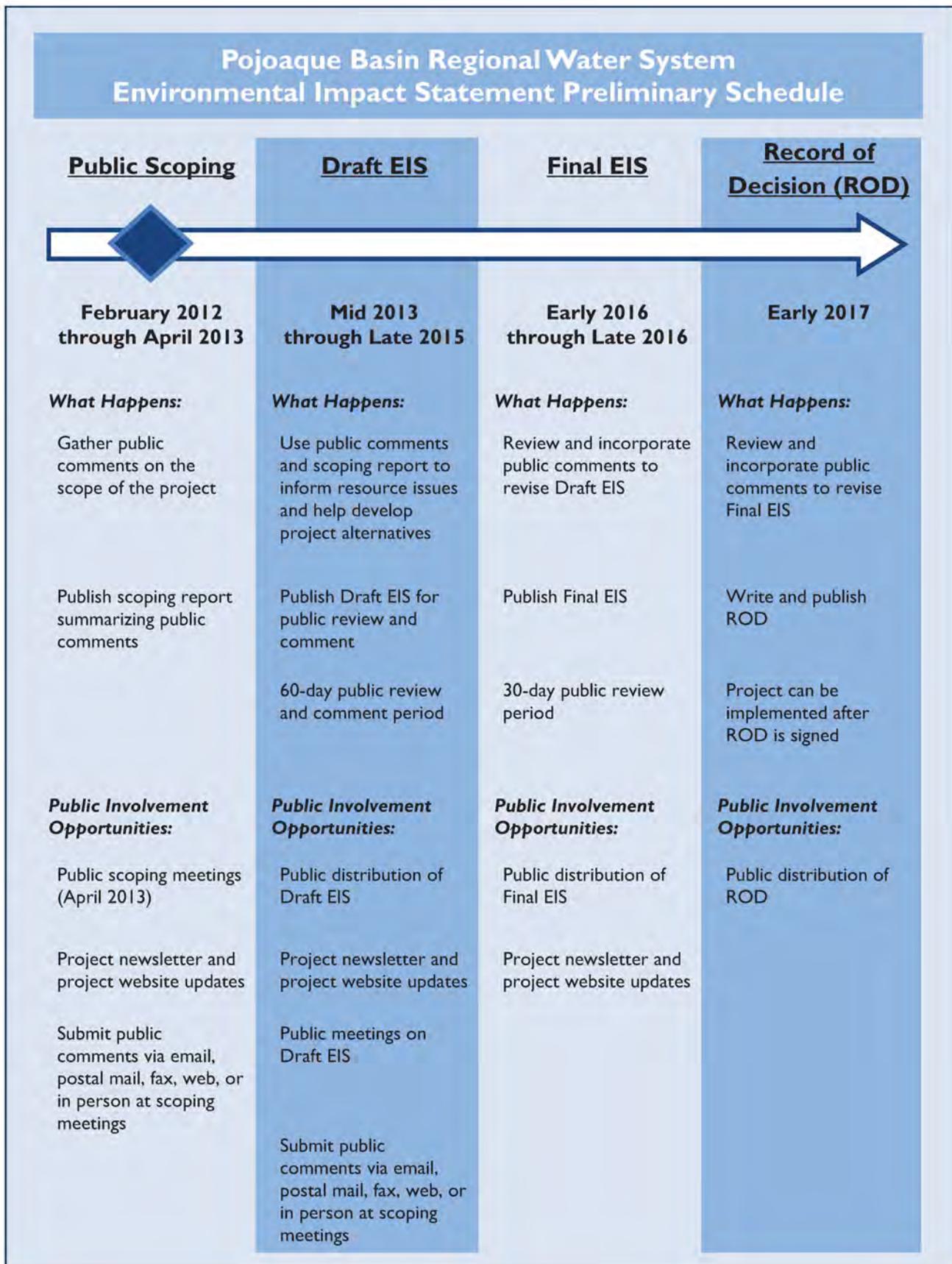
Final EIS, 30-day waiting period

Reclamation considers all timely public comments on the draft EIS and identifies its preferred alternative. Final EIS filed with the Environmental Protection Agency.

Record of Decision

After 30-day waiting period, Reclamation announces and explains its decision and describes any commitments for mitigating potential environmental impacts in a Record of Decision.



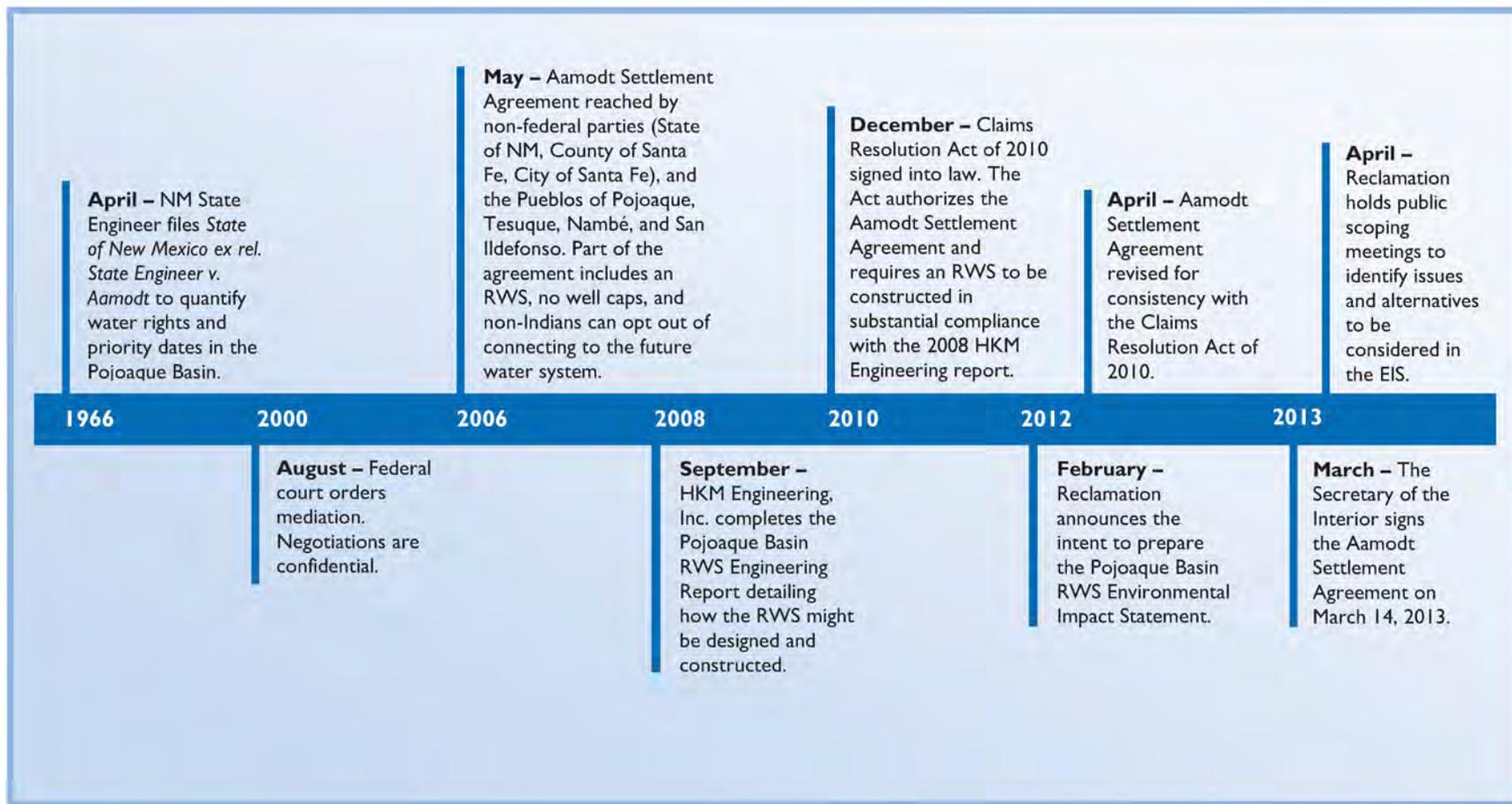


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History of the Proposed Regional Water System (RWS)



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Actions Covered by the Pojoaque Basin Regional Water System Environmental Impact Statement (EIS)

Reclamation will analyze impacts of the following actions in this EIS in order to comply with requirements of the National Environmental Policy Act, the Endangered Species Act, the Clean Water Act, and the National Historic Preservation Act:

- Construction of the Regional Water System (RWS)^{1,2}
- Operations and maintenance conducted during construction of the RWS after the initial phases of the RWS are completed but before the entire RWS is complete
- Acquisition of temporary easements and rights-of-way for access routes and staging areas needed during construction of the RWS
- Acquisition of permanent (perpetual use) land easements and rights-of-way for RWS facilities and for operations and maintenance
- Implementation of agreements between the United States and Pueblos regarding conjunctive use (aquifer storage and recovery) well locations
- Channel modifications to improve alluvial recharge on portions of the Rio Tesuque
- Completion of a barrier dam and infiltration project on the Rio Pojoaque
- Other water-related infrastructure projects requested by the Pueblos to be included in the RWS construction process

Related Actions to Be Described in the EIS but Analyzed Individually

The following actions have undergone or will undergo separate environmental review but will be described in the EIS as part of the overall RWS:

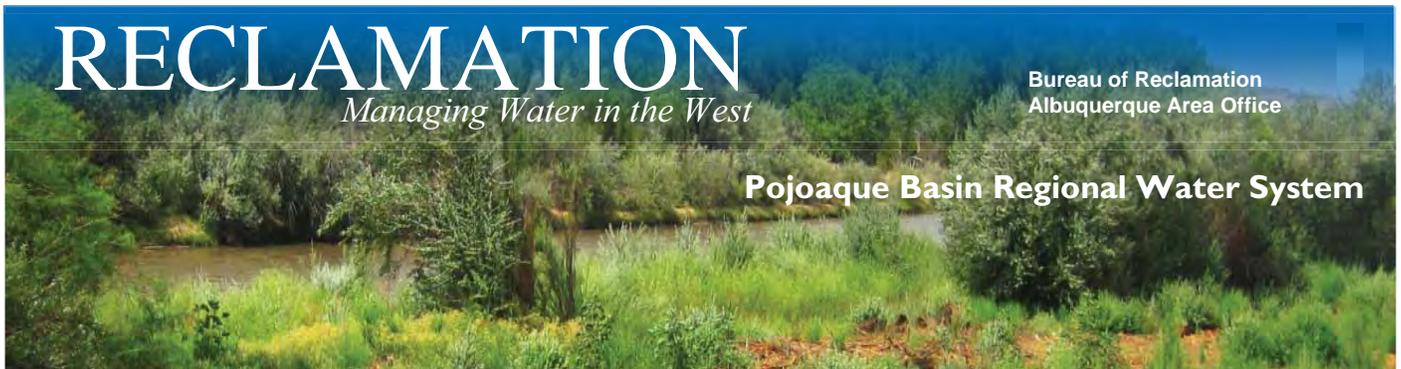
- Execution of contributed funds agreements authorizing the state and the county to provide cost-share funds for planning, designing, and constructing the RWS
- Acquisition of temporary easements, rights-of-entry, and rights-of-way for design data collection that must take place before final designs can be developed. This includes geotechnical investigations, surface and groundwater quality data collection and analysis, existing infrastructure assessments, phase I environmental site assessments, a pilot water treatment study, potential aquifer storage and recovery well location feasibility studies, a horizontal collector wells feasibility study, site improvement surveys, and topographic and land boundary surveys.
- Execution of the contract(s) with the Pueblos for 1,079 acre-feet per year of San Juan-Chama Project water
- Amendment of the operations, maintenance, and replacement and repayment contracts relating to the supply of water from Nambé Falls and Reservoir, in accordance with the Settlement Agreement and Act
- Approval of the RWS Operating Agreement³
- Any other activity related to the RWS that occurs between now and the Record of Decision that is determined to require environmental review

¹Additional Pueblo activities, conducted at the same time as the RWS construction, may be included in the EIS, as authorized by section 615(d)(7) of the Aamodt Litigation Settlement Act (Title VI, Public Law 111-291). These activities could also receive environmental review individually.

²Additional environmental review may be needed after the Record of Decision is signed if anything changes before construction is completed.

³Additional review may be needed after construction for specific operations and maintenance actions undertaken by the Regional Water Authority. The Bureau of Indian Affairs may be the lead federal agency for this action.





- Project Fact Sheet -

Introduction

The U.S. Department of the Interior, Bureau of Reclamation, Albuquerque Area Office is preparing an Environmental Impact Statement (EIS) for the proposed design and construction of the Pojoaque Basin Regional Water System (RWS) in Santa Fe County, New Mexico. The RWS will deliver potable water to Pueblo and County residents in the Pojoaque Basin by diverting and treating water from the Rio Grande. The water will then be transmitted, stored, and prepared for delivery to local residents, as authorized by the Aamodt Litigation Settlement Act (Public Law 111-291, Title VI; 124 Stat. 3065) (Settlement Act), which was signed on December 8, 2010. The EIS for this project will analyze impacts from different proposed alternatives for the project.

Upon completion of all conditions precedent to settlement enforcement, as detailed in the Settlement Act, and publication of the required Statement of Findings, Reclamation will begin construction of the RWS. After construction is complete, titles to the infrastructure and facilities will be transferred to the Pueblos, Santa Fe County, and the Regional Water Authority. Upon title transfer, these entities would be responsible for the ongoing operation and maintenance of the RWS.

Project Background

The issue of scarce water resources in the Pojoaque River Basin was first litigated in 1966, in the case State of New Mexico ex rel. State Engineer v. Aamodt, (No. 66cv6639 MV/LCS (D.N.M.)) to determine the nature and extent of the claimants' water rights. In May 2006,

a draft Settlement Agreement was signed by the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque; the City of Santa Fe; Santa Fe County; the State of New Mexico; and representatives of Pojoaque Basin residents. This draft agreement allowed for up to 4,000 acre-feet of water to be diverted from the Rio Grande and the construction of the Pojoaque Basin Regional Water System; about 2,500 acre-feet of water would be allocated to the four Pueblos and up to 1,500 acre-feet will be allocated to Santa Fe County customers. The technical details for the RWS described in the draft Settlement Agreement were subsequently developed in an engineering report prepared by HKM Engineering, Inc. The final Settlement Agreement dated April 2012, which was signed by the United States on March 14, 2013, does not require County residents to hook up to the RWS. County residents within the Pojoaque Basin would have the option of signing on to the Settlement Agreement under one of three options, or

Fast Facts*

- Over 160 miles of non-overlapping pipeline
- 30- to 50-foot-wide right-of-way for the pipeline corridor
- 23,800 acres identified for analysis
- About 560 acres required for regional water system facilities (including 85 acres for facilities outside of Pueblo boundaries)

The project includes activities in and on the Rio Grande, Rio Nambé, Rio Tesuque, and Rio Pojoaque.

* Preliminary project numbers subject to change as the project develops

not signing on at all. The Settlement Act ratified the terms of the Settlement Agreement and authorized Reclamation to plan, design, and construct the RWS.

Project Overview

The proposed project will divert, treat, transmit, store, and deliver water to Pueblo and non-Pueblo residents of the Pojoaque Basin as part of the RWS. The water would be diverted at Pueblo de San Ildefonso, either by diverting surface water into a side intake structure or by collecting groundwater that is hydrologically connected to the river through the use of horizontal collector wells. The collected water would then be treated at a water treatment facility and transmitted to storage facilities through underground pipelines. Water storage would be in large tanks and in underground aquifers. The RWS would include facilities to serve the Pueblos of Nambé, Pojoaque, San Ildefonso, and Tesuque, and facilities to serve County water customers in the Pojoaque Basin. Most facilities of the RWS would be joint use for both Pueblo and County residents. General requirements of the project are outlined in the HKM Engineering report, but specific aspects will continue to be developed throughout the planning process.

Purpose and Need

The purpose of the project is to provide safe and reliable potable water to the residents of the

Key Features of the RWS

Water diversion and collection structures at Pueblo de San Ildefonso on the Rio Grande
 Water treatment facility
 Pumping stations
 Storage tanks
 Conjunctive-use aquifer storage and recovery (ASR) wells
 Underground primary and lateral water conveyance pipelines
 Electrical improvements
 Other support facilities including valves, service connections, water meter stations, and water tie-ins

Pojoaque Basin. The need is to reduce reliance on groundwater and to allow the Pueblos and settlement parties to obtain the water rights under the terms and conditions of the Settlement Agreement.

Project Objectives

Provide a source of water for drinking, fire suppression, and future growth for residents in the Pojoaque Basin;

Improve alluvial recharge on portions of the Rio Tesuque with channel modifications;

Provide a barrier dam and infiltration project on the Rio Pojoaque;

Develop a design for Rio Grande water diversion facilities; treatment, transmission, storage and distribution facilities and well fields, in accordance with the Settlement Agreement, that best meets the needs of settlement parties, while limiting the impacts on sensitive resources; and

Determine whether additional construction projects, proposed and paid for by the four Pueblos, Santa Fe County, or a Pojoaque Basin Regional Water Authority, are needed to fully use the water delivered by the Pojoaque Basin RWS or to improve existing or develop new water-related infrastructure.

Decisions to be Made

The federal action is for Reclamation to evaluate whether and how to plan, design, and construct a water treatment and distribution system for the Pojoaque Basin in accordance with the Settlement Agreement and the Settlement Act. Reclamation's decision will determine the appropriate design alternative, if any, for the water system and approve or deny project construction. The terms of the settlement parties' water entitlement and use are established under state and Federal law through the Settlement Agreement and will not be altered by the decisions made in this EIS.

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Albuquerque Area Office

Cultural and Historical Resources

Objective:

To present a fully informed, thorough, and complete analysis of the potential temporary and permanent direct, indirect, and cumulative impacts of construction of the proposed Pojoaque Basin Regional Water System (RWS) on cultural and historical resources in the Environmental Impact Statement.

Consultations

- Tribal Governments of Nambé, Pojoaque, San Ildefonso, and Tesuque Pueblos
- National Historic Preservation Act Section 106 consultation with State Historic Preservation Office
<http://www.nmhistoricpreservation.org/programs/review-compliance/section-106.html>



San Francisco de Assisi Mission Church, Rancho de Taos, NM
Photo Credit: Parametrix

Topics Identified for Analysis

- What types of cultural and historic resources are within the project's area of analysis?
- What types of Indian Trust Assets (ITAs) are within the project's area of analysis?
- What are the potential impacts on identified cultural and historic resources?
- What are the potential impacts on ITAs, sacred sites, and other traditional cultural properties?



