

**Record of Decision  
of the  
Lower Colorado Region  
for the  
Wellton-Mohawk Title Transfer  
Yuma County, Arizona**

**I. Introduction**

This document is the Record of Decision (ROD) of the Department of the Interior, Bureau of Reclamation Lower Colorado Region (Reclamation), for the Wellton-Mohawk Title Transfer (Title Transfer) Final Environmental Impact Statement (FEIS). The FEIS, published in December 2006, was developed in compliance with the National Environmental Policy Act (NEPA), the regulations of the Council on Environmental Quality, and established Reclamation procedures. The Notice of Availability (NOA) was filed with the Environmental Protection Agency (EPA) and noticed in the *Federal Register* on January 12, 2007. The FEIS represents a thorough evaluation and analysis of the environmental consequences of two alternatives; the Proposed Action/Preferred Alternative and the No Action Alternative.

**II. Decision**

Reclamation's decision is to select the Proposed Action/Preferred Alternative described in the FEIS, subject to the conditions contained in this ROD. Reclamation selected to proceed with the Title Transfer because it meets the intent of the Wellton-Mohawk Title Transfer Act (Act) (Public Law 106-221, June 20, 2000, Appendix A of the FEIS) and the goals of the National Performance Review (REGO II), referred to as purpose and need in the FEIS. Although the No Action Alternative was the environmentally preferred alternative and would result in no direct impacts or changes, the selected alternative fulfills the purpose and need and will result in minor or acceptable impacts to the resources evaluated in the FEIS.

Implementation of the Title Transfer may occur in multiple conveyances. In each case, however, the transfer of lands is contingent upon available funding, completion of land records research and deed preparation, and fulfillment of applicable environmental commitments specified in Section VIII of this ROD. The primary environmental commitment actions involve: (1) Compliance with Section 106 of the National Historic Preservation Act (NHPA); and (2) Compliance with the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Components of the transfer may be transferred if they are not subject to environmental commitments or when relevant environmental commitments are completed.

The Title Transfer will be implemented through quitclaim deeds (QCDs) issued by Reclamation to the Wellton-Mohawk Irrigation and Drainage District (District). An initial QCD for a portion of the project may take place immediately, following issuance of the ROD. The number of acres and content of each component will be variable depending on operational, land title, funding, and other issues.

The project components to be transferred, as explained in the FEIS, fall generally into the following categories.

- Rights-of-way and easements for facilities.
- Lands and rights-of-way acquired from the Gila Valley Power District and Mohawk Municipal Water Conservation District.
- Lands acquired for the Gila Project.
- Other lands, for which the District will pay market value, including withdrawn lands, public lands, and lands acquired for other projects.
- Works and facilities situated on the above.

The implementation of the Title Transfer is also subject to the processes set forth in the Title Transfer Memorandum of Agreement (TTMOA) between the District and Reclamation dated July 10, 1998, as amended. The TTMOA is a procedural agreement detailing the roles and responsibilities of Reclamation and the District in carrying out the intent of the Act. The TTMOA, as amended, is located in Appendix A of the FEIS.

### **III. Background**

#### **A. History**

In response to the Act, Reclamation prepared a Draft EIS, and then the FEIS, to evaluate the potential impacts of the proposed Title Transfer. The Act authorized the Secretary of the Interior (Secretary) to transfer title to the works, facilities, and certain federally owned lands in or proximate to the Wellton-Mohawk Division of the Gila Project.

Congress approved the Gila Project on December 21, 1928. The Gila Project is comprised of two divisions: the Yuma Mesa Division and the Wellton-Mohawk Division (Map 1-1 in the FEIS).

The Wellton-Mohawk Division receives Colorado River water from a turnout on the Gila Gravity Main Canal (GGMC) at the western end of the District. From this point, water is carried approximately 18.5 miles eastward and parallel to the Gila River through the Wellton-Mohawk Canal, from which it is diverted into the Dome, Wellton, and Mohawk canals. From these three canals, the water is released to distribution laterals and distributed to water users. The present irrigation system layout has changed little from its original construction. Neither the GGMC nor any of the Yuma Mesa Division facilities are proposed as part of the Title Transfer.

