

# NO DAM DIVERSION!

## Stand Up to Protect the Gila River at NEPA Scoping Meetings!

Out of time and facing a legal deadline, the proposed Gila diversion enters into a formal review and approval process, regardless of its incomplete plans, lack of review of feasibility, few beneficiaries, and huge costs.

As joint leads for the NEPA process, the Bureau of Reclamation (BOR) and the New Mexico Interstate Stream Commission (ISC) have initiated preparation of an Environmental Impact Statement (EIS) for the Gila River diversion project (NM Unit) proposed by the NM Central Arizona Project (CAP) Entity. Formed in 2015 and composed of 14 local governments, community ditches, and soil and water conservation districts, the NM CAP Entity members are the project proponents. They voted in 2015 to take responsibility for the design of the NM Unit. During the public scoping period, the BOR and ISC are requesting public comment on the issues that they should analyze in the NM Unit EIS.

### Background

In 2004 Congress passed the Arizona Water Settlements Act (AWSA) that authorized diversion of the Gila River if New Mexico agreed to pay for delivery of Central Arizona Project water to downstream users in Arizona to replace what we take out of the river in New Mexico. \$100 million (2004\$) has been made available through the AWSA. \$66 million of this is available to meet local water needs in southwest New Mexico without diverting the Gila River.

For more than a decade and after spending more than \$15 million on planning, the ISC and NM CAP entity have failed to identify a feasible project. Since 2012 they selected and then discarded many proposed project configurations, spending millions on consultants. The configuration proposed for the EIS is so new that a preliminary engineering report or specific description of the diversion, conveyance, storage, and delivery of project water does not exist. A previously contracted business plan has yet to be made public.

The EIS will be the first and only public disclosure of feasibility. New rules require the EIS to be completed in one year. The project that will be analyzed in the EIS remains vague, which is the reason the public scoping notice lacks specifics. Basic questions such as the amount of project water, who would use project water, how much would it cost, and who would pay have not been answered.

Scoping under the National Environmental Policy Act began on June 12 and runs through July 20, 2018. The draft EIS is expected to be available for public review in winter 2019 and a final EIS by summer 2019. As mandated by the AWSA, the Secretary of Interior must issue a Record of Decision by the end of 2019.

### NM Unit proposed action

In November 2014, the ISC notified the Secretary of Interior that New Mexico intended to move forward with construction of a NM Unit. The agency based its decision on planning and analyses for a large-scale diversion structure that would have diverted and stored Gila River water for unidentified uses, cost more

than \$1 billion to construct, operate and maintain, impacted an inventoried road-less area on the edge of the Gila Wilderness, and harmed seven threatened and endangered species.

**Although NM Unit planning has shifted away from the billion-dollar boondoggle, the NM CAP Entity's proposed action still has the potential for significant impact.** The stated purpose of the proposed action is to develop the NM Unit of the Central Arizona Project to allow for more consumptive use of Gila River water. The stated need is to develop water for agricultural use and with features to allow for future expansion of the project to develop up to 14,000 acre-feet/year of Gila River water. The proposed action lists the following diversion, storage and conveyance infrastructure to supply water for agricultural use in the Cliff-Gila Valley and Virden Valley on the Gila River and in the Glenwood area along the San Francisco River.

#### Cliff/Gila Valley

- **Large concrete diversion dam** in the vicinity of Upper Gila diversion site to serve existing Upper Gila, Fort West, and Gila Farm ditches and new ditches.
- **Ditches will be enlarged; capacities will be doubled. Conveyance changes** include connecting the Fort West Ditch to diversion dam and connecting the Gila Farms Ditch to the Fort West Ditch; reconstructing or reinitiating use of several additional ditches in the lower part of the Cliff/Gila Valley, Riverside, and Bill Evans reaches of the Gila River; reconstructing lateral ditches to deliver water from several existing and reconstructed ditches to potential new AWSA irrigation sites; increasing capacity of Upper Gila Ditch and Fort West Ditch to 50 cfs; line approximately 1/3 of the ditch length.
- **Storage ponds** in Cliff/Gila Valley totaling 3,735 acre-feet (5 lined ponds in the flood plain plus 2 unlined ponds in Winn Canyon); pumps to fill the Winn ponds; 3 large conventional wells for recovery of leakage from Winn Canyon ponds.
- **Groundwater pumping** – (7) 500 gpm production wells for direct groundwater pumping into ditches.

#### Virden

- **Storage ponds** totaling 551 acre-feet with pumps to move water back to ditches.
- **Conveyance** - Ditch "improvements" (lining?) and "gauges" (metering?).

#### San Francisco

- **Large concrete diversion dam** at existing Spurgeon diversion site above Hwy 180 Bridge.
- **Conveyance** - 48" pipe across Pueblo Creek plus enlarging rest of ditch down to Weedy Canyon; reconstruct west-side Pleasanton Ditch.
- **Storage** - Weedy Canyon Reservoir capacity 1,874 acre-feet, including large pump station to fill reservoir from ditch.