An acequia in northwestern New Mexico
Photo Credit: Parametrix

Tell Us What You Think!

If you have input on these topics, please share it with us in a scoping comment.

1. Are there additional topics that the cultural resources analysis should consider?
2. Can you recommend any additional sources of information?
3. How might the proposed RWS affect ITAs?
4. How might the proposed RWS affect prehistoric, ethnographic, and historic resources?

Please submit your comments or information via email to PojoaqueBasinEIS@usbr.gov



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Albuquerque Area Office

Social and Economic Topics

Objective:

To present a fully informed, thorough, and complete analysis of the potential temporary and permanent direct, indirect, and cumulative impacts of the construction of the proposed Pojoaque Basin Regional Water System. The analysis will focus on local area economic conditions and social settings and will identify any disproportionate impacts on minority and low-income populations in the Environmental Impact Statement. Potential socioeconomic impacts will be placed in the context of current, historical, and projected socioeconomic conditions in the area of analysis.

You can find general socioeconomic information about the project area (Santa Fe County) here:

<http://quickfacts.census.gov/qfd/states/350001k.html>

Topics Identified for Analysis

- What might the impacts be on the quality of life, including traditional social values?
- What are potential direct and indirect impacts on the local and regional job market, employment/unemployment, and income?
- How might the population in the area be impacted by project construction?
- How could fiscal conditions of local government be impacted?
- What could the impacts be on availability of and costs for public utilities, including municipal water and wastewater services? Would services such as fire protection, emergency care, police, and education be impacted?
- Would land uses in the area, such as agriculture, tourism, and recreation, be impacted?
- How might the project affect future growth and development in the project area?



Photo Credit: Bureau of Reclamation

Environmental Justice

Presence of and potential for impacts on low-income and minority populations will be examined at the local level for Pueblo and non-Pueblo communities within the area of analysis. For information regarding Reclamation's commitment to environmental justice, please see: http://www.usbr.gov/cro/sub_ej.html

Tell Us What You Think!

If you have input on these topics, please share it with us in a scoping comment.

1. Are there additional social or economic topics that should be considered?
2. Can you recommend sources of economic data or information on social setting that can be used?

Please submit your comments or information via email to PojoaqueBasinEIS@usbr.gov



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Albuquerque Area Office

Plant, Fish, and Wildlife Resources

Objective:

To present a fully informed, thorough, and complete analysis of the potential temporary and permanent direct, indirect, and cumulative impacts of construction of the proposed Pojoaque Basin Regional Water System (RWS) on plants, fish, wildlife, and special status (protected and sensitive) species in the Environmental Impact Statement.

Consultations

- Tribal Governments of Pojoaque, Tesuque, Nambé, and San Ildefonso Pueblos
- US Fish and Wildlife Service – New Mexico Ecological Services Field Office
<http://www.fws.gov/southwest/es/NewMexico/>
- New Mexico Department of Game and Fish
<http://www.wildlife.state.nm.us/>
- New Mexico Energy, Minerals, and Natural Resources Department – Forestry Division
<http://www.emnrd.state.nm.us/SFD/>



Santa Fe cholla, New Mexico State listed endangered species
Photo Credit: Devin Kennemore, Parametrix

Topics Identified for Analysis

- What plant species are known to occur in the area of analysis?
- What wildlife species are known or expected to reside, breed, or forage in, or pass through the area of analysis?
- What fish species occur in the Rio Grande near the proposed diversion?
- What special status species are known or expected to occur in the area of analysis?
- How might the proposed RWS impact habitat for fish and wildlife?
- How might the proposed RWS impact plants?



Southwestern willow flycatcher, federally listed endangered species
Photo Credit: Jim Rorabaugh, US Fish and Wildlife Service

You can find more information on these topics here: <http://www.bison-m.org>

Tell Us What You Think!

If you have input on these topics, please share it with us in a scoping comment.

1. Can you tell us about any wildlife, nests, burrows, or migration corridors in the area of analysis?
2. What are your particular concerns about fish and wildlife or their habitat in the area of analysis?

Please submit your comments or information via email to PojoaqueBasinEIS@usbr.gov



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Albuquerque Area Office

Real Estate and Land Use Topics

Objective:

To present a fully informed, thorough, and complete analysis of the potential temporary and permanent direct, indirect, and cumulative impacts of construction of the proposed Pojoaque Basin Regional Water System (RWS) on property owners, real estate, and existing land uses in the Environmental Impact Statement (EIS). Additional public outreach and individual meetings with affected landowners will be conducted when the final preferred alignment has been determined.

Topics Identified for Analysis

- What are the potential impacts on lands?
- What are the potential economic impacts on property values and tax revenues?
- Are there any public safety concerns associated with construction of RWS facilities?
- How might land use in the Pojoaque Basin change?
- Will property be acquired to support the proposed project? If so, how will landowners be compensated?

For more information, please see the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) at <https://www.fhwa.dot.gov/realestate/ua/uafaqs.htm>



Photo Credit: Bureau of Reclamation

Tell Us What You Think!

If you have input on these topics, please share it with us in a scoping comment.

1. Are there additional real estate and land use topics that the EIS analysis should cover?
2. Can you recommend sources of information that can be used in the EIS for this topic?

Please submit your comments or information via email to PojoaqueBasinEIS@usbr.gov



RECLAMATION

Managing Water in the West

Bureau of Reclamation
Albuquerque Area Office

Water Resources

Objective:

To present a fully informed, thorough, and complete analysis of the potential temporary and permanent direct, indirect, and cumulative impacts of construction of the proposed Pojoaque Basin Regional Water System (RWS) on surface water, groundwater, water quality, and geomorphology (river migration and erosion) in the Environmental Impact Statement.

Topics Identified for Analysis (see reverse for more information)

- Surface Water Impacts
 - Surface water: How might the RWS affect Rio Grande waters, including San Juan-Chama water, or otherwise affect water in the Pojoaque Basin tributaries?
 - Water uses: What might the impacts of the RWS be, in the context of the Aamodt settlement, on existing water rights and uses, the Rio Grande Compact, and San Juan-Chama project water?
 - Floodplains: Might infrastructure of the RWS potentially be located in a floodplain, and might this increase flooding risks?
- Groundwater Impacts
 - Water uses: How might basin groundwater pumping change with or without the RWS?
 - Surface water impacts: To what extent might basin groundwater pumping in the various alternatives impact surface water supply?
 - Infiltration gallery applications: For alternatives considering infiltration galleries to divert waters from the Rio Grande, are there potential construction and operational impacts?
 - Aquifer Storage and Recovery (ASR): For alternatives considering ASR technology, what impacts on ground and surface water quality, long-term impacts on the aquifer, and risks associated with regional faults might occur?
- Water Quality Impacts
 - How might the RWS change the quality of water used by local residents and businesses?
- Geomorphology (Sediment and Erosion) Impacts
 - Might RWS infrastructure and construction be impacted by or cause impacts on tributary or Rio Grande channel migration, scour, or sediment deposition?
- Impacts Influenced by Climate Change
 - How might RWS operational impacts be different based on known climate trends or future climate change forecasted from global circulation models?



Photo Credit: EMPSi



RECLAMATION

Managing Water in the West

Bureau of Reclamation
Albuquerque Area Office

Tell Us What You Think!

If you have input on these topics, please share it with us in a scoping comment.

1. Are there additional surface, groundwater, water quality, or sediment and erosion topics that should be covered?
2. Can you recommend sources of information that can be used?

Please submit your comments or information via email to PojoaqueBasinEIS@usbr.gov

Want more information on these topics?

For more information on the San Juan-Chama project, please see:

http://www.usbr.gov/projects/Project.jsp?proj_Name=San%20Juan-Chama%20Project

For more information on floodplain development, please see:

<http://www.fema.gov/floodplain-management/floodplain-management-requirements>

For more information on ground water quality monitoring in New Mexico, please see:

<http://www.nmenv.state.nm.us/gwb/>

For more information on a type of infiltration gallery under consideration, please see:

www.pojoaquebasineis.com (About the Regional Water System, Introduction to Collector Wells)

For more information on ASR programs, please see:

<http://water.epa.gov/type/groundwater/uic/aquiferrecharge.cfm>

For more information on surface water quality monitoring in New Mexico, please see:

<http://www.nmenv.state.nm.us/swqb/MAS/>





Upcoming Data Collection Activities



As part of the Pojoaque Basin Regional Water System planning process, the Bureau of Reclamation and its subcontractors will be conducting various resource surveys to gain a better understanding of on-the-ground conditions, help develop project alternatives, and comply with state and federal requirements. These activities are short-term and will not create permanent disturbance in the area. All surveyors will work in coordination with the Pueblos of Nambé, Tesuque, Pojoaque, and San Ildefonso and are trained to recognize and respect culturally sensitive resources. Below is a list of activities that will be happening in the area of analysis over the next few years. If you have any questions or concerns about these activities, please contact the Bureau of Reclamation at PojoaqueBasinEIS@usbr.gov.



Photo Credit: EMPSi



Photo Credit: EMPSi



Photo Credit: EMPSi



Photo Credit: EMPSi



Photo Credit: Parametrix



Photo Credit: Bureau of Reclamation



Thank you to the Pueblo of Pojoaque for allowing use of this photo as obtained from the Pueblo website.

Water Resources – Groundwater

Activities:

Aquifer Storage and Recovery (ASR) well study

Exploratory observation and demonstration wells will be drilled in the area of analysis and will be observed and monitored for at least four years prior to construction of the project ASR wells

Expected Duration:

5 years beginning in the fall or winter of 2013

Vegetation and Special Status Plant Species

Activities:

Field surveys

Walking through the area of analysis

Taking notes, GPS points, and photographs

Expected Duration:

2 months in the spring or summer of 2013 and 2014

Wildlife and Special Status Wildlife Species

Activities:

Species-specific field surveys

Walking within habitat areas

Taking notes, GPS points, and photographs

Expected Duration:

20 days per year in the spring or summer of 2013 and 2014

Aquatic Resources and Special Status Fish

Activities:

Aquatic habitat characterization survey

Walking within stream areas

Taking notes, GPS points, and photographs

Expected Duration:

2 days in April or June 2013

Cultural Resources

Activities:

Class III pedestrian survey in coordination with the four Pueblos

Walking within the entire area of analysis

Taking notes, GPS points, and photographs

No subsurface investigations will be conducted

Expected Duration:

4 to 6 months in the summer and fall of 2013

Geology and Soils

Activities:

Geotechnical investigation

Shallow drilling, soil penetrometer testing, and soil resistivity testing

Heavy machinery will be required to perform these tests

Expected Duration:

6 to 8 months during the fall and winter of 2013

Visual Resources

Activities:

Documenting observation points for visual simulations

Walking and driving around the area of analysis

Taking notes, GPS points, and photographs

Approximately 10 observation points will be chosen

Expected Duration:

2 days in 2013 or 2014

RECLAMATION

Managing Water in the West

U.S. Department of the Interior
Bureau of Reclamation
Albuquerque Area Office

I. Diversion

All of the approximately 4,000 acre-feet of water allocated for this project would come from the Rio Grande, a surface water source located in the northwest portion of the area of analysis. Diversion activities would occur on Pueblo de San Ildefonso land and would include either a surface intake or a system of radial collector wells.

Surface Intake: An intake structure would be installed in the bank of the Rio Grande to transport water from the main river channel directly to a handling facility for the removal of large particulates. The raw water would then be pumped to a treatment facility. The channel would have a flow control structure at the entry point as well as a barrier to prevent aquatic animals and debris from entering the channel.



Photo Credit: HKM Engineering, 2008

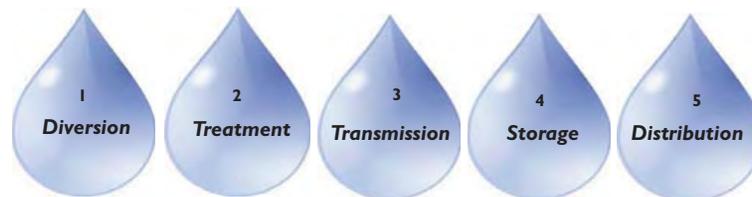
Radial Collector Wells: A radial collector well involves a main chamber, or caisson, made from concrete, which acts as an underground holding tank. The caisson can be installed at ground level. Horizontal, perforated pipes extend from this tank into the water table, allowing water to slowly filter into the caisson. The water is then pumped out of the caisson and sent to the water treatment plant. For this project, wells would be dug on one of the banks of the Rio Grande, diverting river water below ground instead of on the surface. Using this method may eliminate the need for a sediment basin and may reduce the level of treatment required since sands and gravels in the aquifer would naturally filter the groundwater.



Photo Credit: Layne Christensen, Inc.

Pojoaque Basin Regional Water System

- Primary Project Components -



2. Treatment

Because the diverted water would come directly from the Rio Grande, it would need to be treated to meet national and state drinking standards before being delivered to customers. A water treatment facility would be built within the area of analysis to treat the water. Depending on the diversion method and the quality of the water diverted from the river, multiple chemical and physical treatment methods may be required. Several locations for the treatment facility within Pueblo de San Ildefonso are being evaluated.



Photo Credit: HKM Engineering, 2008

3. Transmission

Once the water has been treated, it would then need to be transported from the treatment facility to a storage area for distribution to customers through underground pipelines. The proposed plan would require approximately 23 miles of transmission pipeline and 9 pumping stations.



4. Storage

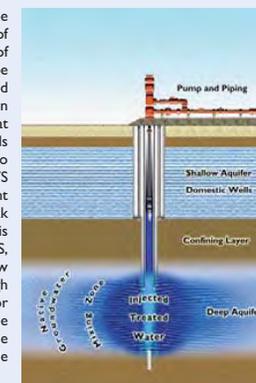
The treated water would need to be stored in a location where the could not be contaminated by natural or human-made sources and could be accessed easily. This would be accomplished using above-ground storage tanks and aquifer storage and recovery (ASR) wells.

Storage Tanks: Treated water would be stored in large tanks that sit a ground and protect drinking water from outside contamination. The proposed project would require about 10 storage tanks located at elevations within the area of analysis. The storage tank system would be designed to hold up to a few days' supply of water.



Photo Credit: EMPS

ASR Wells: ASR wells would be used to store large amounts of water underground. This type of well allows treated water to be pumped into an underground reservoir or aquifer when demand is low to be retrieved at a later time. Individual ASR wells would be strategically placed to be an integral part of the RWS and would be used to supplement water supplies and meet peak demands. This storage method is gaining popularity across the US, especially in areas with few surface water sources and high potential for water shortages. For this project, treated potable water would be injected into the ground at one or multiple locations.

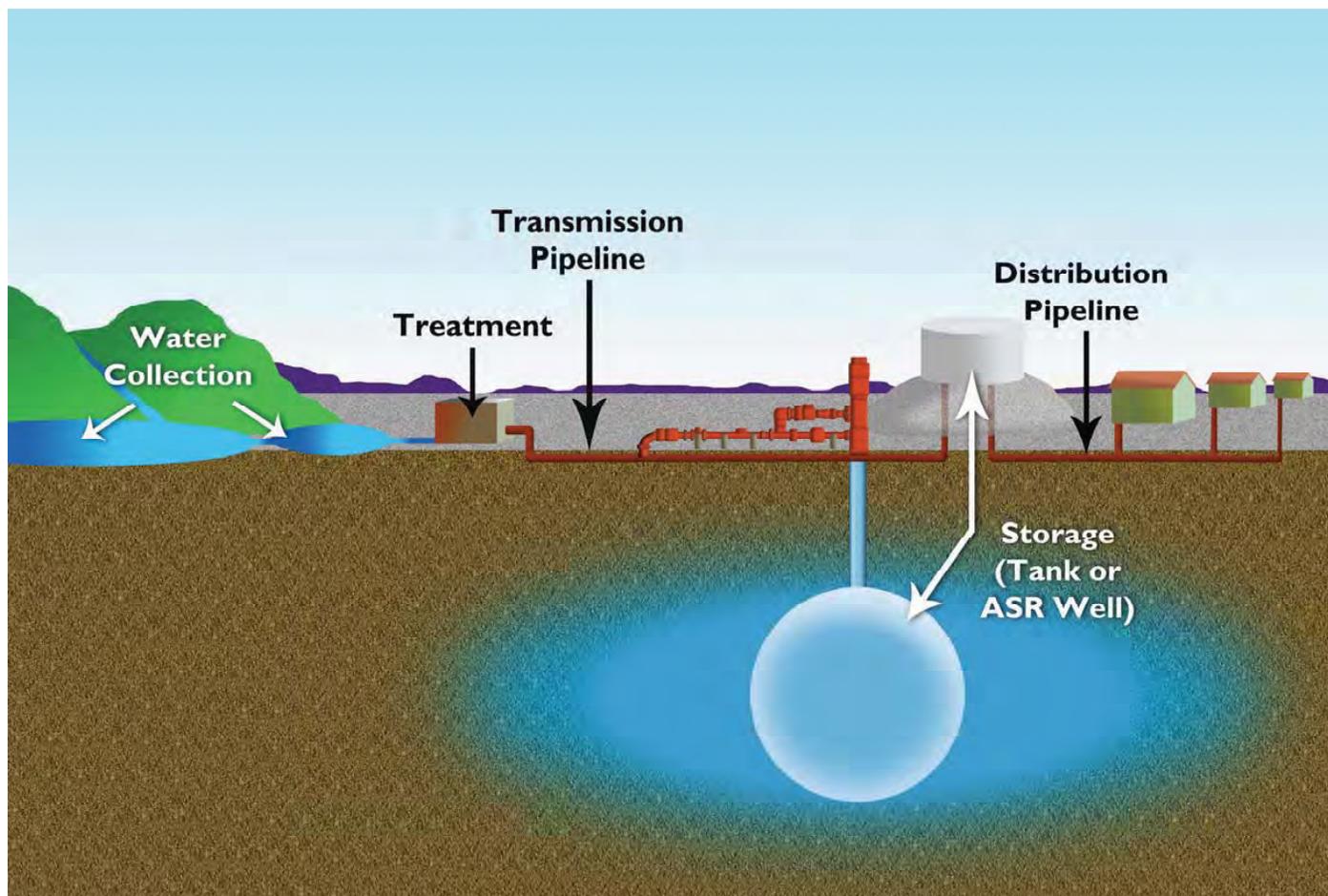


5. Distribution

A network of approximately 137 miles of underground distribution pipe would deliver water from the storage tanks and ASR wells to individual homes and businesses. The distribution system would provide improved



How a Water System Works



This graphic is a general representation of a water system and does not depict the exact system that will be implemented as part of this project.