#### **B. Wellton-Mohawk Division Facilities**

Facilities within the District cover an area approximately 45 miles long by seven miles wide. The facilities include irrigation and drainage systems, power lines and substations, various administrative buildings, and flood control works. The irrigation and drainage system serves 62,875 acres of irrigable land, primarily in private ownership. The flood control facilities include the Gila River Flood Channel, which protects against river floods, and numerous

dikes and floodway channels that harness overland runoff from rainstorms. Small portions of the Gila River Flood Channel rights-of-way (ROWS) are located outside the current District boundary at the eastern end of the project. These federal facilities, which the District operates, are further described in Section 2.2.1 of the FEIS.

### **C. Wellton-Mohawk Division and Other Lands**

The federally owned lands determined suitable for transfer include lands owned in fee-simple or held as easements by the United States that accommodate the facilities, plus other lands and land interests held by Reclamation for Gila Project or other purposes. The federal lands and easements for Division facilities comprise approximately 28,197 acres within the District boundary. The other lands and rights comprise approximately 19,341 acres located both within and outside the District boundary. These lands and associated rights, aggregating to approximately 47,538 acres, are further described in Section 2.2.2 of the FEIS.

## **IV. Alternatives Analyzed in the EIS**

Two alternatives were analyzed in the EIS: the Proposed Action/Preferred Alternative and the No Action Alternative.

### **A. Proposed Action/Preferred Alternative**

The Proposed Action/Preferred Alternative will transfer approximately 47,538 acres of works, facilities, and lands to the District. To fulfill the purpose and need and consistent with the Act, Gila Project and associated federal lands are appropriate for inclusion. As intended, the Title Transfer will reduce government cost, responsibility and liability. The Title Transfer also will consolidate ownership and management responsibility with the District, allowing it to assume greater responsibility and authority over development in the Gila River Flood Channel and Wellton Mohawk Valley. This consolidation will enhance public safety and flood control and protect against development encroachment on prime agricultural lands by directing development to less productive lands.

### **B. No Action Alternative**

Under the No Action Alternative, the Title Transfer would not occur. The facilities, works and lands of the Wellton-Mohawk Division of the Gila Project would continue to be held by the United States and operated under the existing contracts with the District. Certain lands would continue to be operated by the District according to the purposes for which the Gila Project was authorized, subject to applicable agreements and contracts. Lands would be available for disposal under other authorities. This would be contrary to the Act, and Reclamation's purpose and need would not be met.

The No Action Alternative would not directly cause any impacts to environmental resources, making this the environmentally preferred alternative. However, under NEPA, there is no requirement that actions selected must result in the least impacts, if impacts are acceptable

when weighed against the fulfillment of the purpose and need. The intent of NEPA is disclosure of the analysis of the impacts from the proposed action.

## V. Basis of Decision

The alternatives were evaluated on the basis of: (1) how well each meets the purpose and need for the Proposed Action as set forth in the EIS; (2) the impacts of each on the human environment; (3) compliance with terms of the Act; and (4) how well each meets the criteria in Reclamation's *Framework for the Transfer of Title: Bureau of Reclamation Projects*, dated August 7, 1995. The purpose and need for the Proposed Action is reiterated as follows.

As part of the second phase of the National Performance Review (REGO II), Reclamation is undertaking a program to transfer title to facilities with local or regional rather than national importance that could be more efficiently and effectively managed by non-federal entities. This effort recognizes Reclamation's commitment to a federal government that works better and costs less. The transfer of title will divest Reclamation of the responsibility for the operation, maintenance, management, regulation of, and liability for the Gila Project facilities and appurtenant lands by transferring the responsibility to an entity that has operated and maintained the facilities for over 50 years. The transfer of title would consolidate management responsibility with the District, and thereby allow the District to have greater authority in the management of growth in the Wellton-Mohawk Valley, protect against encroachment on agriculture, and consolidate ownership of lands, facilities, and the Gila River Flood Channel (DOI 1996).

The Proposed Action will have minor, acceptable, or no adverse impacts on Land Resources, Geologic Resources, Soil or Water Resources, Socioeconomic Conditions, Public Health and Safety, Air Quality, Transportation, Biological Resources, and Recreation. There are no impacts to Indian Trust Assets and no issues of Environmental Justice involved. The U.S. Fish and Wildlife Service provided concurrence with Reclamation's determination of may affect but not likely to adversely affect the Yuma clapper rail and southwestern willow flycatcher. Reclamation has complied with the requirements of Section 7 of the Endangered Species Act (ESA).

