

TAOS INDIAN WATER RIGHTS SETTLEMENT MUTUAL-BENEFIT PROJECTS NEPA COMPLIANCE

Public Scoping Meetings

October 2019

WELCOME AND AGENDA

- ▶ Sign-in and Open House
- ▶ Introductions
- ▶ Project Overview Presentation
- ▶ Opportunity for Oral Commenting
- ▶ Open House and One-on-one Discussions

MEETING OBJECTIVES

- ▶ Get your input to help us determine the scope and important issues for analysis in the programmatic National Environmental Policy Act (NEPA) document
- ▶ Provide you with information about:
 - ▶ Project background
 - ▶ The NEPA process
 - ▶ How you can be involved and informed

- ▶ Taos Indian Water Rights (Abeyta) Settlement Agreement approved by Congress in Claims Resolution Act of 2010
- ▶ Summary of Settlement Agreement purposes:
 - ▶ Avoid cost and uncertainty of litigation
 - ▶ Legally quantify Taos Pueblo's water rights
 - ▶ Provide an opportunity to preserve Acequias and protect, develop, and maintain water uses
 - ▶ Restore and protect Taos Pueblo Buffalo Pasture
 - ▶ Foster cooperation on water allocation and use in the Taos Valley

PROJECT BACKGROUND

- ▶ Abeyta Settlement Agreement, Article 6, authorizes 14 Mutual-Benefit Projects
 - ▶ Water supply wells
 - ▶ Mitigation wells
 - ▶ For Arroyo Seco Arriba Project aquifer storage and recovery (ASR) wells or surface reservoir(s)
- ▶ 40-acre grid cells show general area of project locations
 - ▶ Specific locations or sites not yet identified for most projects
 - ▶ Actual project areas expected to be much smaller

PROJECT BACKGROUND (CONT.)

- ▶ **Settlement Parties** plan, design, and construct Mutual-Benefit Projects
- ▶ **New Mexico Office of the State Engineer** issues well permits and other required permits
- ▶ **U.S. Bureau of Reclamation** (Reclamation) provides funding through grants

WHO'S WHO IN THE ABEYTA SETTLEMENT?

- ▶ Title V of Claims Resolution Act of 2010 authorizes and directs Reclamation to provide grants for settlement parties to plan, permit, and construct the Mutual-Benefit Projects
- ▶ Reclamation is not constructing any Mutual-Benefit Projects and is not the project manager
- ▶ In providing the grants, Reclamation must comply with NEPA

RECLAMATION'S ROLE IN THE ABEYTA SETTLEMENT

- ▶ Programmatic NEPA document will analyze general effects of funding and constructing the Mutual-Benefit Projects within certain 40-acre grid cells
- ▶ This analysis will streamline and support future NEPA compliance
- ▶ Will also analyze a “no action” alternative, meaning no federal funding assistance
- ▶ NEPA analysis will not re-open the provisions of the Abeyta Settlement Agreement
- ▶ This programmatic NEPA document is one of many NEPA analyses that Reclamation will complete before wells are put into production

THE PROGRAMMATIC NEPA ANALYSIS

Figure 1. Illustration of Mutual-Benefit Project Compliance Processes





Public Scoping and Data Collection (Oct. 7-Nov. 20, 2019)



Describe and Analyze Effects of Alternatives



Draft Programmatic Environmental Assessment (PEA)/Draft Finding of No Significant Impact (FONSI)



Public Review and Comment Period on Draft PEA/FONSI (Spring 2020)



Final PEA/FONSI if no significant impacts found (Spring 2020)



Distribute Final PEA/FONSI (Spring 2020)



Implement decision, including further site-specific NEPA and permitting

THIS PROGRAMMATIC NEPA PROCESS

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

PROVIDING YOUR COMMENTS

- ▶ The scoping comment period closes November 20, 2019
- ▶ Comment at the meetings via comment card or oral commenting
- ▶ To provide comments after the meetings:
 - ▶ Email: BOR-sha-AAOTaosNEPA@usbr.gov

- ▶ Mail: Bureau of Reclamation

Attn: Rebecca Braz

555 Broadway NE, Suite 100

Albuquerque, NM 87102

SUBMITTING COMMENTS

- ▶ Sign up to provide oral comments at the sign-in station
- ▶ Attendees will be called in the order they signed up
- ▶ Speaking time is limited to three minutes
- ▶ We will take notes of comments
- ▶ To ensure accurate characterization of your comment, we encourage you to also submit a written comment tonight or during the comment period

PROVIDING ORAL COMMENTS

Thank you for your interest
in the Taos Indian Water
Rights Settlement Mutual-
Benefit Projects NEPA
Analysis!