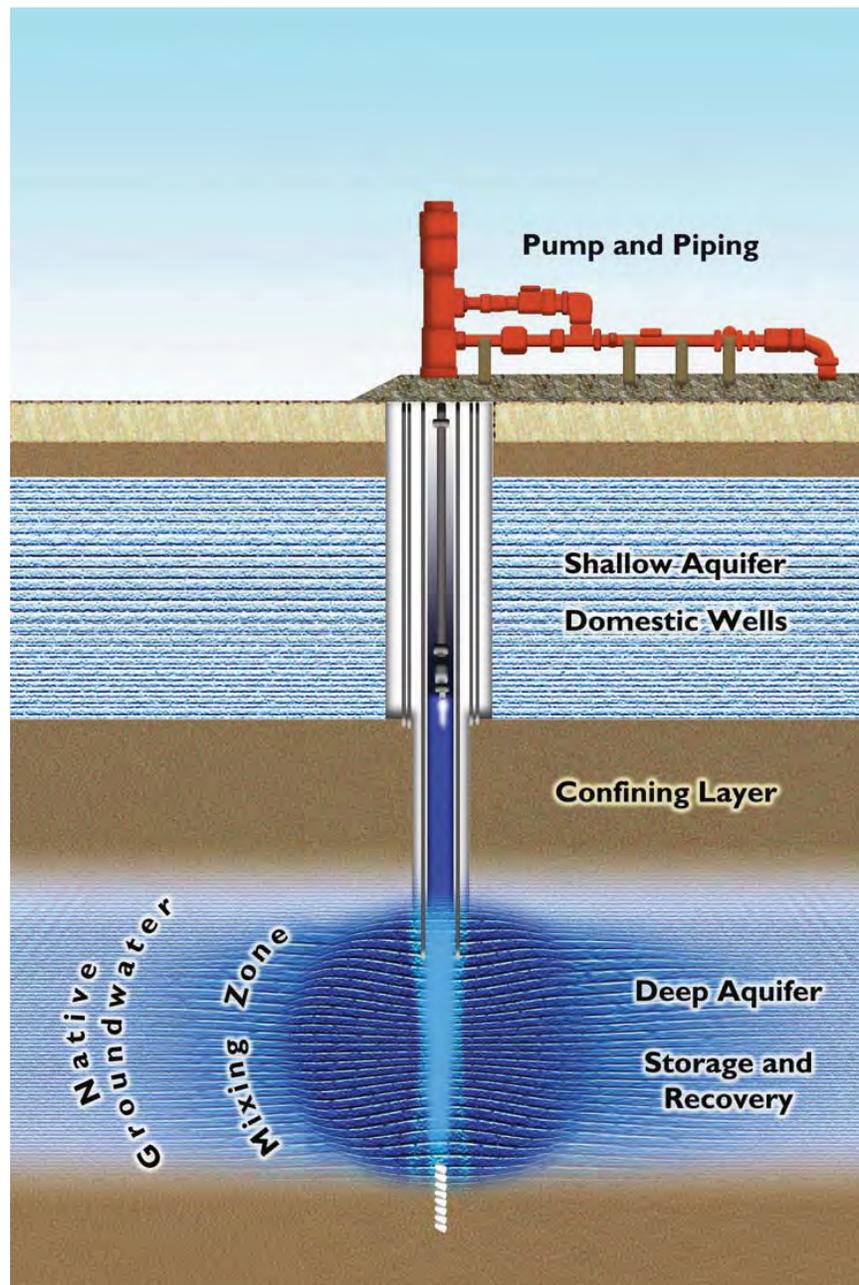


What is an ASR Well?



An ASR well is an aquifer storage and recovery well

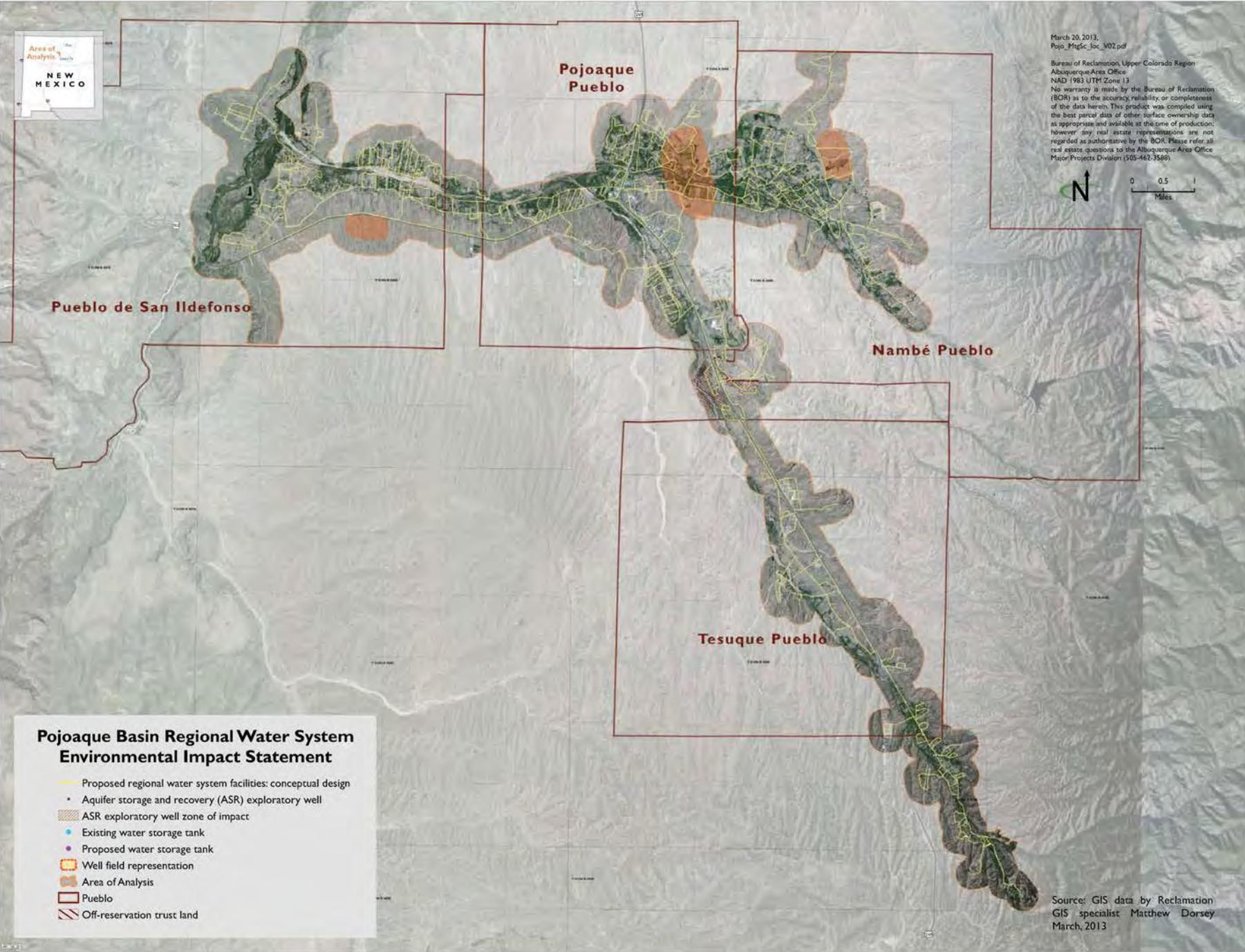
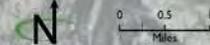
This type of well allows treated water to be pumped into an underground reservoir (or aquifer) when demand is low and retrieved at a later time. This storage method is gaining popularity across the US, especially in areas with few surface water sources and a high potential for water shortages. ASR wells would be used in the project to store large amounts of water underground. Treated potable water would be injected into the ground at strategic locations as part of the Pojoaque Basin Regional Water System and would be retrieved as needed to meet demand.



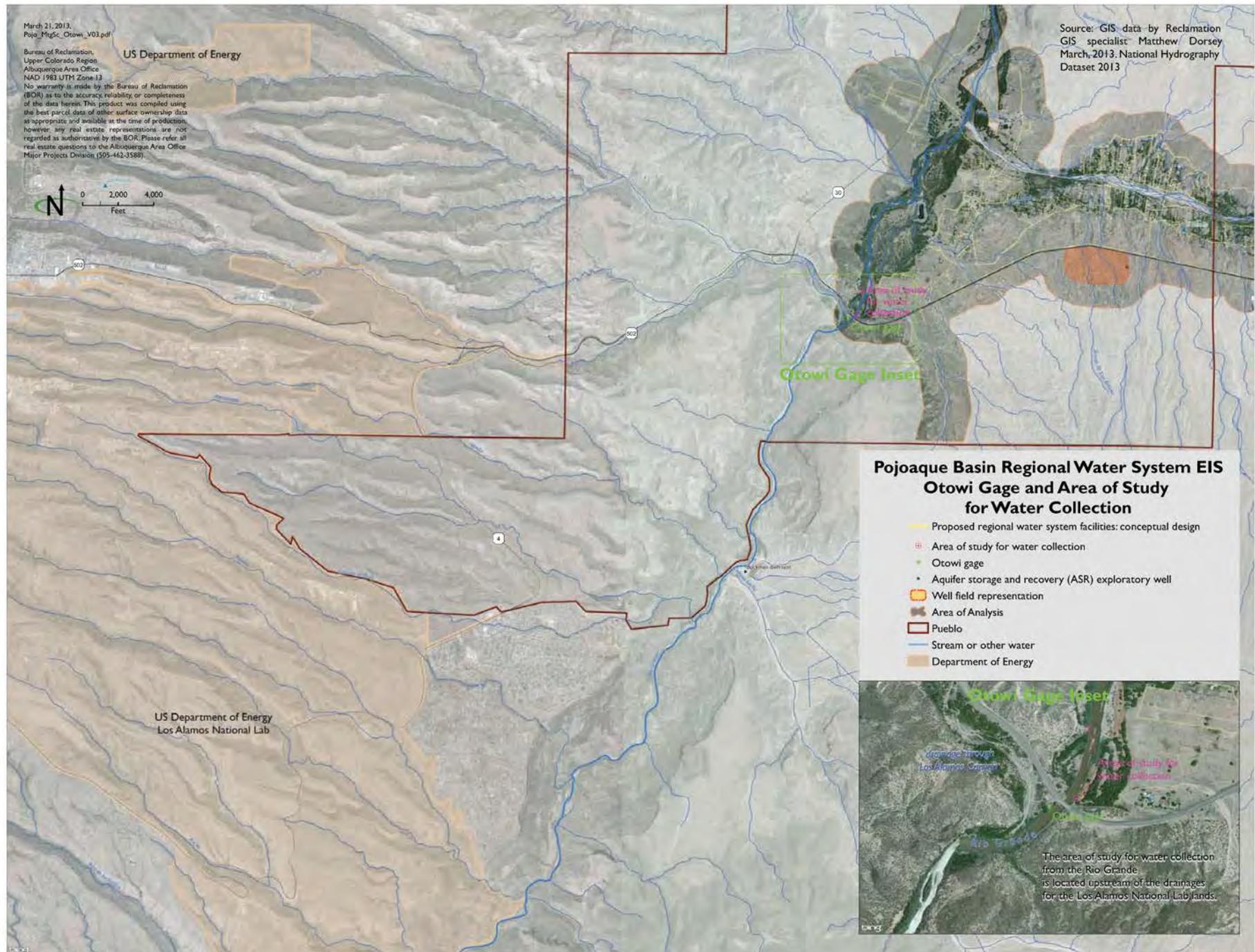
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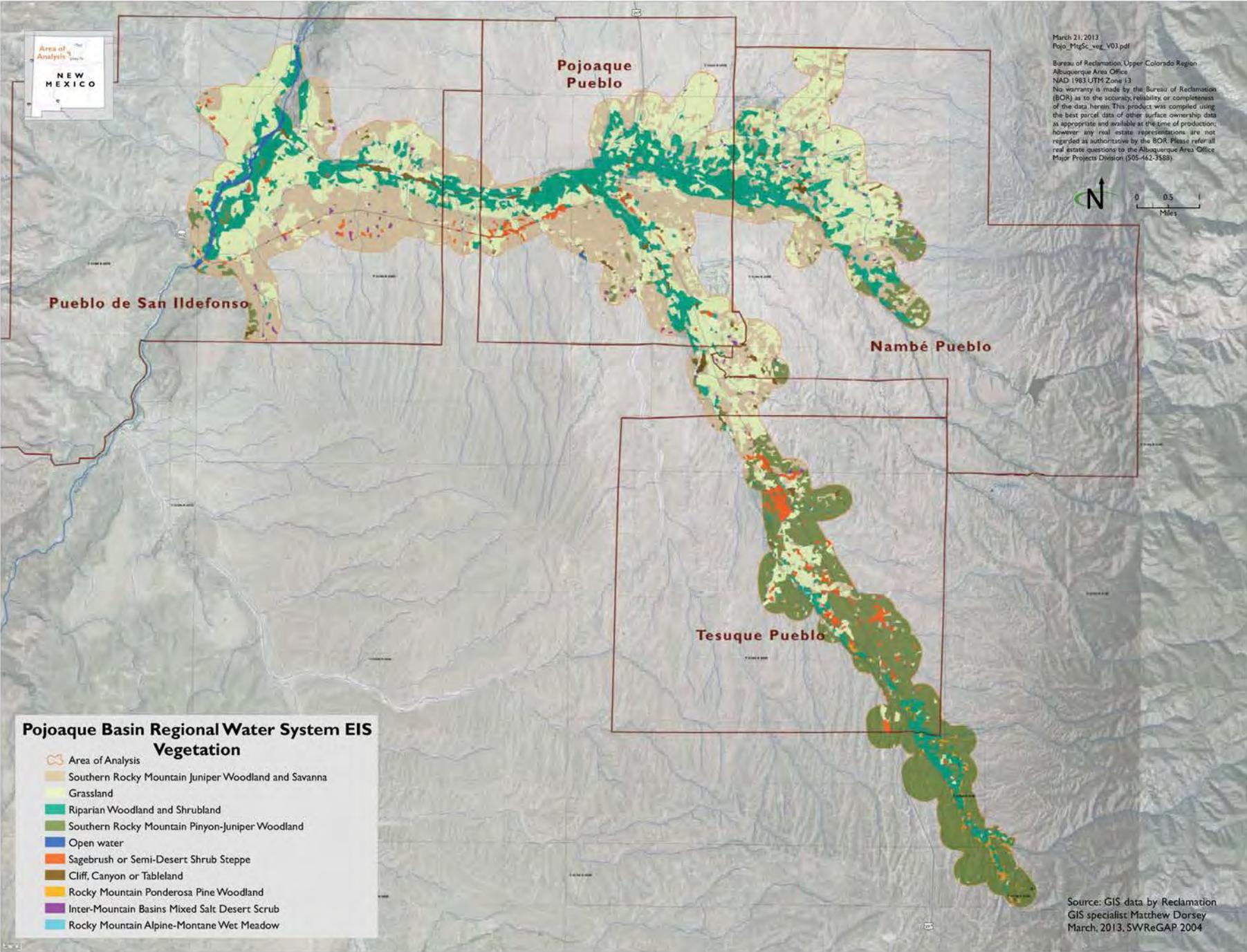


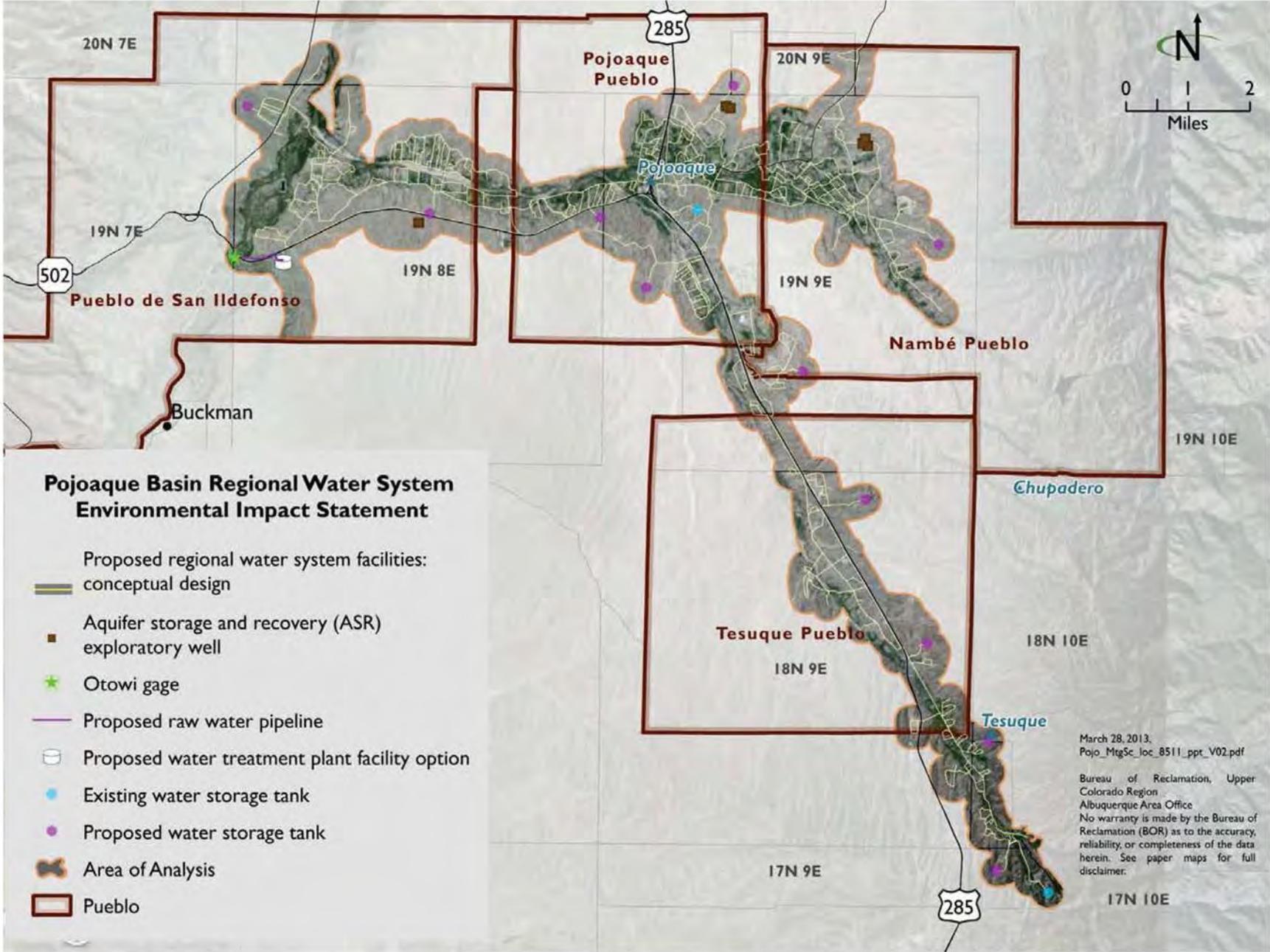
March 20, 2013
Pojo_Pkg6C_1oc_002.pdf
Bureau of Reclamation, Upper Colorado Region
Albuquerque Area Office
NAD 1983 UTM Zone 13
No warranty is made by the Bureau of Reclamation (BOR) as to the accuracy, reliability, or completeness of the data herein. This product was compiled using the best parcel data of other surface ownership data as appropriate and available at the time of production; however any real estate representations are not regarded as authoritative by the BOR. Please refer all real estate questions to the Albuquerque Area Office Major Projects Division (505-462-3569).



