

ORIGINAL



# United States Department of the Interior

## BUREAU OF RECLAMATION

Southern California Area Office  
27708 Jefferson Ave., Suite 202  
Temecula, CA 92590-2628



IN REPLY REFER TO:

SCAO-1500  
ENV-7.00

MAR 17 2009

2009 MAR 24 A 9:53

Honorable Kimberley D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Ms. Camilla Williams  
Division of Water Rights  
State Water Resources Control Board  
1001 I Street, 14<sup>th</sup> Floor  
Sacramento, CA 95814

Subject: Eagle Mountain Pumped Storage Project (P-13123-000), Riverside County,  
CA Comments on Scoping Document 1 (ER 09/06)

Dear Honorable Bose and Ms. Williams:

Bureau of Reclamation (Reclamation) staff have reviewed the subject scoping document. The following comments are provided for the purpose of providing informal technical assistance to the Federal Energy Regulatory Commission, and do not represent the views and comments of the Department of the Interior.

- a. Control Number: ER 09/06, FERC No. 13123-000
- b. Introduction: The applicant proposes to create a 1,300 MW pumped-storage hydro-electric generating facility using a former hard rock quarry site at Eagle Mountain, Riverside County, California. Water for the project would be supplied by groundwater wells in the Chuckwalla basin. The initial fill may require 25,000 acre-feet over a 2-year period, with 2,500 acre-feet per year thereafter to offset evaporation and percolation losses.
- c. General comments: The proposed groundwater wells are within the boundary of the Colorado River aquifer as defined by U.S. Geological Survey Water Resources Investigations Report Number 94-4005. Reclamation may have jurisdiction over the groundwater pursuant to a proposed rule published July 16, 2008 (73 Federal Register 40915-40932).
- d. Detailed Comments: The Secretary of the Interior, acting through Reclamation, is responsible for managing beneficial use of Colorado River water under a legal framework known collectively as "the Law of the River" and, in effect, is the Water Master for the Colorado River.

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The Consolidated Decree of the United States Supreme Court in *Arizona v. California*, 547 U.S. 150 (2006) requires the Secretary to provide complete, detailed, and accurate records of consumptive use of water extracted from the mainstream of the Lower Colorado River, including groundwater.

The Chuckwalla basin is within the accounting surface portion of the Lower Colorado River aquifer. The accounting surface elevation in the area of the project is currently defined at 238 to 240 feet above mean sea level, vertical datum of 1929, and represents the water table of the river aquifer that would exist if the only source of water to the aquifer were the river. The elevation values of the accounting surface were recently updated in U.S Geological Survey Scientific Investigations Report 2008-5113 available at <http://pubs.usgs.gov/sir/2008/5113/>.

The following criteria will be applied to determine whether wells within the accounting surface portion of the river aquifer will be considered to consume Colorado River water:

- Water pumped from wells within the flood plain is presumed to be river water.
- Wells in the aquifer outside the flood plain boundary with a static (non-pumping) water level less than or indistinguishable from the accounting surface are presumed to yield water that will be replaced by water from the river.
- Wells with a static level above the accounting surface are presumed to yield water that will be replaced by precipitation and inflow from tributary valleys.

e. Summary comments: The scoping document indicates that project effects to groundwater resources will be evaluated in an Environmental Impact Statement/Report. It would be helpful if this evaluation includes a prediction of potential groundwater draw-down in relation to the revised accounting surface elevation.

FERC and the applicant should coordinate with Reclamation to ensure that wells used to fill the reservoir and make up for losses are included in Reclamation's inventory of wells, including the location and static water elevation for each well. This information is necessary for Reclamation to determine if groundwater pumped for the project should be counted against California's State apportionment of Colorado River water at any point during the lifetime of the project.

Reclamation staff are prepared to provide consultative advice regarding our programs, facilities and mission relevant to the proposed hydro-electric preliminary permit. For additional information in the following areas, please contact:

- Environmental: Doug McPherson (Southern California Area Office), (951) 695-5310,
- Water accounting requirements or accounting surface information: Ruth Thayer (Boulder Canyon Operations Office, Water Conservation and Accounting), (702) 293-8426
- FERC Coordinator: Donald Bryce (Boulder Canyon Operations Office), (702) 293-8102.

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Thank you for the opportunity to review this project

Sincerely,



Douglas S. McPherson  
Environmental Protection Specialist

cc: LC-1000, 84-50000

Mr. Shawn Alam  
Office of Environmental Policy and Compliance  
1849 C Street, NW – MS 2462 – MIB  
Washington, D.C. 20240