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Frequently Asked Questions

Draft EIS: Southern Delivery System

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The Role of NEPA

1. What is NEPA?

“NEPA” is an acronym for the National Environmental Policy Act. The Act requires the federal government to publicly disclose those proposed actions that involve the federal government in some way (*e.g.* by using federal dollars, connecting to federal projects, crossing federal properties) and to assess the impacts of those proposed actions to the “human environment,” as defined by NEPA regulations.

More information on NEPA is available on the Council on Environmental Quality’s NEPA website at:

<http://ceq.eh.doe.gov/nepa/nepanet.htm> or read their 40 most frequently-asked questions at:

<http://ceq.eh.doe.gov/nepa/regs/40/40p3.htm>.

2. Why was an EIS required?

A study under NEPA is required because all the cities proposing the SDS (the “Project Participants”) would require contracts with the Bureau of Reclamation, a federal agency, to move water and also might require a physical connection to Pueblo Reservoir, a federal facility.

It was determined an Environmental Impact Statement, or “EIS,” the most thorough analysis allowed under NEPA, would be the appropriate environmental document because it was anticipated there will be environmental effects generated by the proposed SDS.

3. What is a Purpose and Need Statement? Who writes it?

The Purpose and Need statement is a description of why a project is being proposed and why it is needed. The project participants write the Purpose and Need Statement and present it, along with the proposal, to the lead federal agency. The lead agency reviews the Purpose and Need statement to make sure it fits within the definitions and parameters of NEPA.

4. Why is Reclamation allowing SDS to even be studied? Was the Fry-Ark Project intended for city use?

Neither Reclamation, nor NEPA, can prevent the Participants from pursuing construction of the SDS. But because its proposal would involve the federal government, Reclamation is legally obligated, as the lead federal agency, to study the SDS under NEPA. If, through the environmental analyses of the EIS, Reclamation decides to not recommend an Action Alternative, the Project Participants could actually still build SDS; they would just have to do so without Reclamation’s involvement, *i.e.* federal water contracts, physical connections to federal facilities.

Also, it is important to remember that the Fryingpan-Arkansas Project, of which Pueblo Reservoir is a part, is a multiple-use project, intended to serve municipal and agricultural interests, generate hydro-electric power and enhance recreation, fish and wildlife. Colorado Springs, Pueblo, and other municipalities, have been part of the Fry-Ark Project from its inception.



Alternatives Analysis and Effects

5. How did you determine and use costs in your analyses?

Cost criteria were determined by comparing existing and recently proposed municipal water projects up and down Colorado's Front Range. The cost criteria were used during the screening process to help develop the current list of seven alternatives. The criteria apply only to facilities for delivering and storing untreated water.

Additionally, socioeconomic effects were among the many environmental issues evaluated by Reclamation in its studies. The Draft EIS discusses how each alternative would affect water rates for customers of the Project Participants as well as for those whose water comes from elsewhere on the Arkansas River. Those effects helped Reclamation preliminarily identify its Preferred Alternative

6. What role did firm yield play in your analysis?

"Firm yield" is an amount of water an alternative could deliver under dry weather conditions. Like cost, it was a factor used during the screening process to help develop the current list of seven alternatives. All of the alternatives evaluated in the Draft EIS have yields that meet the Purpose and Need for the proposed SDS Project.

7. Why did Reclamation screen out wastewater reuse as an alternative?

Due to public interest during the scoping period, reuse of wastewater for potable purposes was included in the alternatives analysis. When Colorado Springs Utilities revised its portion of the No Action Alternative in late 2006/early 2007, it removed reuse. Because reuse had been of interest to the general public, Reclamation re-examined it as a stand alone alternative and studied it during the spring and summer of 2007.

The conclusion was that reuse, alone, did not fulfill the Purpose and Need of the proposed SDS. Alternatives using about one-half potable reuse were evaluated but dismissed from further consideration based on cost and responsiveness scoping issues. To see more of the discussion on reuse, please access the Addendum to the Alternatives Analysis report available on www.sdseis.com.