Source: GIS data by Reclamation GIS specialist Matthew Dorsey March, 2013







RECLAMATION

Managing Water in the West

Pojoaque Basin Regional Water System Environmental Impact Statement

Public Scoping Meetings
April 2013

RECLAMATION

Welcome and Agenda

- Registration and Open House
- Introductions
- Project Overview
- Timeline
- Commenting Process
- Open House Stations



Meeting Objectives

- **Provide you with information about:**
 - Project history and need
 - The proposed regional water system
 - The environmental review process
 - How you can be involved and informed
- **Get your input to help us determine the scope and important issues for analysis in the EIS**



Project History

- **Settlement Agreement reached on the Aamodt litigation in 2006**
 - Resolves water rights claims of the Nambé, Pojoaque, San Ildefonso, and Tesuque Pueblos and other residents of the Pojoaque Basin
- **Claims Resolution Act of 2010 (P.L. 111-291), Title VI ratifies and authorizes the Aamodt Litigation Settlement**
- **Secretary of the Interior and other governmental parties signed the Aamodt Settlement Agreement on March 14, 2013**



Aamodt Litigation Settlement Act

1. **Construction of the Pojoaque Basin Regional Water System (RWS)**
 - Funded by a cost share between the federal government, the state of New Mexico, and Santa Fe County
2. **Establishment of a Fund managed by BIA and Office of the Special Trustee to help pay Pueblo O&M costs and for other purposes**
3. **Acquisition of water rights by the Secretary of the Interior on behalf of the Pueblos of San Ildefonso, Pojoaque, Nambé, and Tesuque**



RECLAMATION

Aamodt Litigation Settlement Act

- The Act authorizes Reclamation to plan, design, construct and obtain environmental compliance for the RWS
- The RWS is to be built in “substantial compliance” with the September 2008 Engineering Report (Report), prepared by HKM Engineering



What is the purpose of and need for the project?

- The purpose is to provide safe and reliable potable water to the residents of the Pojoaque Basin
- The need is to reduce reliance on groundwater and to allow the Pueblos to utilize the water rights provided under Title VI of the Claims Resolution Act of 2010



Proposed Regional Water System

- Capable of delivering up to 4,000 acre-feet (af) per year of consumptive use water to:
 - Nambé, Pojoaque, San Ildefonso, & Tesuque Pueblos (2,500 af)
 - Non-Pueblo residents of the Pojoaque Basin (up to 1,500 af)
- Provide fire protection flows
- Upon completion, title to their respective portions of the RWS will be transferred to the four Pueblos, the County Water Utility, and the Regional Water Authority

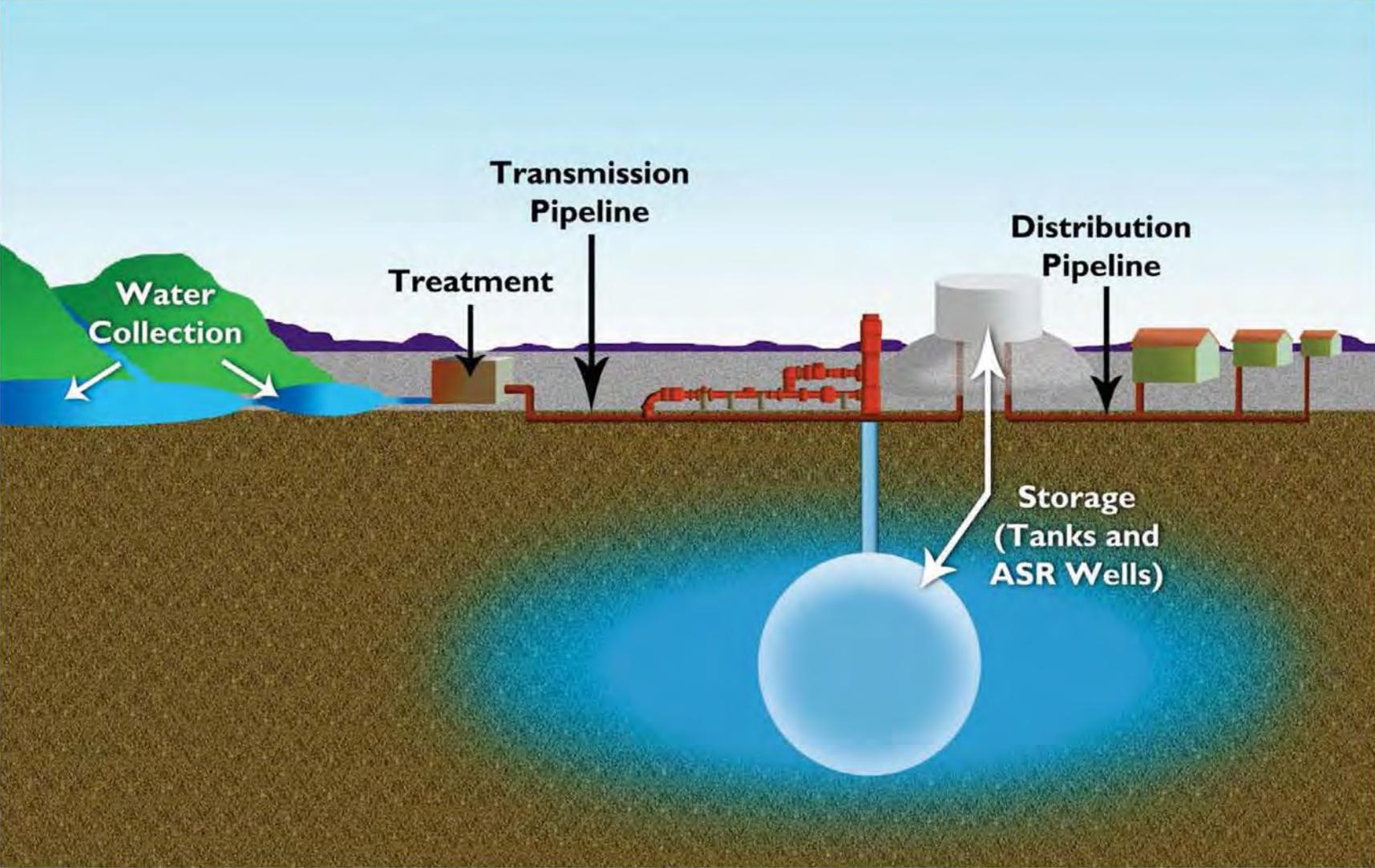


Components of the Regional Water System

- Water collection/diversion
- Treatment
- Transmission
- Pump stations
- Storage
 - Above ground tanks
 - Aquifer storage and recovery wells
- Distribution to water users



How a Water System Works



Components of the Regional Water System

- Construction easement widths are estimated to vary from 30 feet to 50 feet
- Challenge: Some areas may be constrained by narrow roads lined with historic structures



HKM Alternative

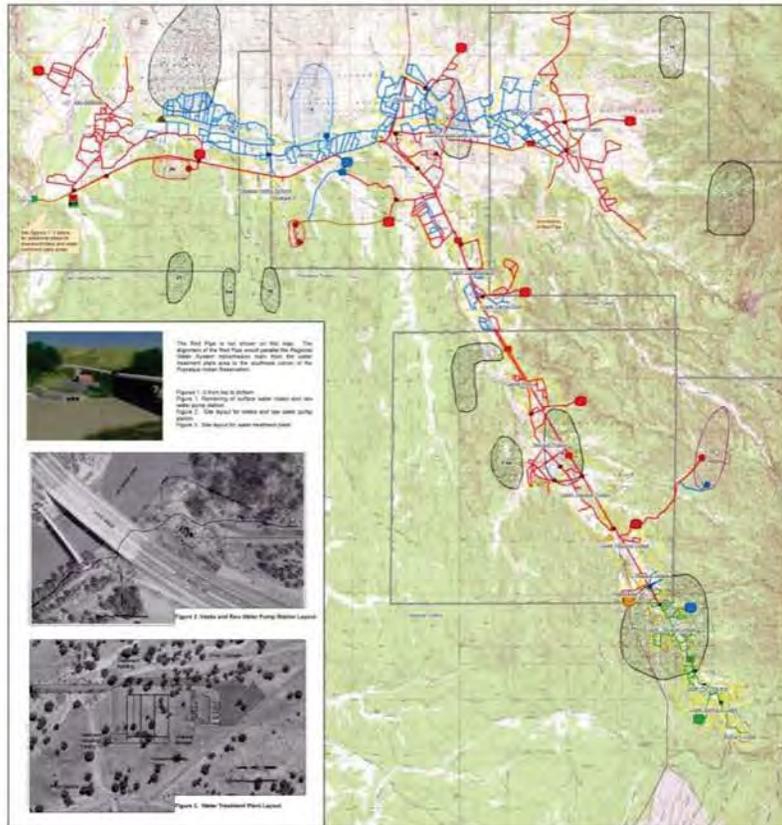


Plate 1 - Regional Water System

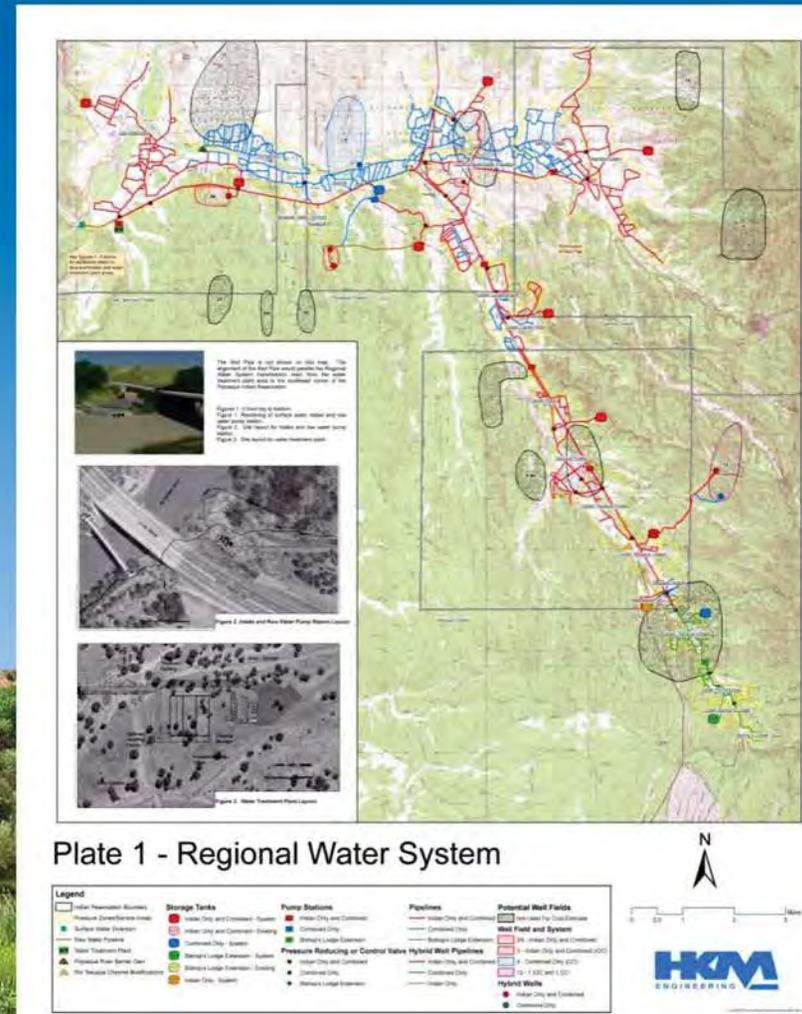
Legend		Pump Stations	Pipelines	Potential Well Fields
Indian Reservation Boundary	Pressure Zone/Service Area	Indian City and Connected	Indian City and Connected	Not Used for Cost Estimate
Surface Water Diversion	Water Storage Tank	Control Valve	Control Valve	Well Field and System
Water Treatment Plant	Water Storage Tank	Storage/Large Connection	Storage/Large Connection	1 - Indian City and Connected
Pressure Reducing or Control Valve	Storage/Large Connection	Control Valve	Control Valve	2 - Indian City and Connected/JCC
Water Storage Tank	Storage/Large Connection	Control Valve	Control Valve	3 - Connected Only (JCC)
Water Storage Tank	Storage/Large Connection	Control Valve	Control Valve	4 - Connected Only (JCC)
Water Storage Tank	Storage/Large Connection	Control Valve	Control Valve	5 - JCC and JCC
Water Storage Tank	Storage/Large Connection	Control Valve	Control Valve	Hybrid Wells
Water Storage Tank	Storage/Large Connection	Control Valve	Control Valve	Indian City and Connected
Water Storage Tank	Storage/Large Connection	Control Valve	Control Valve	Connected Only

- Side-channel surface water diversion intake at Pueblo de San Ildefonso, north of Otowi Bridge (similar to Buckman Direct Diversion)
- Water Treatment Plant (WTP)
- Approx. 160 miles of pipelines
- 9 pumping stations
- 10 water storage tanks



HKM Alternative

- 3 conjunctive-use aquifer storage and recovery (ASR) wells
- Bishops Lodge Extension
- Barrier dam and infiltration project on the Rio Pojoaque
- Rio Tesuque channel modifications



Alternatives

Collection:

- Horizontal collector wells alternative will likely be carried forward to the feasibility level
 - Smaller footprint for WTP
 - Lower O&M costs over long-term
 - Water supply less likely to be disrupted

Treatment:

- Pueblo de San Ildefonso may prefer to move the WTP to the south or east of Pueblo Boundary

Piping and Tanks:

- Refined routes to avoid or minimize impacts to resources



Where will the water come from?

- Reclamation would enter into new contract(s) with the Pueblos for 1,079 acre-feet of San Juan-Chama Project (SJCP) water
 - No preference over other SJCP contractors (Act Sec 613(d))
- BIA would provide water from:
 - 1,141 acre-feet of “Top of the World” water rights
 - 302 acre-feet of Nambé reserved water rights
- Santa Fe County would provide up to 1500 acre-feet from various sources

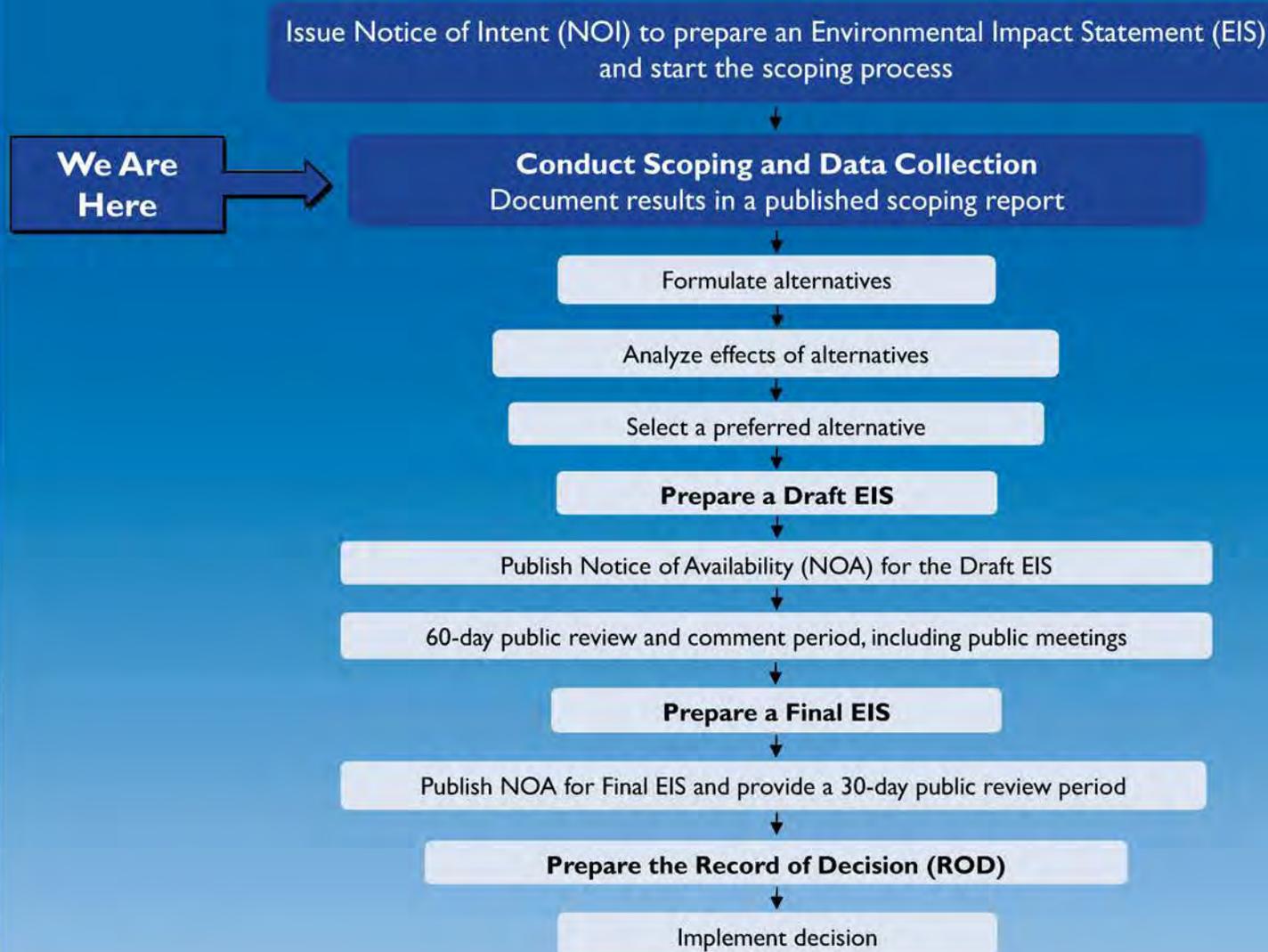


What is an EIS?

