
Water Acquisition and Management Subcommittee Position Paper: Cochiti Lake Water Issues

Introduction:

- Various options have been discussed in recent years on whether Cochiti Lake would or should have a role in water operations for the endangered Rio Grande silvery minnow within the Middle Rio Grande.
- Judge Parker, in his 19 April 2002 Opinion and Order on the Minnow v. Keys case, agreed with the Corps of Engineers' (Corps) interpretation of its authorities for the operation of Cochiti Lake.
- Under those authorities, Corps operates Cochiti Lake for flood and sediment control. In addition, PL 88-293 specifically authorizes a permanent recreational pool of 1,200 surface acres (approximately 50,000 acre-feet) with 5,000 acre-feet provide annually by the Bureau of Reclamation (Reclamation) from the San Juan-Chama Project.

Ongoing Investigations-Operations and Flood Control:

- The NM Interstate Stream Commission (ISC), Reclamation, and the Corps are conducting an Environmental Impact Statement (EIS) to refine and update the water operations in the Rio Grande Basin under existing authorities.
- Relative to Cochiti Dam, this EIS is evaluating potentials to increase the maximum rate of release of water during flood control operations.
- The current Corps criteria for flood control operations in the Middle Rio Grande is to limit maximum flood releases to 7,000 cubic feet per second (cfs) at the Albuquerque gage.
- The EIS will include evaluated alternatives that range up to 12,500 cfs at the Albuquerque gage.

Proposed Investigations and Potential Authorization Changes:

- The Corps is also working with the Pueblo de Cochiti (Pueblo) in seeking funds to jointly conduct an Environmental Baseline Study, expected to take two years, to assess a variety of potential water management changes for this reservoir.
- This baseline study would focus on impacts of reservoir volume and pool elevation changes, including no change, draining to half the current pool, and completely draining the reservoir to support the needs of endangered species.
- The study would also include the prospect of storing Pueblo water and other native Rio Grande water.
- Since most of the Cochiti Lake project is on Pueblo lands, the Pueblo will decide internally whether it is in their best interest to support a change in the current operations. The proposed study would be fundamental, but not necessarily the most important basis for their decision.

- If the Pueblo supports a change in the operation of Cochiti Lake, the Corps would then recommend an expanded scope of review to the entire affected community. This proposed investigation could lead ultimately to a proposed change in Congressional authorization for this Corps project.

Program Charge to the WAM regarding Cochiti Reservoir Operations:

- Task number 36 of the MRG ESA Collaborative Program's Implementation Plan states: "Think through and write down how the fundamental uncertainty associated with establishment of continuous silvery minnow habitat restoration through Cochiti Reservoir will impact the development of the interim plan and the long-term program."
- Tremendous uncertainty exists associated with the concept of habitat restoration related to a redeveloping channel through a potentially drained area of a reservoir.
- The Pueblo must be involved in any change to the current management of the permanent pool and their support of any proposed changes is critical.
- If the Pueblo agreed to drain the lake and restore minnow habitat through the reservoir area, the daunting task of dealing with fish passage through the dam would remain. Also, the reservoir area would still be subjected to periodic inundation for flood control operations during above average snowmelt runoff years and abnormal precipitation events.
- Another issue is the concern of sediment redistribution, as there are significant changes due to large releases of this material from a dry reservoir. The environmental health risks that may develop and impacts to habitat areas as the sediments are redistributed will need to be analyzed.
- There may also be issues associated with southwestern willow flycatcher and bald eagle habitat in the delta area of the upper reservoir as a result of any potential change in its operation.

Conclusions:

- The Corps adheres to the position that actions involving potential modifications to the operation of Cochiti Reservoir be deferred during the development of the interim plan to provide time for the Pueblo and/or the Pueblo and the Corps to complete the proposed Environmental Baseline Study.
- The WAM concurs with this position and recommends that the Program maintain a communication dialog with the Pueblo leadership to examine impacts and alternatives to all scenarios relative to a change in operations and program objectives of the ESA Collaborative Program.
- The WAM additionally recommends that issues concerning the future operation of Cochiti Reservoir regarding the long-term goals of Program also be deferred until a decision is made on the results of the Environmental Baseline Study.