### **Potential Adverse Impacts of the Proposed Action**

The NM CAP Entity's proposed action is poorly defined, therefore making it impossible for the public to understand and difficult for the public to develop meaningful comments for NEPA scoping. However, based on the minimal information provided, we know that the NM Unit proposal could significantly impact threatened and endangered species and riparian habitat, will cost several times more than the AWSA construction subsidy provided, and will unfairly withhold NM Unit Fund dollars from community water projects that could meet the water needs of 60,000 people in southwest New Mexico.

### **Proposed concrete diversion structures will harm threatened and endangered species and riparian habitat along the Gila and San Francisco rivers**

- Flowing out of America's first Wilderness Area, the Gila River is home to seven threatened or endangered species and is proposed for long-term protection under the Wild & Scenic Rivers Act.
- The proposed action eliminates the ISC's 150 cfs minimum flow, allowing the new diversion to dewater the river and extending the period of dewatering during ecologically critical times.
- The diversions and infrastructure will harm critical habitat for seven threatened or endangered species, including the loach minnow and spikedace, southwestern willow flycatcher and yellow billed cuckoo, northern Mexican garter snake and narrow headed garter snake, and Chiricahua leopard frog.
- Declining groundwater levels caused by the diversion and new groundwater pumping could threaten the health of the cottonwood-sycamore-willow bosque, some of the last remaining intact riparian forest in the Lower Colorado River Basin.
- The diversion dams will also limit recreation opportunities, like river running, and potentially impact irrigators.

### **Intention to divert in the future the full 14,000 acre-feet per year is speculative and unnecessary**

- The proposed concrete dam across the entire floodplain and doubled ditch capacity are designed to take out a large amount of water, much more than needed for the small amount of storage contemplated in the proposed action;
- Diverting the full 14,000 acre-feet per year under the AWSA is speculative. Irrigators are diverting 4 times more water than the full amount of their water rights. According to water studies, Southwest New Mexico groundwater supplies can meet municipal water needs far into the future.

### **The NM Unit proposed action is expensive, unaffordable and unfair**

- The AWSA subsidy will not cover the full cost of the proposed action, leaving a gap of tens of millions of dollars for citizens to cover.
- Project water is too expensive for farmers to buy. Current ditch fees in the Cliff-Gila Valley are approximately \$20 per acre. Project water cost will run at least \$1,500 per acre per year, calling into question the project economics and the ability of farmers to pay for the new AWSA water.
- The proposed action will require spending all the available AWSA funds on approximately 200 irrigators and international mining giant Freeport-McMoRan for a small amount of new irrigation water. This is unfair to the rest of the 60,000 people of southwest New Mexico whose water systems need improvements.
- The NM CAP Entity has stated in its past monthly meetings that it intends to use the interest from the corpus of the NM Unit Fund for its ongoing annual costs, providing AWSA water to irrigators for free, while more than \$50 million in critical community water projects remain unfunded. This is neither fair nor economically feasible.

### **Comment on this poorly defined proposed action and ask the following questions of the BOR and ISC:**

- What are the engineering details of the proposed action? What type of diversion will be constructed?
- How much new AWSA water will be diverted, how much will be lost to evaporation and seepage and remain for beneficial use, when will it be diverted and consumed, and for whose use and where?
- Will BOR and ISC allow the diversion to dewater the river, rather than decrease river drying as the ISC has claimed for years?
- What is the cost of the proposed action? What is the cost of the new water? Are there any water users willing and able to pay for project water?

- What is the net economic benefit of the NM Unit? Do its benefits exceed costs? By how much?
- What are the environmental impacts of the proposed action and will the proposed action jeopardize the existence of the Gila River's seven threatened and endangered species? What project features or mitigation requirements will be included to reduce impacts?

## **Advocate for conservation alternatives to harmful diversion project**

- **The BOR must assess environmentally friendly diversion alternatives** to the proposed action to ensure that threatened and endangered species and riparian habitat are not adversely impacted.
- **Water needs can be met cost-effectively by implementing non-diversion alternatives.** We can immediately spend the \$66M from the AWSA on priority community water projects that will meet our needs far into the future without building a costly Gila diversion requiring massive ongoing public subsidy to benefit very few.

## **How you can make public comment**

Public meetings will take place in eight communities in New Mexico and Arizona. For the full list of meetings visit: [www.nmuniteis.com/public-meetings/](http://www.nmuniteis.com/public-meetings/)

**July 2, 2018, 4–7pm**

**ALBUQUERQUE, NM**

State Bar of New Mexico  
5121 Masthead St NE

**July 9, 2018, 4-7pm**

**SILVER CITY, NM**

Grant Co. Business & Conference Center  
3031 Highway 180 East

To submit your comments:

**On line** at [www.nmuniteis.com](http://www.nmuniteis.com)

**Via U.S. Mail:** Phoenix Area Office, Bureau of Reclamation, ATTN: NM UNIT EIS, 6150 West Thunderbird Road, Glendale, AZ 85306

**Via email:** [NMUnitEIS@empci.com](mailto:NMUnitEIS@empci.com) (if emailing comments, please use "NM Unit EIS" as the subject of your email)



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