- Environmental Impact Statement (EIS) must be prepared per the National Environmental Policy Act (NEPA) if a federal action may result in significant environmental impacts
- An EIS analyzes impacts to the natural and human environment, including:
 - Biological resources
 - Water resources and water quality
 - Cultural resources
 - Land uses, including recreation and agriculture
 - Socioeconomic conditions



What is the EIS Process?



Preliminary EIS Schedule

<u>Public Scoping</u>	<u>Draft EIS</u>	<u>Final EIS</u>	<u>Record of Decision (ROD)</u>
<p>February 2012 through April 2013</p>	<p>Mid 2013 through Late 2015</p>	<p>Early 2016 through Late 2016</p>	<p>Early 2017</p>
<p>What Happens:</p> <ul style="list-style-type: none"> Gather public comments on the scope of the project Publish scoping report summarizing public comments <p>Public Involvement Opportunities:</p> <ul style="list-style-type: none"> Public scoping meetings (April 2013) Project newsletter and project website updates Submit public comments via email, postal mail, fax, web, or in person at scoping meetings 	<p>What Happens:</p> <ul style="list-style-type: none"> Use public comments and scoping report to inform resource issues and help develop project alternatives Publish Draft EIS for public review and comment 60-day public review and comment period <p>Public Involvement Opportunities:</p> <ul style="list-style-type: none"> Public distribution of Draft EIS Project newsletter and project website updates Public meetings on Draft EIS Submit public comments via email, postal mail, fax, web, or in person at scoping meetings 	<p>What Happens:</p> <ul style="list-style-type: none"> Review and incorporate public comments to revise Draft EIS Publish Final EIS 30-day public review period <p>Public Involvement Opportunities:</p> <ul style="list-style-type: none"> Public distribution of Final EIS Project newsletter and project website updates 	<p>What Happens:</p> <ul style="list-style-type: none"> Review and incorporate public comments to revise Final EIS Write and publish ROD Project can be implemented after ROD is signed <p>Public Involvement Opportunities:</p> <ul style="list-style-type: none"> Public distribution of ROD

Other Activities and Next Steps

- On-going Data Collection and Surveys: Present – 2014
- Conduct Feasibility Studies for ASR Wells: 2013 – 2017
- Develop Feasibility-Level Designs and Cost Estimates: 2013 – 2015
- Analyze Environmental Impacts: 2013 – 2016
- Final Designs: Summer 2017 (90 days > ROD)
- Obtain Easements and Rights-of-Way: 2017 – 2019
- Begin Construction of RWS: October 2017
- Complete Construction of RWS: 2024



Providing Your Comments and Input

- What topics are of greatest concern to you?
- Are there additional topics that should be considered?
- What alternatives or mitigation measures do you think would help reduce or avoid impacts?
- Can you suggest any information resources?



Submitting Comments

- For inclusion in the scoping report, comments must be submitted by May 3, 2013
- Comment today via comment card
- To provide comments after today:

Online: www.PojoaqueBasinEIS.com

Postal Mail:

E-mail: PojoaqueBasinEIS@usbr.gov

Molly Thrash
Bureau of Reclamation
Albuquerque Area Office, ALB-842
555 Broadway NE, Suite 100
Albuquerque, NM 87102

Fax: 505-462-3797



Keeping Informed & Staying in Touch

- **Periodic newsletters**
 - Please sign up tonight for the project mailing list

- **Project website:**

www.PojoaqueBasinEIS.com



Open House Stations

- **Station 1: Sign-In**
- **Station 2: NEPA Process**
- **Station 3: Overview of the RWS**
- **Station 4: Designing the RWS**
- **Station 5: Environmental and Economic Resources**
- **Station 6: Santa Fe County**
- **Station 7: New Mexico Office of the State Engineer**
- **Station 8: Public Comments**



**Thank you for your interest in the
Pojoaque Basin Regional Water System
Environmental Impact Statement**





(Please fold this sheet in half and tape shut before mailing – DO NOT STAPLE)

Place First
Class Stamp
Here

Molly Thrash
Bureau of Reclamation
Albuquerque Area Office
ALB-842
555 Broadway NE, Suite 100
Albuquerque, NM 87102

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Appendix B

Commenters

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APPENDIX B

COMMENTERS

Table B-1, Commenters, lists the names, affiliations, and locations of those who submitted written comments to Reclamation for the Pojoaque Basin RWS EIS as part of the public scoping process. All comments received on or before May 31, 2013 were included in this scoping report.

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**Table B-1
Commenters**

	Commenter Name		Affiliation	City	State	Date Received (MM/DD/YY)
	First	Last				
Elected Official						
1.	Daniel "Danny"	Mayfield	Santa Fe County, Regional Planning Authority	Santa Fe	NM	04/02/2013
Tribal Government						
2.	Terry	Aguilar	Pueblo de San Ildefonso	Santa Fe	NM	05/31/2013
Organization (nonprofit, citizen's group)						
3.	Dick	Rochester	Pojoaque Basin Water Alliance	Santa Fe	NM	05/13/2013
4.	Andy	Welch	Tesuque Valley Community Association, Pojoaque Basin Water Alliance	Santa Fe	NM	04/02/2013
5.	William H.	Mee	Agua Fria Well Owners' Association	Santa Fe	NM	05/24/2013
Individual						
6.	Vicente	Roybal				03/15/2013, 04/11/2013, 04/18/2013
7.	Peggie	Brandau			NM	04/17/2013
8.	George	C. De Baca		Santa Fe	NM	03/18/2013
9.	Janet & Leslie "LH"	Beaty		Tesuque	NM	04/01/2013
10.	James R	Biggs		Santa Fe	NM	04/02/2013
11.	Addison	Doty		Santa Fe	NM	04/02/2013
12.	Spin	Dunbar				04/02/2013, 04/11/2013
13.	Scott	Pittman		Pojoaque	NM	04/02/2013
14.	Rusty & Molly	Rodke				04/02/2013, 04/04/2013, 04/26/2013
15.	Richard	Roybal				04/02/2013

**Table B-1
Commenters**

	Commenter Name		Affiliation	City	State	Date Received (MM/DD/YY)
	First	Last				
16.	David	Neal		Santa Fe	NM	04/03/2013, 04/17/2013
17.	Paul	White		Santa Fe	NM	04/03/2013, 04/11/2013
18.	Robert F	Salazar		Santa Fe	NM	04/04/2013
19.	Gregory W	Swift		Santa Fe	NM	04/04/2013
20.	Bani	Chatterjee		Santa Fe	NM	04/11/2013
21.	Sophia	Calabaza		Santa Fe	NM	04/17/2013
22.	John	Lyles		Los Alamos	NM	04/18/2013
23.	Phyllis	Russo		Tesuque	NM	04/21/2013
24.	Nancy	Zimmerman		Tesuque	NM	04/22/2013
25.	Michael R & Patrick R	Beasley		Santa Fe	NM	04/28/2013
26.	Joe	Gutierrez		Los Alamos	NM	05/02/2013
27.	Ed	Gonzales		Santa Fe	NM	05/03/2013
28.	Patrick A & Cecilia E Williams	Hanson		Santa Fe	NM	05/03/2013
29.	Charles L.	Nylander		Santa Fe	NM	05/03/2013
Anonymous						
30.		Anonymous				04/01/2013
31.		Anonymous				04/01/2013
32.		Anonymous				04/02/2013
33.		Anonymous				04/02/2013
34.		Anonymous				04/02/2013
35.		Anonymous				04/02/2013
36.		Anonymous				04/02/2013
37.		Anonymous				04/02/2013

**Table B-1
Commenters**

	Commenter Name		Affiliation	City	State	Date Received (MM/DD/YY)
	First	Last				
38.		Anonymous				04/17/2013
39.		Anonymous				04/17/2013
40.		Anonymous				04/17/2013
41.		Anonymous				04/18/2013
42.		Anonymous				04/18/2013
43.		Anonymous				04/18/2013
44.		Anonymous				04/18/2013
45.		Anonymous				04/18/2013
46.		Anonymous				04/18/2013

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Appendix C

Comments Submitted During Public Scoping

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APPENDIX C

COMMENTS SUBMITTED DURING PUBLIC SCOPING

Reclamation received a total of 219 discrete comments during the Pojoaque Basin RWS EIS scoping period, including 197 comments that will be addressed in the EIS and 22 comments that will not be addressed in the EIS. These comments were classified by issue categories. These include resource issues (**Table C-1** through **Table C-13**), project alternatives (**Table C-14**), general project comments (**Table C-15**), and public and agency collaboration (**Table C-16**). Comments that will not be addressed in the EIS, such as those for Santa Fe County or the OSE, are also included in this appendix (**Table C-17**). Comments are included verbatim from the comment submissions, including any typographical errors; however, information in letters that was not considered a substantive comment is not included. To preserve the integrity of the comments received, none of the text has been altered or edited. Comments pertaining to multiple categories are included in each category. Comment letters can be viewed in their entirety at the Reclamation's Albuquerque Area Office in Albuquerque, New Mexico. Comments are included for the following groups:

Tables C-1 to C-13: Comments by Resource Issue:

Table C-1, Comments Related to Hydrology and ASR Implementation

Table C-2, Comments Related to Water Quality

Table C-3, Comments Related to Drought and Water Shortage

Table C-4, Comments Related Social and Economic Values

Table C-5, Comments Related to Infrastructure and Construction

Table C-6, Comments Related to Natural Resources

Table C-7, Comments Related to Water Rights

Table C-8, Comments Related to Renewable Energy and Energy Conservation

Table C-9, Comments Related to Easements and Rights-of-Way

Table C-10, Comments Related to Endangered Species

Table C-11, Comments Related to Water Storage

Table C-12, Comments Related to Other Projects in the Area of Analysis

Table C-13, Comments Related to Cultural and Historical Resources

Table C-14, Comments Related to Project Alternatives

Table C-15, General Project Comments

Table C-16, Comments Related to Public and Agency Collaboration

Table C-17, Comments that Will Not be Addressed in the EIS

**Table C-1
Comments Related to Hydrology and ASR Implementation**

Comment No.	Comment	Cmt Ltr Code
Hydrology		
1.	What happens to infiltration basins in the Rio Pojoaque and Rio Tesuque that serve acequia systems.	cfc0004
2.	Are the Top of the World water rights hydrologically connected to the Rio Grande?	cfc0007
3.	Does a hydrological study need to be done for the EIS?	cfc0007
4.	Is there a guarantee that the water will stay in the wells and not just flow to the aquifer? If not then what is the reason for recovery wells?	cfc0007
5.	The original hydrographic survey, completed in 1964, is it adequate to determine the proper location for the proposed ASR wells?	cfc0007
6.	Is there a guarantee that the water will stay in the designated ASR well and not just flow into the aquifer?	emc0001
7.	<p>it seems to me that a complete study of an aquifers' characteristics would be very costly and time consuming, possibly years. Isn't there the pressure of a time window this work to be completed and recommendations be made? What you have described could possibly take years.</p> <p>Knowing that this basin was once a prehistoric lake, it would make sense to assume there is an huge reservoir below the ground.</p>	emc0001
8.	How does diverting the water affect the water table in my area?	emc0004
9.	My water needs are met by the well on my property. Will this project cause the water table to drop, and cause me to dig a deeper well to access the water?	emc0004
10.	If ASR wells do not contain water how will depletions to the aquifer such as Tano Road wells and acequias be compensated? Will there be monitoring wells installed?	emc0008
11.	The hydrological anisotropy model was off a number of degrees, will this be corrected?	emc0008
12.	When will the hydrologic assessment of the Aamodt area be completed as required by law? No hydrology report has been done to date. Or if there was a report it was 50 years ago and no longer relevant.	emc0008
13.	Pumping ASR wells lowers the permeability of the surrounding aquifer, how will this be dealt with?	emc0011
14.	What hydrographic model will the BOR be using? The Helm model or the Theis model for storing water? There is quite a difference.	emc0011
15.	Will the BOR use InSAR photo data to determine affects on the aquifer? There is a deformation of the Pojoaque aquifer, will this issue be considered in the EIS?	emc0011
16.	Question 11: How much draw down will result at the private wells from the installation of the horizontal wells?	emc0018

**Table C-1
Comments Related to Hydrology and ASR Implementation**

Comment No.	Comment	Cmt Ltr Code
17.	Question 7: The Settlement Agreement guarantees that Non-Pueblo wells do not need to connect to the RWS. However, The Settlement Agreement recognizes that the potential exists for the RWS to impair production of private Non-Pueblo wells. What is the probability that this in fact will occur?	emc0018
18.	The AFWOA recognizes that the Aamodt EIS covers a distinct water basin from our own Santa Fe Water Basin but we believe that the two basins are linked by a deeper Espanola Basin at a well depth of some 2,000 to 2,500 feet in the THC area. Therefore, any pumping of a deep water well in the Aamodt area or a installation of a ASR well would in fact affect our area and water supplies and quality (from various Reports by Peggy Johnson).	emc0021
19.	This comment is relative to the horizontal drilling. How are they going to show where they are drilling is not going to deplete the water table of the residents living nearby?	mtc0020
20.	Does the Dept. of Interior, or Bureau of Reclamation have any jurisdiction regarding the protection of existing, historic aquifer levels from depletion by the RWA proposed deep well fields within the Rio de Tesuque? (this would also include impacting stream (surface) levels).	rmc0001
21.	It is not clear how the proposed ASR wells will affect domestic and/or supplemental irrigation wells that are expected to continue use after the RWS is operational. The ASR wells will be much larger in production than any individual wells, so the drawdown when they are pumping will likely have significant impacts on those individual wells, especially those located proximally upgradient from the ASR wells. Hydraulic surges from alternate ASR injection and withdrawal could also have negative impacts due to movement of fines in the aquifer. The different water chemistry of the treated surface water could impact the aquifer, potentially reducing yields. Above ground storage is safer, and it prevents contamination of the treated surface water with ground water that may be of lower quality.	wbc0003
ASR Implementation		
22.	I am very concerned that the BOR will certify these ASR wells as viable without the necessary research and investigation. There is no way a conclusive and accurate result can be arrived at in the small window you have to complete the results. These wells are faulted in this area and there is no way you can guarantee water stored in these wells is the same water you put there. The North Tano Rd Well in Santa Fe is pristine water at 2000 feet. Your design is just a cover for back up ground wells for the system.	emc0005
23.	What if the system is built and the ASR wells do not contain water?	emc0008

**Table C-1
Comments Related to Hydrology and ASR Implementation**

Comment No.	Comment	Cmt Ltr Code
24.	I. The practice of injecting treated water into the aquifer is a controversial one, even according to your own engineers. Can you cite any examples of places it has been done successfully? If so, has it been done over a long enough period of time to yield meaningful results? What is the actual track record for this technology? If it is still in the experimental stage, I think that using an unproved, potentially dangerous technology is a bad idea for a system of this scope and magnitude. If it has become standard procedure, we'll need more details on how it has worked elsewhere.	emc0013
25.	I'm further concerned about the technology, as explained above. We don't really know what we're doing when it comes to storing treated water in the aquifer, but the potential problems are very serious. As any scientist can tell you, disturbing the natural order of things invariably brings unintended consequences. While these consequences may not necessarily be harmful or dangerous, we have no way of knowing what the long-term effects of this controversial technology will be. That's a huge risk to take.	emc0013
26.	In reference to the ASR wells what is the storage coefficient?	emc0020
27.	How much of the water you inject into ASR well can you get back?	mtc0016
28.	Molly: On the cover page of BOR Issue 1, Feb 2013 for the PBRWS states: "water would be stored in large tanks and underground aquifers." But, on page 8 of the design, estimating and construction review- Pojoaque Basin Regional Water System (dated Dec 2009) BOR team stated: "the team has concerns that injecting excess water from the surface water source may create more problems than it would solve." They also refer to the report from July 9, 2003 by Charles Leder. "The quality of injected water is also a major concern." The team also recommends, on pg. 18: the ASR not be considered in a feasibility design.. " Are the ASR injection wells included in your EIS an do we have any guarantees that our excellent aquifer here in Tesuque will be protected from any type of drawdown or degradation by the RWS?	rmc0001
29.	What is the difference in the PH levels between the river water and the ground water and will there be interaction problems caused when injected in the ASR wells?	cfc0007

**Table C-2
Comments Related to Water Quality**

Comment No.	Comment	Cmt Ltr Code
Contaminants		
1.	If ASR are used their locations should be such that they cannot be impacted by any hazardous or radioactive waste seeping from Los Alamos.	cfc0001
2.	I am concerned with the purity of Rio Grande water. Pharmaceuticals can't be removed nor can radioactive elements. Los Alamos is lessening its environmental remediation which ultimately means that those contaminants will find their way to the Rio Grande. I do not want to hear "EPA" standards which are obviously inadequate.	cfc0004
3.	How do you propose to remove the pharmaceuticals from the river water?	cfc0007
4.	How will contaminants from Los Alamos such as airborne particulates be treated?	emc0008
5.	A benefit of the deep ASRs is the return of more water than the wells receive as treated river water. Although the presentation did not call out the following obvious disadvantage, high concentrations of uranium and arsenic (among other toxic impurities) in the deep well water introduces these contaminants into the treated river water such that the PBRWS water delivered for domestic NPT use contains uranium, arsenic, and other impurities that did not originate from the river water. The focus of the ensuing discussions was the deep-well toxic contaminants.	emc0015
6.	1) Given that the ASR return water will contain additional contaminants relative to the treated river water, the public requires knowledge of the identities and concentrations of all contaminants (including uranium and arsenic and other deep-well materials) in both the treated river water and the ASR return water determined by certified sampling plans, certified analytical techniques, and certified analysts. 2) The public requires knowledge of the EPA limits on all of these contaminants. 3) The public also requires access to (links to, Web addresses for, or email attachments of) the research on which the project relies in expectation of improved ASR water quality beyond dilution effects.	emc0015

