



United States Department of the Interior

BUREAU OF RECLAMATION

Phoenix Area Office

PO Box 81169

Phoenix, Arizona 85069-1169

IN REPLY REFER TO:

PXAO-1500

ENV-7.00

DEC 23 2003

To: All Interested Persons, Organizations, and Agencies

From: Carol Lynn Erwin
Area Manager 

Subject: Draft Environmental Assessment (EA) on Native Fish Restoration in Fossil Creek – Opportunity to Comment (Action by January 28, 2004)

Reclamation and the Forest Service (Tonto and Coconino National Forests), in cooperation with the Fish and Wildlife Service (FWS) and the Arizona Game and Fish Department, have prepared a draft EA on Native Fish Restoration in Fossil Creek, located in Gila and Yavapai Counties, Arizona. A copy is attached for your information and use.

Reclamation and the Forest Service propose to improve and restore a native fishery in upper Fossil Creek, in central Arizona. The proposed action consists of constructing a single concrete fish barrier, renovating the segment of stream between the Fossil Springs diversion and barrier site with the piscicide antimycin-A, and restocking with native fishes that would be removed from the stream prior to renovation. The purpose of renovation is to eliminate populations of nonnative fishes upstream of the barrier.

Background

In April 2001, FWS issued a final Biological Opinion (Opinion) on the transportation and delivery of Central Arizona Project (CAP) water to the Gila River basin and its potential to introduce and spread nonnative aquatic species. The Opinion addressed the possible serious and adverse effects of the CAP on several species of listed native Arizona fishes. In 2001, FWS revised this Opinion to include, among other things, construction of a fish barrier in Fossil Creek as one of the conservation measures Reclamation must carry out. The proposed project would implement this conservation measure.

The timing of construction of a fish barrier on Fossil Creek is being driven by the potential decommissioning of the Childs/Irving Hydroelectric Facility on Fossil Creek. Currently, almost all base flows in the 14-mile reach of Fossil Creek are diverted out of the natural channel by Arizona Public Service Company (APS) to operate the Childs and Irving power plants. Only a small amount of seepage from the diversion dam and releases from the Irving facility support base flows of about 2.2 cubic feet per second in the stream channel. If decommissioning occurs

according to the terms of a settlement agreement signed by APS, American Rivers, The Nature Conservancy, the Yavapai-Apache Tribe, and the Center for Biological Diversity, APS will return minimum flows of 43 cubic feet per second to Fossil Creek no later than December 31, 2004. Renovation and any instream work would be much more difficult to achieve successfully once full flows are restored.

The draft EA identifies two sites in Fossil Creek that are suitable for a fish barrier:

- Upper Site – located 7.3 miles upstream of the confluence of the Verde River immediately north of the Mazatzal Wilderness
- Middle Site – located 2.8 miles downstream of the Upper Site in the Mazatzal Wilderness

Under the proposed action, a fish barrier would be constructed at the Middle Site.

Reclamation and the Forest Service are the lead Federal agencies responsible for preparing the EA. Reclamation would construct the fish barrier on Forest Service land and provide funding for renovation of the stream. Both agencies must render a decision whether to implement the proposed action, other action alternative, or the no action alternative. The purpose of this comment period is to provide an opportunity for the public to provide early and meaningful participation on a proposed action, pursuant to the National Environmental Policy Act and 36 CFR Section 215, prior to a decision being made.

Comments Requested

For your comments to be most effective, the comments need to be received by January 28, 2004. Written, facsimile, hand-delivered, oral, and electronic comments are all acceptable. Any comments received after the end of the official notice and comment period will be considered to the extent practicable. The Regional Forester is the responsible official. Written comments must be submitted to:

Ms. Nora B. Rasure, Forest Supervisor
Attention: Ms. Cecelia Overby
Coconino National Forest
2323 East Greenlaw Lane
Flagstaff, Arizona 86004
Facsimile: 928-527-3620

The office business hours for those submitting hand-delivered comments are:
7:30 a.m. – 4:30 p.m. Monday through Friday, excluding Federal holidays.

Oral comments must be provided at the Coconino National Forest Supervisor's Office during normal business hours via telephone 928-527-3600, in person, or at an official agency function (i.e., public meeting) that is designed to elicit public comments on this project.

Electronic comments must be submitted in a format such as an electronic-mail message, plain text (.txt), rich text format (.rtf), or Word (.doc) to comments-southwestern-coconino@fs.fed.us. Comments must have an identifiable name attached, or verification of identity will be required. A scanned signature may serve as verification on electronic comments.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Forest Service Appeal Eligibility

If someone wants to have standing to appeal the future decision based on this EA under Forest Service regulations (36 CFR 215, June 4, 2003), their comments must be received within the 30-day notice and comment period whose start is defined by the publication of the legal notice in the Arizona Republic. Those who provide substantive comments during this comment period are eligible to appeal. Individuals and organizations wishing to be eligible to appeal must provide the following information:

1. Name and Address;
2. Title of the proposed action;
3. Specific substantive comments (36 CFR 215.2) on the proposed action, along with supporting reasons that the Responsible Official should consider in reaching a decision;
4. Signature or other verification of identity upon request; identification of the individual or organization who authored the comment (s) is necessary for appeal eligibility;
5. For multiple names or multiple organizations, a signature must be provided for the individual authorized to represent each organization, or for each individual that wishes to have appeal eligibility, and
6. Individual members of organizations must submit their own substantive comments to meet the requirements of appeal eligibility as an individual, comments received on behalf of an organization are considered as those of the organization only.

The U.S. Department of Agriculture is an equal opportunity provider and employer.

The draft EA is available on the internet at the following address:

www.fs.fed.us/r3/coconino/nepa.index.shtml. It is also available for review at the following locations:

Bureau of Reclamation
Phoenix Area Office
2222 West Dunlap Avenue, Suite 100
Phoenix, Arizona 85021-2801

Coconino National Forest
Supervisor's Office
2323 East Greenlaw Lane
Flagstaff Arizona 86004

Tonto National Forest
Supervisor's Office
2324 E. McDowell Road
Phoenix, Arizona 85545

Coconino National Forest
Red Rock Ranger District
250 Brewer Road
Sedona, Arizona 86339

Tonto National Forest
Payson Ranger District
1009 East Highway 260
Payson, Arizona 85541

Additional information regarding this action can be obtained from Mr. Rob Clarkson at Reclamation's Phoenix Area Office (602-216-3858), or Ms. Cecelia Overby, Coconino National Forest Supervisor's Office (928-527-3460).

Thank you for your interest in this matter.

Attachment