8. Why was a dam on Fountain Creek not considered? What is the "Petros Plan"?

A Fountain Creek dam was considered. The "Petros Plan" is a name used to describe a proposal submitted during the fall 2005 public meetings by attorney Ray Petros, a consultant to Pueblo County. It is intended to address Fountain Creek flooding and water quality concerns by constructing a flood control dam on Fountain Creek and requiring Colorado Springs to reuse its wastewater. Reclamation subjected this alternative to the same screening process applied to all other potential alternatives. However, the flood control dam of the "Petros Plan" was dismissed from further consideration due to serious technical, legal and environmental issues, some of which are documented in an earlier Corps of Engineers' flood control study, and because flood control is not part of the purpose of the proposed SDS Project.

A full discussion of the "Petros Plan" is provided in our Alternative Analysis report. In that report, we also explain why other proposed alternatives were not included in the Draft EIS. Some, such as the proposed enlargement of the existing Brush Hollow Reservoir, had environmental issues and/or did not meet the project's Purpose and Need. For alternatives such as the one proposed by Mr. Petros, we note that other efforts are currently underway to address issues specific to Fountain Creek, and recommend that it be considered as part of those efforts instead of under the SDS EIS.



9. Why was the Downstream Intake Alternative not the “Preferred Alternative” based on cost? Why was it “screened out.”

The Downstream Intake Alternative (Alternative 6) did exceed the screening criteria for costs; however, it was retained for detailed evaluation in the Draft EIS due to public interest. It was studied at the same level as all other alternatives in the Draft EIS.

After full analysis, Alternative 6 proved to be one of the most expensive alternatives and had similar environmental effects as the other alternatives. For those reasons, Reclamation did not identify it as the Preferred Alternative.

10. Will SDS affect the IGA Flow Agreement with Pueblo?

Reclamation is not a party to any of the Intergovernmental Agreements among various cities. However, Colorado Springs and Fountain are parties to the IGA Flow Agreement with the City of Pueblo and would be required to comply with that agreement if the SDS Project were to include a connection to Pueblo Dam.

11. Will SDS affect water levels in Pueblo Reservoir?

There would be slightly less water in Pueblo Reservoir during certain times of year under the majority of the alternatives. There would not be a noticeable change under the No Action Alternative.

12. Will SDS affect water levels in the Arkansas below Pueblo Reservoir?

There would be a slight increase in Arkansas River flow immediately above Pueblo Reservoir and a slight decrease immediately below Pueblo Reservoir.

Analysis Methods

13. How did Reclamation get from analyzing about 800 pages of Draft EIS information to a conclusion?

The NEPA process is the systematic evaluation of a range of reasonable alternatives. Through this process, Reclamation applies data collection, hydrologic modeling, public scoping and comment, and other methods to screen the alternatives. Alternatives may be dismissed if the data show they do not meet the Purpose and Need.

Using comments from the public scoping period in 2003 and 2004, Reclamation developed a set of technical screening criteria applied it to each option (part of an alternative) or complete alternative. The results of the screening helped Reclamation determine which alternatives should remain under consideration and which should be dismissed from detailed study.

After screening, those that remained were further analyzed for potential effects and for how, if at all, those effects could be avoided, minimized or mitigated. Based on the results of the effects analyses, detailed in the technical reports and/or the Draft EIS, a Preferred Alternative is identified.

Public review of the Draft EIS will help Reclamation know how to revise the alternatives and/or the effects analyses prior to issuing a Final EIS. The Final EIS will contain responses to substantive comments on the Draft EIS.

After Reclamation issues a Final EIS, it will issue the Record of Decision (ROD). Reclamation can issue the ROD no sooner than 30 days after issuing the Final EIS.



14. Why did you decide on Alternative 2 when all the alternatives have environmental effects?

The Participants' Proposed Action (Alternative 2) meets the Purpose and Need at the least cost to rate payers, uses less energy, and has *similar* environmental effects when compared to the other alternatives. For those reasons, Reclamation has preliminarily identified it as the Preferred Alternative.

Please keep in mind that the recommendations of the Draft EIS are not final. We are receiving public comment on the Draft EIS and will use it to prepare a Final EIS.