**Table C-2
Comments Related to Water Quality**

Comment No.	Comment	Cmt Ltr Code
7.	4) Decisions of individual well users such as whether to keep an NPT domestic well after the decade or so when the PBRWS becomes fully operational or whether to give up that NPT residency in the same period before the PBRWS becomes fully operational or even whether to establish such NPT residency before the PBRWS becomes fully operational may be influenced by regional variations in groundwater quality such as those suggested by the following maps available (with poorer quality) at the Santa Fe County Web site at http://www.santafecountynm.gov/county_commissioners/daniel_mayfield/aamodt_outreach in conjunction with the Utton Center Aamodt Settlement Outreach Report and also available (uranium only) at http://uttoncenter.unm.edu/pdfs/Aamodt_Tesuque_Contam.pdf . These surveys- published in 2010 without information on (for example) sampling and analysis procedures, analyst qualifications, collection periods, sample depths, or well types - will likely, perhaps unjustifiably, influence many decisions. And the possibility that all three symbols on each of the two maps below represent three ranges of contaminant concentration that are all within the EPA acceptable range for domestic use suggests that simply meeting the EPA standard will not will not necessarily satisfy all of the public. The project should obtain qualified data of this type to publicize with the information required under (1) and (2) to promote informed decisions by current or potential users of domestic wells.	emc0015
8.	Question 5: Water from Los Alamos Laboratory property drains into the Rio Grande near the location where the water intake from the Rio Grande is proposed to be located in San Ildefonso. What radioactive and other toxic contaminants dump into this location? Please provide data on the quality of water at this location.	emc0018
9.	Groundwater is heavily loaded with arsenic and uranium. If injecting and pulling up, there will be mixing with groundwater. I'm assuming that the treatment plant will add a purifying system to remove arsenic and uranium.	mtc0005
Treatment		
10.	Also, why are they pumping treated water into these wells? Don't they have to treat it again before use?	cfc0001
11.	How will the ground water be treated to meet safe standards if the existing well water is so unsafe?	cfc0007
12.	If ASR depth finds Uranium in bedrock, or it mixes later on during growth of the "bubble," this would need treatment. Treatment would then have the residue to dispose of hazardous waste.	cfc0013
13.	What chemicals will be used to treat the river water before it is injected into the aquifer?	emc0013
14.	If the water will need to be retreated after it's been stored in the aquifer, why will it be treated prior to injection into the aquifer?	emc0013

**Table C-2
Comments Related to Water Quality**

Comment No.	Comment	Cmt Ltr Code
15.	Finally, the project should consider including additional stages of treatment to ensure public acceptance of ASR returns for domestic use. Failure of the project to invest in the quality of the water delivered will, like failure of the project to obtain and publicize information and results related to that water quality, influence the decisions of current and potential users of NPT wells as indicated in (4) at the expense of local markets and economies. There seems to be no room for postponing commitments to such investments and delaying publication of information and results because progression of the consequences of the regional drought will, logically, accelerate the onset of negative effects on markets and economies to well within the projected "decade or so" before full operation of the PBRWS.	emc0015
16.	- What about treatment of pharmaceuticals and other contaminants that we "can't" adequately treat for?	mtc0011

**Table C-3
Comments Related to Drought and Water Shortage**

Comment No.	Comment	Cmt Ltr Code
1.	If restrictions are put in place that limit the amount of water that can be removed from the river where will the replacement water come from?	cfc0007
2.	What happens if no water has been stored from the river for future use?	cfc0007
3.	What would prolonged drought and lack of San Juan Chama Water do to affect the regional water system?	cfc0007
4.	How would other challenges to Rio Grande water rights (Texas claims, Elephant Butte challenges, priority calls on the Colorado River) including protection for species such as the silvery minnow affect the regional water system?	cfc0007
5.	What if there just isn't enough water to pull from the Rio Grande? Will everyone just get a lower percentage?	cfc0010
6.	Given the critical water shortage in the southwest in general, and Northern New Mexico in particular, has that issue been critically evaluated and taken into consideration for the impact this project will have now and in the future? Consideration also should be given to the increase of the population in the future.	emc0002
7.	I am also concerned that your flawed design for sourcing water from a river that is subject to the ongoing, long term drought that appears to only be getting worse. How will the system respond to a long term, dry Rio Grande?	emc0007
8.	What if there are priority calls in other states on San Juan Chama water or native Rio Grande water?	emc0008
9.	<p>The attached PDF file is the executive summary of the Colorado River Basin Water Supply and Demand Study completed in December 2012. There is a statement on Page ES-13 which states.."In summary, the Baseline analysis indicates that without action, it will become increasingly difficult for the system to meet Basin resource needs over the next 50 years."</p> <p>Page ES-3 identifies the San Juan - Chama Project as "Adjacent Areas that Receive Colorado River water."</p> <p>So it seems to me that whatever water is received from the Colorado may not be available...diverted???...to the Rio Grande..very soon.</p> <p>I have not read the entire study so the following may not be true. It appears that the Colorado River Upper Basin is currently NOT consuming it's allocated amount. The Lower Basin is where the "shortfall" starts to happen. So when the Upper Basin consumption increases, there will be less and less water being diverted to the Rio Grande..as I interpret it.</p> <p>So one wonders how this shortfall will impact the 4,000 acre-feet of water being diverted from the Rio Grande</p>	emc0012

**Table C-3
Comments Related to Drought and Water Shortage**

Comment No.	Comment	Cmt Ltr Code
	@ San I. So New Mexico may have the legal rights to the water but there will be no water to fulfill this rights so before the RWS is built, someone better make darn sure there will be water available to supply the system.	
10.	Is there a plan in place for dealing with the eventuality of an insufficient water supply for the system? As we head into our third straight year of severe drought, the Rio Grande is dwindling, as is the water in the Colorado Basin that was cited as an additional source for bolstering our supply. It's a real possibility that in the near future there won't be enough water to supply this system. Is that being planned for?	emc0013
11.	In developing the Environmental Impact Statement (EIS) for the Pojoaque Basin Regional Water System (RWS), a thorough analysis should be performed on the firm yield of the San Juan Chama Project (SJCP) water to determine the potential impact of the present drought and the predicted climate change impacts over the next fifty years on the current SJCP firm yield of 96,200 ac-ft/year. The current list of nineteen SJCP contractors have been informed recently by the Bureau of Reclamation that the 2014 allocations of SJCP water are presently forecast to be diminished by up to 50%.	emc0019
12.	Documents seen so far do not mention projected snowpack reduction over 20-50 years with relatively high degree of certainty attached to it. This affects northern New Mexico and Colorado. Anticipated up to 50% reduction over next 50 years into wells and tributaries. What would be offset effect for end user? Most EIS don't adequately address. Models cannot be dismissed.	mtc0005
13.	If 1500 acre feet serves 1400 households, then you should know how many households the system will be serving in the Pojoaque valley. Are there back-up systems in case snow is less than anticipated? For example, if it drops to 700 acre feet?	mtc0005

Table C-4
Comments Related to Social and Economic Values

Comment No.	Comment	Cmt Ltr Code
1.	Given the critical water shortage in the southwest in general, and Northern New Mexico in particular, has that issue been critically evaluated and taken into consideration for the impact this project will have now and in the future? Consideration also should be given to the increase of the population in the future.	emc0002
2.	Will there be increased development due to the availability of a water utility? If so or not please explain.	emc0008
3.	Finally, the project should consider including additional stages of treatment to ensure public acceptance of ASR returns for domestic use. Failure of the project to invest in the quality of the water delivered will, like failure of the project to obtain and publicize information and results related to that water quality, influence the decisions of current and potential users of NPT wells as indicated in (4) at the expense of local markets and economies. There seems to be no room for postponing commitments to such investments and delaying publication of information and results because progression of the consequences of the regional drought will, logically, accelerate the onset of negative effects on markets and economies to well within the projected "decade or so" before full operation of the PBRWS.	emc0015
4.	Also, look at future demographics in regards to population growth so it can expand to future users.	mtc0003
5.	Socioeconomic analysis: difference between median and mean income are very different. Estimates seen in documents have been \$5,000-\$10,000 per household which is not a small impact since for some that is the annual income. The area affected includes lots with low income and few with high income.	mtc0005
6.	[Last comment from Comment Board] - What does this mean to our real estate values? Who will want to buy with this issue attached?	mtc0013
7.	Molly: The BOR issue No. 1 Feb 2013 for the PBRWS states in the "Introduction" section that BOR is preparing an EIS to analyze socioeconomic effects of various alternatives for the project. Does this include the socioeconomic effect upon the citizens of Chupadero, Galisteo, El Dorado, Apache Canyon, La Cienega, Sandia Park, and Stanley; all of whom are experiencing water shortages of increasing severity; who will be funding, through their residing in Santa Fe County, the costs of a water pipeline into the village of Tesuque, which has the largest and most reliable aquifer in all of Santa Fe County? Thanks for your research and response (I do not think any of these citizens have been informed or questioned).	rmc0001

Table C-4
Comments Related to Social and Economic Values

Comment No.	Comment	Cmt Ltr Code
8.	Study Boundary Area - Currently the Pueblo is modest in its extent of developed area, which is fundamentally due to the limited availability of adequate infrastructure. The RWS will parlay our current drinking water needs with additional capacity (117 AFA) that we believe can stimulate economic development in the form of new residential and commercial growth. Upon review of the RWS "Draft" Map Exhibit and after conducting numerous site visits we realized planned growth areas along NM-30 are not encompassed within the study boundary nor is existing and planned development westward of the Rio Grande toward the Totavi - Fuel I Convenience Store along NM-S02. Consequently, the Pueblo requests the study boundary be expanded to encompass planned areas of development along NM-30 and NM-S02 which the Pueblo desires to be served with the RWS. For general areas of requested expansion see FIGURE I-1.	rmc0002
9.	I attended last night's public forum @ Pojoaque Valley Schools West Wing and discovered that the RWS is being designed to provide fire prevention as part of the RWS capacity. So will homeowner insurance premiums be reduced?	wbc0001
10.	The Pojoaque RWS and the millions of dollars proposed to be spent on the project will develop and improve the water systems and water quality for the Basin which will support long term economic development to the Pueblos, Pojoaque Basin Community and Northern NM. The decision by the Pueblos, County and NM to have the Bureau of Reclamation as the oversight agency, could serve the region better, if procurement, business opportunities and services included preferences, to the greatest extent possible, to local, tribal and NM businesses. Goals should be considered for supporting local and regional economic initiatives.	wbc0002
11.	The cost of water for residents hooking up to the RWS will clearly be much higher than what most pay currently for operating and maintaining their individual wells. The new costs may prove to be a hardship for a number of lower income residents, many of whose families have been in these communities for many generations. The extra costs could contribute to further gentrification and change in the sociological mix in once traditional communities.	wbc0003

**Table C-5
Comments Related to Infrastructure and Construction**

Comment No.	Comment	Cmt Ltr Code
Infrastructure		
1.	Will there be a need to build more power lines and will they all be underground? Will new substation/stations be required?	cfc0007
2.	Who will pay for the new power construction, or will the Co Op have to cover the cost for system improvements?	cfc0007
3.	Will a dam on Rio Pojoaque be able to survive flood events, as the old one has been buried under silt and ruined? Will it affect our own wells, about 1/4 to 1/2 mile N of this point? (about 70' to water in 125' well).	cfc0013
4.	The comments reflect my concern as parciante of the Acequia del Medio of Tesuque - one of the sixty-seven Nambe-Pojoaque-Tesuque (NPT) acequias with recently adjudicated water use priorities pursuant to the Aamodt litigation - for the continued viability of surface water transport throughout and beyond the construction phase of the Pojoaque Basin Regional Water System (PBRWS). The concerns arise from the water delivery lines of the 2008 HKM proposal, illustrated specifically on Aamodt Water Project Sheet 4 (available at http://www.santafecountynm.gov/userfiles/aamodt_Dec_2012/ASCGdata_MapBook_G4.pdf), that run along paved and dirt roads which bridge the Acequia del Medio at multiple acequia culverts. The culverts may require repair or replacement if the roads are excavated to lay the PBRWS water delivery pipes. Acequia del Medio mayordomo Ms. Victoria Davila and I estimated approximately a dozen such bridges (half or more of these are on CR 73) of the Acequia del Medio by examining the enlarged equivalent of Project Sheet 4 during the April 18 EIS meeting. Less than optimal functioning of a single acequia culvert on the Acequia del Medio prevents delivery by volume of 93.3 percent of the del Medio water allocation (in the event that just one of the two most upstream culverts malfunctions) and 9.0 percent (should only the next-to-most-downstream culvert malfunction) and values in between (should any one of the intermediate culverts malfunction).	emc0014
5.	Sound control needed for RW water pump.	mtc0022
6.	A second concern that should be evaluated is the impact to local ground water quality of increased real estate development that will be spurred by the public water system. Increased development will mean increased flow of sewage through septic systems to the groundwater. This would have the greatest impact on domestic wells that are generally shallower than the proposed ASR wells, but the ASR withdrawals could be impacted also.	wbc0003
7.	- Big question: Who will own the WTP? - Sovereign nation land- Facility on tribal so who owns it? Who controls it? Perpetual easement?	mtc0011

**Table C-5
Comments Related to Infrastructure and Construction**

Comment No.	Comment	Cmt Ltr Code
Construction		
8.	How will the current wells be protected from contamination during construction?	cfc0007
9.	Question 14: What engineering and water usage measures will the Bureau and Regional Water Authority employ to ensure that the private Non-Pueblo wells are not impaired due to the operation of the RWS?	emc0018
10.	Are we to assume that the drilling record/log will contain the down hole water pressure, barometric pressure, seismometer, and the tilt-surface readings.	emc0020

**Table C-6
Comments Related to Natural Resources**

Comment No.	Comment	Cmt Ltr Code
Geology		
1.	If ASR depth finds Uranium in bedrock, or it mixes later on during growth of the "bubble," this would need treatment. Treatment would then have the residue to dispose of hazardous waste.	cfc0013
2.	Pumping into ASR wells creates hydro fracking (compression and then breaking up) to the surrounding geologic areas, thereby reducing the viability of long term storage. How will this be dealt with?	emc0011
3.	The Pojoaque Valley is subject to plate tectonic forces, there will be a readjusting after pumping and a possibility of an earthquake such as the recent earthquake in the Cuyamungue/Chupadero area. Will the BOR be looking at this possibility?	emc0011
4.	In as much as the NPT is in an active Tec Tonic Area that has already been documented we would like you to be sure to use the latest InSar pictures or a very recent LiDar picture so that any movement can be further documented.	emc0020
5.	We are also concerned about how the surface deformation is going to be recorded and monitored.	emc0020
Vegetation		
6.	How will it effect the environment? Vegetation, trees, plants, scenery?	cfc0011
7.	Please protect large trees as they're a precious resource that are never truly replaced and certainly not quickly replaced.	mtc0006
Visual Resources		
8.	How will it effect the environment? Vegetation, trees, plants, scenery?	cfc0011
9.	Visual Resources - The Pueblo requests visual effects of all above ground infrastructure to be permanently placed on San Ildefonso lands be mitigated through several measures including but not limited to: 1. Selecting color and texture of building surfaces and roofing materials to complement/blend into the surrounding environment; 2. Situating buildings utilizing the natural topography to screen from direct view wherever possible; 3. Integrate fencing types and lor colors to mesh with natural colors and surrounding environment; 4. Grade permanently disturbed areas to blend into the natural topography whereby unnatural or manmade slopes do not stand out; 5. Utilize colored concrete matching existing soil colors for all visible structures made of cement especially for the diversion structure proposed north of the Otowi Bridge.	rnc0002

**Table C-7
Comments Related to Water Rights**

Comment No.	Comment	Cmt Ltr Code
1.	Why the purchase of Colorado water?	cfc0011
2.	If there is opposition to the Top of the World water rights transfer, is there a back up plan for obtaining other water rights?	emc0017
3.	One must note that this planned public works has not nor will it result in conservation of water or fair allocation of water among the regional users. And in fact will in the end result in extinguishing existing non-pueblo rights.	emc0018
4.	Question 4: how much land has the government already purchased for the Pueblos?	emc0018
5.	Question 3: Based on the settlement agreement how much land is the government intending to purchase for the benefit of the Pueblos?	emc0018
6.	Finally where is the testing water going to come from and from whose right?	emc0020
7.	We need clarity on how water is diverted and affecting acequia and surface water rights.	mtc0005
8.	Put this question in the EIS: How will the values of current water rights in the basin be changed once the regional water system is installed?	mtc0023

Table C-8
Comments Related to Renewable Energy and Energy Conservation

Comment No.	Comment	Cmt Ltr Code
1.	Question 15: To what extent will renewable energy technology be incorporated in the operation of the RWS?	emc0018
2.	Lastly, I recommend significant attention be given during the EIS preparation to the integration of solar and wind energy into the analysis for energy development and use by the RWS. Presently, the federal government has multiple renewable energy program incentives that should be described and pursued during this project to mitigate the ultimate energy costs anticipated for the RWS project.	emc0019
3.	Pay much attention to energy conservation, efficiency, and use of renewables.	mtc0017
4.	Will solar collectors be used to power the pumps for the water utility. Please consider this for planning.	emc0010
5.	Can solar power be used for the pumping and filtration plants and if so will these be considered for the project instead of conventional coal powered electric?	emc0008

Table C-9
Comments Related to Easements and Rights-of-Way

Comment No.	Comment	Cmt Ltr Code
1.	If more lines need to be placed will the BOR acquire the rights of way and pay for the extensions?	cfc0007
2.	How much will the BOR pay for rights of way, either long term or construction easements? Is there a predetermined rate per square foot?	cfc0007
3.	[from comment cards] - Pueblos won't honor the perpetual easements	mtc0014
4.	Indian Trust Assets-The Pueblo views all its ITAs as extremely valuable and irreplaceable. Consequently, the Pueblo requests, that as much as feasible, the RWS infrastructure (pipeline routes) be placed in public rights of ways and outside of tribal land. The HKM Engineering Report displays numerous distribution and service lines within existing roadways that are currently considered by the Pueblo to be in trespass. Therefore, the Pueblo requests alternative alignments be explored during the Alternative Development that positions all pipeline corridors inside of documented public rights of way and/or existing utility easements and outside of the Pueblo tribal lands.	rmc0002

Table C-10
Comments Related to Endangered Species

Comment No.	Comment	Cmt Ltr Code
1.	How would other challenges to Rio Grande water rights (Texas claims, Elephant Butte challenges, priority calls on the Colorado River) including protection for species such as the silvery minnow affect the regional water system?	cfc0007
2.	What about impacts to the silvery minnow downstream?	cfc0010
3.	Will there be curtailment of water delivery if there is insufficient flow for the Silvery Minnow?	emc0008
4.	Silvery Minnow, will reduced flows affect habitat and will there be curtailment of water delivery?	emc0008

Table C-11
Comments Related to Water Storage

Comment No.	Comment	Cmt Ltr Code
1.	How long can the water to be stored in the ASR wells before use?	cfc0007
2.	How many days worth of storage will be required?	cfc0007
3.	There will of course be many interruptions of river sourced water such as spring run off, upstream forest fires, flood events etc. How much of a supply will be needed as a back up?	emc0001
4.	How long will the storage wells be used in a prolonged drought and what relief will there be for surrounding well and acequia users?	emc0008

Table C-12
Comments Related to Other Projects in the Area of Analysis

Comment No.	Comment	Cmt Ltr Code
1.	Besides the North West Well protest (over 2000 house holds in both city and especially country [sic]). Also recent agreements by City of Santa Fe and Tesuque pueblo for imparement - (Tesuque village is monkey in the middle), as well as Rio Tesque drops!! Help me understand.	cfc0005
2.	How will the Espanola superfund site affect the water quality?	cfc0007
3.	How will the provisions required in the Espanola Basin Sole Source Aquifer designation be adhered to?	emc0011

Table C-13
Comments Related to Cultural and Historical Resources

Comment No.	Comment	Cmt Ltr Code
1.	Status for designates Northern New Mexico Historical Traditional Villages (Tesuque). What guidelines does the EIS follow for these few villages. Our Acequia's date to 1700's and have always been the center for our village.	cfc0005
2.	Cultural Resources - Archaeological sites should be avoided where possible. Locations should be protected from inadvertent disturbance during construction by placing protective fencing around the site. If unknown cultural sites are discovered on Pueblo land during construction, all construction activities should cease immediately in the area and the proper authorities shall be notified including the appropriate representative of the Pueblo.	rmc0002

**Table C-14
Comments Related to Project Alternatives**

Comment No.	Comment	Cmt Ltr Code
1.	Include bosque in Area of Analysis in Northwest corner of project area.	cfc0003
2.	If collection point is moved, it shouldn't be moved south of Los Alamos Canyon due to Los Alamos legacy radioactive waste. If it is moved south of Otowi gage, water rights transfers will be more difficult under the Rio Grande compact.	cfc0003
3.	Is existing water distribution infrastructure usable as part of project? Will existing lines be purchased by project or be as a cost-share from local entities?	cfc0003
4.	Your map [1A. On map] shows a yellow (proposed) water line going right through my front yard?	cfc0008
5.	Why on the Pueblo de San Ildefonso land?	cfc0011
6.	Are each pueblo going to have a storage tank?	cfc0011
7.	I am concerned about the sewars. We will get the water, but what about the sewage system? Do we have to use the same system?	cfc0012
8.	Comment given to you at El Rancho meeting, about distribution line (N-S) along Calle de Los Alamos. Very narrow at lower (S) end and would have to cross private lands/fences. Consider Vigil Lane also as a route.	cfc0013
9.	Line is on driveway - move. Indian Land to East. Why that particular area over? (VR on map)	cfc0014
10.	Vigil Road is wider- other road very constrained - consider Vigil Road- what is the weird cross part? There is Indian land there north of T3 line. (LI)	cfc0015
11.	Looking at the large map of where the proposed water lines would be installed, I see that there is a spur line going up my driveway, between my property, 26 Arroyo Nambe Rd., Steve Dunbar, owner, and my neighbor, Julian Gomez (see photo). I believe a better placement of this line would be going up Entrada Empinada.	emc0003
12.	My address is 15 El Callejon in El Rancho. Your proposed service lines of your water system comes right up my driveway and branches North and West right on my property. I protest this path and advise you to move this branch 100 ft East to Indian land where you already have granted right of way.	emc0006
13.	Please explain why the City of SF which is a party to the settlement cannot provide water and fire hydrants to the Bishops Lodge area. The City's line is very close and would obviate the need for a water utility to go through Tesuque.	emc0008
14.	Will the river diversion be the same as the Buckman Diversion or will the diversion be a Ranney Well system? If a Ranney system will it be directly under the RG or will it access the surrounding aquifer?	emc0008
15.	ASR wells, previous BOR report had concerns that the aquifer could not hold stored water. Will above ground storage be required?	emc0008

**Table C-14
Comments Related to Project Alternatives**

Comment No.	Comment	Cmt Ltr Code
16.	The Aamodt Settlement was touted as a non discriminatory process, however Chupadero and other communities along Route 592 were left out of the planning for the water utility. Will there be additional federal funding for a water utility along this corridor?	emc0008
17.	Selecting and negotiating rights-of-way, and then trenching, will be a major expense. How about making part of your study be to estimate how much additional cost would be involved if a community sewer system were installed at the same time?	emc0009
18.	This makes me wonder how many other people have the same pattern of well-water usage: extremely high in the summer months. Maybe it would be worth the effort for you to get the records from the OSE of the metered domestic wells that you would like to replace, to understand what the month-to-month pattern is here. I've kept a record of my own meter reading, quarterly, since 2001, which I'd be happy to send you if you want; but the OSE collects this information from all of us quarterly, so I'm sure they have a huge database you could look at. Maybe it would tell you something unexpected about how you have to size the entire system to accommodate big summer demand, or how you would have to use the ASR for routine seasonal peak-shaving.	emc0009
19.	It also makes me wonder whether your study should include another option: Maybe this entire water system should be TWO parallel networks of pipes, pumps, and storage: one for potable water and the other for water that's only suitable for fire protection and for outdoor watering. This might make economic sense if the cleanup to potable standards is a large fraction of the cost of operating a community water system. Then the customers could have two meters: one for outdoor use, billed at a lower rate, and the other for indoor use, billed at a higher rate.	emc0009
20.	I. The practice of injecting treated water into the aquifer is a controversial one, even according to your own engineers. Can you cite any examples of places it has been done successfully? If so, has it been done over a long enough period of time to yield meaningful results? What is the actual track record for this technology? If it is still in the experimental stage, I think that using an unproved, potentially dangerous technology is a bad idea for a system of this scope and magnitude. If it has become standard procedure, we'll need more details on how it has worked elsewhere.	emc0013
21.	I'm further concerned about the technology, as explained above. We don't really know what we're doing when it comes to storing treated water in the aquifer, but the potential problems are very serious. As any scientist can tell you, disturbing the natural order of things invariably brings unintended consequences. While these consequences may not necessarily be harmful or dangerous, we have no way of knowing what the long-term effects of this controversial technology will be. That's a huge risk to take.	emc0013

Table C-14
Comments Related to Project Alternatives

Comment No.	Comment	Cmt Ltr Code
22.	Part of the discussion with Ms. Thrash and Mr. Batts on April 18 concerned HKM's choice of routing PBRWS water delivery lines along the roadways. Alternate routing that parallels the stream bed on its uphill side (where fewer ditches divert) could limit occurrences of PBRWS water delivery lines crossing the acequias to less than the number of acequias, all near the point of diversion for acequias that divert on the uphill side. Mr. Batts reminded us of concerns over damage to the riparian environment, which might limit the use of such a model, but indicated the project will consider alternate routing models and encouraged submitting these written comments consistent with a May 3 deadline. The Office of the State Engineer may be the project's best resource for maps of surface water diversions and flows. Mayordomos and commissioners are practical resources for individual acequias.	emc0014
23.	(1) The public requires access to (links to, Web addresses for, or email attachments of) reports or other information on the technology on which the project relies in expectation of possible implementation of Ranney Wells. A specific example would be reports that include anticipated chemical additions to limit salting effects. (2) The project should, in reliance on the Office of the State Engineer, consider and address public concern that the installation of Ranney Wells is a use of water that may require a permit and that may improperly impair other uses.	emc0016
24.	On Thursday, I was reading some historic newspaper articles in the Aamodt clippings file at the New Mexico State Library Archives and Records Center. In the 1990's the plan was to drill deep wells near the Rio Grande at San Ildefonso similar to the Buckman Well Field. If the ASR wells tests don't work out, could this be a back-up plan.	emc0017
25.	Question 8: At what depth will the horizontal wells be installed? Question 9: How many horizontal wells be installed? Question 10: In relation to private wells where will the horizontal wells be installed?	emc0018

Table C-14
Comments Related to Project Alternatives

Comment No.	Comment	Cmt Ltr Code
26.	<p>In developing and evaluating alternatives in the EIS, I recommend that consideration be given to including the provision of SJCP water to the County of Los Alamos, the City of Espanola, and Okay Owingeh via the new surface diversion structure constructed as part of the RWS on the Rio Grande within the boundaries of the Pueblo of San Ildefonso. These three entities are contractors for SJCP water with annual contract amounts of 1,200, 1,000, and 2,000 ac-ft/yr each, respectively. At the present time, none of the three entities have constructed a surface diversion project to capture and divert their allocated SJCP water, and from an economy of scale perspective, it would be most cost effective to use the RWS diversion and regional water treatment system to provide the needed water resources to these additional three entities. The proximity of Los Alamos County immediately downstream of the proposed RWS diversion and treatment facility would appear to be very cost-effective, with water supplied by gravity flow down the valley to a point where it could be pumped up to Los Alamos (e.g. similar to the historic use of Los Alamos County's abandoned Los Alamos Canyon well field adjacent to the Rio Grande in the vicinity of the Otowi Bridge).</p> <p>A thorough cost benefit analysis should be performed with consideration for installing only one surface diversion structure (as contemplated by the RWS project) instead of potentially adding the cost of three additional engineered diversions on the Rio Grande to supply water to Los Alamos County, the City of Espanola, and Ohkay Owingeh. To-date, these three entities have not been able to fully benefit from their SJCP water contractor status due to their lack of a surface diversion. The scope of the RWS diversion and treatment system could be modified to service at least one, if not all of these additional regional SJCP contractors at a tremendous future cost-savings. Moreover, each of these three additional SJCP contractors could collectively contribute the additional funding to modify the RWS project so as to provide potable water supply to them.</p>	emc0019

**Table C-14
Comments Related to Project Alternatives**

Comment No.	Comment	Cmt Ltr Code
27.	<p>During the EIS data collection phase, while collecting information regarding the water supply distribution system corridors, the contractors should gather the appropriate information to facilitate future installation of wastewater system trunk and interceptor sewer lines. It is my understanding that the water supply distribution system corridors may in some locations be as narrow as 30 feet. Since future buried utility systems may occupy the same corridors and thus be co-located with the water distribution system, it would be timely and cost-effective to contemplate the future location of a wastewater collection system in the respective valley locations. As you are aware, the Pueblo of Pojoaque wastewater treatment facility was recently constructed to coincide with the opening of the Buffalo Thunder Resort and Casino, and was originally designed to serve the Pueblo of Pojoaque, but also designed as a regional wastewater system that could eventually accommodate wastewater treatment for the four Aamodt Pueblos and the adjacent Santa Fe County community areas. The Pueblo of Pojoaque contracted with ASCG, Inc. in 2005 to prepare a regional wastewater planning study in two phases. The first phase examined the present and future needs of the Pueblo of Pojoaque through 2040, and the second phase examined the infrastructure required to enable the Pueblo of Pojoaque to develop a truly regional facility. The conceptual routing of a regional wastewater collection system proposed in the ASCG, Inc. reports should be reviewed and included in the EIS evaluations (and Asset Inventory Project) for the routing of the water supply distribution system. In addition, if a future wastewater collection system is planned to occupy the same utility corridors as the RWS water distribution system, then it would be prudent (and cost-effective) to obtain funding and install the wastewater collection pipelines during the construction of the water distribution system, even if the wastewater collection system is not immediately connected to the Pueblo of Pojoaque's wastewater treatment plant. Simultaneous construction of water and wastewater pipelines in the dedicated utility corridors would result in considerable cost savings and take advantage of the various archeological, biological, and property easement clearances developed and obtained during the development of the EIS.</p>	emc0019
28.	<p>During the EIS data collection phase and analysis of alternatives, I suggest that an evaluation be made regarding the supply of potable water to the upper Tesuque Valley area up to the Bishop's Lodge that evaluates whether it would be more cost-effective to serve this upper area of the Tesuque Valley with water from the Buckman Direct Diversion being delivered from Santa Fe versus pumping RWS water from the Pueblo of San Ildefonso all the way up the Tesuque Valley. The City of Santa Fe's water supply system may be able to be extended and serve the Upper Tesuque Valley at a significant cost savings to the RWS.</p>	emc0019
29.	<p>North of highway 84 C, before you get to the Pueblo there is a big storage tank (Terina marked it in teal-"isn't there a large storage tank here?"-on map extent I) at El Rancho where it goes to Indian land. Will it get tied into the PBRWS or is it a system for the Pueblo?</p>	mtc0021

Table C-14
Comments Related to Project Alternatives

Comment No.	Comment	Cmt Ltr Code
30.	Study Boundary Area - Currently the Pueblo is modest in its extent of developed area, which is fundamentally due to the limited availability of adequate infrastructure. The RWS will parlay our current drinking water needs with additional capacity (117 AFA) that we believe can stimulate economic development in the form of new residential and commercial growth. Upon review of the RWS "Draft" Map Exhibit and after conducting numerous site visits we realized planned growth areas along NM-30 are not encompassed within the study boundary nor is existing and planned development westward of the Rio Grande toward the Totavi - Fuel I Convenience Store along NM-S02. Consequently, the Pueblo requests the study boundary be expanded to encompass planned areas of development along NM-30 and NM-S02 which the Pueblo desires to be served with the RWS. For general areas of requested expansion see FIGURE I-1.	rmc0002
31.	Horizontal Collector Wells - The Pueblo favors the use of horizontal collector wells that utilize bank filtration of water through aquifer soils thereby reducing or eliminating solid separation requirements within the water treatment facility. As a result, the Pueblo requests this method of filtration be evaluated thoroughly and equally to conventional sediment removal methods during the Alternatives Development task of the EIS process.	rmc0002
32.	Aquifer Recharge - The Pueblo has a desire for the inclusion of aquifer recharge (AR) which enhances the natural ground water supplies using man-made conveyances such as infiltration basins or injection wells. As such, the Pueblo requests that Aquifer Storage and Recovery be integrated into the purpose and need for the project.	rmc0002
33.	Water Treatment Plant-The Pueblo favors locating the Water Treatment Plant near an existing electric sub-station located on Entrada El Rancho (CR-10 JD). The Pueblo has discussed this location with BoR representatives in the past and assumes from those discussions this site has replaced the original location identified in the HKM Engineering Report. As a result, this location will be considered an element common to all action alternatives.	rmc0002
34.	Indian Trust Assets-The Pueblo views all its ITAs as extremely valuable and irreplaceable. Consequently, the Pueblo requests, that as much as feasible, the RWS infrastructure (pipeline routes) be placed in public rights of ways and outside of tribal land. The HKM Engineering Report displays numerous distribution and service lines within existing roadways that are currently considered by the Pueblo to be in trespass. Therefore, the Pueblo requests alternative alignments be explored during the Alternative Development that positions all pipeline corridors inside of documented public rights of way and/or existing utility easements and outside of the Pueblo tribal lands.	rmc0002

**Table C-14
Comments Related to Project Alternatives**

Comment No.	Comment	Cmt Ltr Code
35.	Additional projects included in the EIS work - Wastewater collected from our community must ultimately be returned to receiving waters or to the land or reused. Consequently the Pueblo wishes to ensure protection of our community's public health and the overall environment by requesting BoR include waste water treatment as an additional project included in the EIS work. The infrastructure required for such a project may need to be located within the Areas of Potential Effects (APE) as identified from the Engineering Report therefore the Pueblo advocates for future discussions to take place in order to identify possible locations for required infrastructure.	rmc0002
36.	<p>The Aamodt Settlement and legislation premise was predominately to settle long standing disputes on Irrigation water rights and use. The final legislation and settlement addresses the distribution of water rights for limited irrigation, domestic water use and for live stock. The major part of the settlement and funds are to build a RWVS; however, very little effort and funds has been afforded for improvements to Irrigation diversion structures, canal and pipelines, land leveling and farming programs to continue to support hundreds of years of subsistence farming and its tie to centries of Pueblo cultural life style, traditions and belief.</p> <p>The settlement at San Ildefonso was based on about 70 acres of irrigated land (historical records in the case show more that 300 acres were under cultivation), only because very little to no investments have been made to improve the irrigation and farming support systems. The RWVS may consider amending or adding a project component to address this issue.</p>	wbc0002
37.	It is not clear how the proposed ASR wells will affect domestic and/or supplemental irrigation wells that are expected to continue use after the RWVS is operational. The ASR wells will be much larger in production than any individual wells, so the drawdown when they are pumping will likely have significant impacts on those individual wells, especially those located proximally upgradient from the ASR wells. Hydraulic surges from alternate ASR injection and withdrawal could also have negative impacts due to movement of fines in the aquifer. The different water chemistry of the treated surface water could impact the aquifer, potentially reducing yields. Above ground storage is safer, and it prevents contamination of the treated surface water with ground water that may be of lower quality.	wbc0003

Table C-14
Comments Related to Project Alternatives

Comment No.	Comment	Cmt Ltr Code
38.	I have talked with a number of my neighbors in the Tesuque Village area, although I have not made a specific or broad survey of opinion. Almost all the neighbors I have talked with indicated they intend to continue to use their domestic wells or continue relying on the existing public system rather than hook up to the RWS. If this is indeed the case, which might be verifiable with a thorough survey, an alternative proposal to complete the RWS only as far as the southern Tesuque Pueblo boundary may make the most sense. If the segment of the RWS that is planned for south of the Tesuque Pueblo does not have enough users, water quality in that dead end segment will suffer due to stagnant conditions or require excessive flushing. The alternative system could be designed to be extended further up the valley at a later date if the need is really there.	wbc0003

**Table C-15
General Project Comments**

Comment No.	Comment	Cmt Ltr Code
1.	"Preliminary EIS Schedule" slide is illegible beyond front row. Small font and 20 lines per page erodes your credibility.	cfc0003
2.	EIS slide is poor. "What is the EIS process?" 15 lines, double font, cut half	cfc0003
3.	What about the need for system monitoring?	cfc0007
4.	I suggest you try using mapping from 2010 US Census files.	cfc0009
5.	After completion of structure, what are some the effects that may occur during the distribution of water?	cfc0011
6.	How much will the operational yearly costs be, including power?	emc0008
7.	How will upcoming lawsuits affect the delivery of water for the system?	emc0008
8.	NM State Statute addresses ground water mining, will this statute be considered?	emc0011
9.	I am concerned about giving up clean, unadulterated well water to use expensive, scarce, chemically treated river water in its place. If it turns out that, as many have suspected, the purpose of all of this is to free up water for future development in the region, I find that objectionable. The reasons given to us over the past few years for why we should give up our wells have been vague, inconsistent, and, frankly, a bit lame. If some wells in some cases are being contaminated by septic systems, then we have a septic problem, not a water problem, and it should be dealt with using existing statutes to force those who are in violation to comply with the law.	emc0013
10.	Will a bibliography be included in the draft EIS of the reports that were consulted?	emc0017
11.	Question 1: Scarce water resources is stated as a reason for the Aamodt Suit to determine the nature and extent of the claimants' water rights. Contrary to this stated issue Pueblo claimants have installed large and significant additional water demands by constructing Golf Courses, Casinos, and aspire to establish large farms, construction projects and promote growth in the Pojoaque Basin. Based on this misrepresentation and contradiction how does the Bureau of Reclamation justify installation of the planned RWS (Regional Water System)?	emc0018
12.	Question 13: Existing studies predict that severe drought conditions will continue to prevail in the area for the foreseeable years. Based on this information on what basis can further development, urban growth, and the RWS be promoted and justified?	emc0018
13.	Question 17: Similar water development systems have been installed in Colorado and New Mexico upstream and downstream from Pojoaque. What has been the experience of private well owners in these areas with regard to them being able to keep their wells without any impairments or additional costs? Please provide data and references that can be contacted for consultation?	emc0018

**Table C-15
General Project Comments**

Comment No.	Comment	Cmt Ltr Code
14.	Question 2: Stated purpose and need for the RWS is to provide safe and reliable potable water to the residents of the Pojoaque Basin. The existing fact is that the Pojoaque Basin already has reliable safe potable water under a system of surface waters and domestic wells dating from the 1500s. No need has been identified that demonstrates the need for expanding water usage and installing an expensive unreliable RWS as being proposed. Based on these facts on what information has the Bureau determined that the RWS is needed?	emc0018
15.	Project should have a blog	mtc0002
16.	EIS process should be a dynamic process with data from staff made on a quarterly basis for analysis and comment by stakeholders.	mtc0003
17.	Why isn't there a comment box to keep these comment cards confidential? I might mail without my contact information rather than leave comments at meeting.	mtc0004
18.	Why isn't there a comment box to keep these comment cards confidential?	mtc0008
19.	More public outreach is needed by BOR in regards to surface water. There has only been lots on well water and groundwater so far.	mtc0010
20.	Need more Q&A time to get answers. There is not enough time as a group. Breakout is good, but all hearing the Q&A is helpful. There should be an entire meeting of Q&A that continues until all questions are answered. Follow-up answers should be available to all for those questions that are not fully answered in meetings. If there is need for help in coordination for meetings at the Nambe Community Center, Danny is willing to help as that could be solely a Q&A meeting.	mtc0010
21.	[from comment cards] Too much taxpayer money to build and operate the system.	mtc0014
22.	[from comment cards] Need more open forums where everyone can hear Q&A (some people too shy to ask?)	mtc0015
23.	In the future, would be good to provide directions to public meetings	mtc0019
24.	Provide updates to community regarding results of ASR well feasibility studies and other studies.	mtc0022
25.	They need more detailed maps as soon as possible.	mtc0024
26.	Molly: In 2012, I was informed that the Chupadero community water system was severely impacted by aquifer drawdown. I also heard of private wells also being negatively affected. Residents were without adequate drinking water and facing unsanitary health conditions. In lieu of these recent events, can you please explain to me why the RWA's proposed pipelines are going to redundant lengths in my Tesuque area; which has a very clean and dependable source for residents; and virtually no delivery of water to the Chupadero residents? (They are also defendants in the Aamount litigation, as are the residents of Rio en Medio)	rmc0001

**Table C-15
General Project Comments**

Comment No.	Comment	Cmt Ltr Code
27.	<p>Molly: On the cover page of BOR Issue 1, Feb 2013 for the PBRWS states: "water would be stored in large tanks and underground aquifers." But, on page 8 of the design, estimating and construction review- Pojoaque Basin Regional Water System (dated Dec 2009) BOR team stated: "the team has concerns that injecting excess water from the surface water source may create more problems than it would solve." They also refer to the report from July 9, 2003 by Charles Leder. "The quality of injected water is also a major concern." The team also recommends, on pg. 18: the ASR not be considered in a feasibility design.. " Are the ASR injection wells included in your EIS an do we have any guarantees that our excellent aquifer here in Tesuque will be protected from any type of drawdown or degradation by the RWS?</p>	rmc0001
28.	<p>Molly: On the second page of BOR PBRWS Issue 1, Feb. 2013, under purpose and need, project objectives, "reduce dependence on local groundwater sources" is stated. But, in the July 9, 2003 final report for task 3 deep well/well field investigation by Charles P. Leder, Aamount feasibility study, it says (on page 37) that site #11, southeast of Tesuque Pueblo, would have major effects - "drawdown in excess of 100 ft"!</p> <p>How can well fields in Tesuque village, where there exists very little room for future development and less than 5 (five) established customers for the RWS. Be included in light of the contradiction to the project objective and to the negative impact upon those of us who choose to continue using our adjudicated and legal private wells?</p>	rmc0001
29.	<p>Molly: The BOR issue # 1, Feb 2013 regarding the PBRWS has a box in the lower right hand corner of the cover page describing the NEPA and EIS.</p> <p>Does the public truly engage in the decision-making process and is opportunity there for me to believe that, through these engagements, a No Action alternative exists regarding the needless and financially irresponsible "Bishops Lodge Extension" which Santa Fe County has refused to relinquish?</p>	rmc0001
30.	<p>Molly: The Buckman direct diversion, a joint Santa Fe City and Santa Fe County project, cost about \$279 million when all factors are accounted. When the proposed Pojoaque Basin Regional Water System is completed; as specified by the 2012 settlement agreement; it will cost in excess of \$275 million. Could you please provide me with an accurate list of comparable investments, by taxpayers, for water systems in excess of \$550 million, serving less than (considerably less) 200,000 residents; which also are located within 8 miles of each other and depend upon a water source similar to our Rio Grande?</p>	rmc0001

**Table C-15
General Project Comments**

Comment No.	Comment	Cmt Ltr Code
31.	<p>Molly: Under the topic of "project background" in the BOR issue No. 1 Feb. 2013, the Pojoaque Basin Regional Water system will allocate 1500 acre feet (of wet water) to "Santa Fe County customers." Regardless of numerous requests, during my years attending Aamount meetings with Santa Fe County officials, I never saw evidence of any more than 120 potential customers for the real county water. In lieu of Santa Fe County's lack of a customer base nor a valid source for return of investment, can you please explain the need for taxpayer's and BOR resources being expended, despite our current budgetary shortfalls? (Perhaps the county could be a far lower priority than the Pueblo's delivery mechanisms).</p>	rmc0001
32.	<p>In 2004, the North Central New Mexico Economic Development District with the cooperation of the counties, state of NM and Pueblos conducted a Northern NM Regional Wastewater Study. The study identified water contamination issues in the Pojoaque Valley Basin siting residential septic tanks and other contaminants that are impacting water quality within the Basin. In 2008 as a result of the study Pojoaque Pueblo agreed to host a Regional Waste Water Treatment Plant. The WWTP is in place and design to handle the entire Pojoaque Basin and its communities.</p> <p>It seems only reasonable that if a RWS is being built that the resulting gray water and to protect ground water, plans should include how the waste water from the RWS will be addressed.</p>	wbc0002
33.	<p>The Aamodt Case, Settlement & Legislation, process has at on more than one occasion conducted meeting with Tribal Councils and Community members, however, attendance has been limited. The Public Involvement process must address this issue. Special efforts must be initiated to contact and meet with the Traditional Leadership of each Pueblo to inform and to take individuals to actual proposed project site locations to discuss the impact of the RWS.</p>	wbc0002
34.	<p>The Aamodt Settlement and legislation premise was predominately to settle long standing disputes on Irrigation water rights and use. The final legislation and settlement addresses the distribution of water rights for limited irrigation, domestic water use and for live stock. The major part of the settlement and funds are to build a RWS; however, very little effort and funds has been afforded for improvements to Irrigation diversion structures, canal and pipelines, land leveling and farming programs to continue to support hundreds of years of subsistence farming and its tie to centuries of Pueblo cultural life style, traditions and belief.</p> <p>The settlement at San Ildefonso was based on about 70 acres of irrigated land (historical records in the case show more that 300 acres were under cultivation), only because very little to no investments have been made to improve the irrigation and farming support systems. The RWS may consider amending or adding a project component to address this issue.</p>	wbc0002

Table C-16
Comments Related to Public and Agency Collaboration

Comment No.	Comment	Cmt Ltr Code
1.	DOT contact for hazardous waste and materials that might impact the project: Audrey Moore, work: 827-1715, cell: 490-1850	cfc0009
2.	Max Valerio, NM Dept of Transportation 827-5270 should be kept informed of project progress so road construction in the area can be co-ordinated with the project.	cfc0009
3.	Butch Tongate, NMED Deputy Secretary 827-2855 should be keep informed as project affects stream flows, water system sampling, permit for work in streams and rivers, permit for new water systems and certified operators for water system.	cfc0009
4.	Are the Corp of Engineers involved?	cfc0011
5.	Santa Fe County was not present at the April 18 EIS meeting, but it is likely that Santa Fe County shares an interest in the optimal functioning of acequia culverts because Section 72-8-2 (1907) of the New Mexico Statutes 1978 compilation requires that these installations "shall be maintained by the county commissioners." Thirty households compromise the Acequia del Medio association membership. Sixty households comprise the association membership for our nearest neighbor, Acequia Madre of Tesuque, which diverts immediately upstream of the Acequia del Medio diversion. It is not possible for me to estimate the number of Acequia Madre culverts potentially impacted by PBRWS roadway routing of water delivery under the 2008 HKM proposal, but it is not unreasonable to assume at least a dozen as well. The resulting projection for a total number of impacted acequia culverts multiples to between five hundred and one thousand if all NPT acequias are considered. This projection is offered to encourage an installation approach that avoids impacting the existing acequia culverts or optimal routing of the PBRWS water delivery lines. These comments are generally intended to emphasize the importance of cooperation among participating agencies and other public entities to minimize the impacts on surface water delivery.	emc0014
6.	Part of the discussion with Ms. Thrash and Mr. Batts on April 18 concerned HKM's choice of routing PBRWS water delivery lines along the roadways. Alternate routing that parallels the stream bed on its uphill side (where fewer ditches divert) could limit occurrences of PBRWS water delivery lines crossing the acequias to less than the number of acequias, all near the point of diversion for acequias that divert on the uphill side. Mr. Batts reminded us of concerns over damage to the riparian environment, which might limit the use of such a model, but indicated the project will consider alternate routing models and encouraged submitting these written comments consistent with a May 3 deadline. The Office of the State Engineer may be the project's best resource for maps of surface water diversions and flows. Mayordomos and commissioners are practical resources for individual acequias.	emc0014
7.	Is the IHS involved in the EIS?	mtc0018

Table C-17
Comments that Will Not be Addressed in the EIS

Comment No.	Comment	Cmt Ltr Code
Comments for Santa Fe County and the NM Office of the State Engineer		
1.	Will the opera be able to connect to the system?	cfc0002
2.	Nombe Pueblo Grant T19NR9ES9, TRA, .324 AC Book 1448, pg 97. Would like to hook up to Reg Water System.	cfc0006
3.	Looking at the maps some of Santa Fe County is over the boundary of the Pueblo? What is Santa Fe County going to do?	cfc0011
4.	At what point will the state stop issuing permits for residential well within the pipeline boundary?	cfc0011
5.	Or will county residents be hooked up to the system, thus bypassing the well?	emc0004
6.	As I think about the issues from a personal point of view, I see water quality as the main incentive to connect to the new water system, because my well water is hard enough that keeping sinks and toilets clean is very difficult. (I am less concerned about drinking-water quality because I know how cheap a little under-the-kitchen-sink reverse-osmosis system is, if I ever need it.) My main incentive to retain my own well (domestic; post-moratorium) and NOT hook up to the proposed system is the fact that I often use a huge amount of water to keep my vines and fruit trees healthy one or two months in the summer when the irrigation ditch dries up. Here in El Rancho, at the downstream end of the acequia system, water shortages late in the year are the norm. I have typically been using only 3,000 gal/month in the winter, but 20,000 gallons per month in some of the summer months. (My well is remarkably efficient, probably because the water table is high here -- the electricity costs only about 20 cents per 1000 gal at today's Jemez-Coop billing rate.) If your new system charges us for water with an escalating rate, similar to that of Santa Fe County's existing water utility, those occasional 20,000-gallon months would be wildly expensive. Plus it seems wasteful to use water that's been treated to potable standards for outdoor watering in such large quantities.	emc0009
7.	How will the use of groundwater in the Aamodt area be compensated for in surrounding areas if the ASR wells do not work?	emc0011
8.	Who is going to be using our water once we abandon our wells to hook up to the system? For what purpose? By what authority will it be used? Who will decide how it will be used?	emc0013

Table C-17
Comments that Will Not be Addressed in the EIS

Comment No.	Comment	Cmt Ltr Code
9.	Santa Fe County was not present at the April 18 EIS meeting, but it is likely that Santa Fe County shares an interest in the optimal functioning of acequia culverts because Section 72-8-2 (1907) of the New Mexico Statutes 1978 compilation requires that these installations "shall be maintained by the county commissioners." Thirty households compromise the Acequia del Medio association membership. Sixty households comprise the association membership for our nearest neighbor, Acequia Madre of Tesuque, which diverts immediately upstream of the Acequia del Medio diversion. It is not possible for me to estimate the number of Acequia Madre culverts potentially impacted by PBRWS roadway routing of water delivery under the 2008 HKM proposal, but it is not unreasonable to assume at least a dozen as well. The resulting projection for a total number of impacted acequia culverts multiples to between five hundred and one thousand if all NPT acequias are considered. This projection is offered to encourage an installation approach that avoids impacting the existing acequia culverts or optimal routing of the PBRWS water delivery lines. These comments are generally intended to emphasize the importance of cooperation among participating agencies and other public entities to minimize the impacts on surface water delivery.	emc0014
10.	Question 12: If impairment of the private wells occurs to the extent that the wells are extinguished how much compensation in dollars will be paid to the Non-Pueblo private owner?	emc0018
11.	Question 16: What is the process for private Non-Pueblo well owners to collect compensation if their well is impaired due to the RWS? Please provide a copy of this process.	emc0018
12.	In addition, we are concerned that the proposed Aamodt water and sewer system as regulated or put on lands of tribal entities would be unable to be regulated or terminated by the Office of the State Engineer because of tribal sovereignty; including waters of the Rio Grande which are being utilized to recharge our Santa Fe Water Basin (through the Buckman Direct Diversion or the Buckman Wells for example).	emc0021
13.	Poor discussion. I've made multiple calls to that State Engineer's office and had several different folks provide different responses but no accountability. What charged for is all over the board. Will we have to enter into a different lawsuit? Documents are not clear on what the end user will have to pay.	mtc0005
14.	I'm concerned about having to make a decision before the project is all there and identified. Deciding when to sign-on is way too early. This project is not going to be completed in my lifetime. We need it, but we also need information on water and usage. How much input is County & non-Pueblos going to have in running the system? It's scary. Issues need to be worked out before decisions are to be made by residents. Will folks be notified before surveying occurs? There are multiple safety issues without timely prior notification.	mtc0006
15.	Sliding scales for wells were not talked about with people in the valley (approximately 1200-3200). Each well and each family will be affected. Building in conjunction with a waste treatment plant to facilitate costs and does not benefit non-Indians. There's been no sign-off by non-Indians despite being taxpayer affected.	mtc0007

Table C-17
Comments that Will Not be Addressed in the EIS

Comment No.	Comment	Cmt Ltr Code
16.	I provided comments during earlier Q&A about table of pre-moratorium well. I have a pre-basin well that's pre-1956.	mtc0009
17.	We need a meeting with the State Engineer available to answer our concrete, real-life questions: - What will this cost us? - If the majority doesn't want to tie-in to the system, why is it happening? - How will it impact our existing wells? [Comments from Comment Board]	mtc0013
18.	Need to see all impacts analyzed in EIS before they have to make the election to sign on or not.	mtc0014
Comments Related to the Aamodt Settlement Agreement		
19.	Why were the non-Indian people not allowed to participate in the Settlement? They were at one time and then it was taken away.	mtc0007
20.	Nobody talked to grant right owners in regards to the Settlement in same respect and it's going to affect our water rights. My wife and her four sisters own Cuyamungue grant. Per court order, could not proceed with beneficial use. [His wife (Mary) noted: Need to send copy of Settlement Agreement to every person affected (well owner) in the valley for equal information received as we have no idea what's in there.	mtc0007
21.	People wanted an EIS before signing agreement. Why not do EIS before agreement? Not foregone conclusion.	mtc0012
Comments Regarding Unrelated Projects		
22.	Question 6: What is the Quality of the water at the Buchman Well area? Please provide the data on the quality of water at this location.	emc0018