There will be adverse impacts to cultural resources eligible for listing on the National Register of Historic Places (hereinafter, "eligible sites"). Impacts to eligible sites will be addressed through completion of the Section 106 process for those lands containing eligible sites. If any parcels containing eligible sites are transferred, compliance with Section 106 would result in development of an Historic Properties Treatment Plan and a Cultural Resources Memorandum of Agreement (CRMOA) that address the protection of eligible sites, or mitigation of adverse effects where protection or avoidance are not viable options.

A limited number of eligible sites remain within the Title Transfer area. Through the development of the Proposed Action, conscious decisions were made to remove lands with high concentrations of eligible sites. Lands with eligible sites removed as a result of these decisions (prior to publishing the FEIS) will be retained in federal ownership. The eligible sites remaining

on the land to be transferred under the Proposed Action cannot be reasonably excluded from the overall Title Transfer area without creating significant land management conflicts.

Because the number of eligible sites on lands to be transferred under the Proposed Action is small, it has been determined that significant portions of the Title Transfer, not involving eligible sites, may be transferred and QCDs issued. Execution of QCDs for those lands will not result in adverse impacts to cultural resources, and will not restrict subsequent consideration of measures to avoid, minimize or mitigate adverse effects on eligible sites within the remaining lands, as appropriate. Consultation under Section 106 of the National Historic Preservation Act and the regulations at 36 CFR 800 (Section 106) will continue for the remaining lands containing eligible sites. Those parcels will not be transferred until the Section 106 process is completed.

The proposed Title Transfer meets the stated purpose and need, while the No Action Alternative, which does not involve a transfer of land and facilities from federal ownership, does not. The Proposed Action complies with all applicable provisions of the Wellton-Mohawk Transfer Act whereas the No Action Alternative does not achieve the intent of Congress in the Act. The Proposed Action also satisfies the criteria set forth in the Title Transfer Process (Section 1.4 of the FEIS), which is designed to assure that the public interest is protected when transfers of land to non-federal entities are proposed.

## **VI. Resources Evaluated**

The primary resources that were evaluated for impacts are listed below. The table in the Executive Summary of the FEIS summarizes the impacts of the two alternatives.

1. Land Resources
2. Geologic Resources
3. Soil Resources
4. Water Resources
5. Biological Resources
6. Cultural Resources
7. Socioeconomic
8. Public Health & Safety
9. Air Quality
10. Transportation
11. Recreation
12. Indian Trust Assets
13. Environmental Justice

## **VII. Summary of DEIS Scoping, Comments, and Consultations**

All comments submitted at scoping meetings and during the Draft EIS review period were responded to individually in the FEIS. As part of the EIS review process, approximately 170 copies of the DEIS were distributed to interested federal, tribal, state, and local entities and

members of the general public for review. In addition, nearly 300 letters were sent to interested parties notifying them of the availability of the document. The DEIS also was posted on Reclamation's Yuma Area Office website for public review. Reclamation facilitated two public hearings to receive oral and written comments on the DEIS. Public hearings were held at:

- Antelope Union High School in Wellton, Arizona, on October 1, 2003, and
- Ramada Inn and Chilton Conference Center in Yuma, Arizona, on October 2, 2003.

In addition to one oral comment made at these hearings, Reclamation received eight letters with comments pertaining to the DEIS. Letters were received from House of Representatives Congressman Ed Pastor, El Paso Natural Gas, Arizona Clean Fuels, Arizona State Historic Preservation Office (SHPO), Bureau of Land Management, EPA, and a joint letter from Defenders of Wildlife, Environmental Defense, National Wildlife Federation, Pacific Institute, Sierra Club, Western Resource Advocates, and the Audubon Society.

Reclamation reviewed the transcripts of oral testimony and the written comments received during the public comment period. Copies of comment letters and Reclamation's responses to comments are included in Appendix I of the FEIS. The following are the primary public issues identified on the proposed title transfer:

- Environmental impacts including: potential development of the transferred land; loss of protection under federal environmental laws, primarily NHPA and ESA; and loss of federal natural resources enhancement opportunities--primarily endangered species protection and wetland development after the transfer.

*As discussed in the FEIS and as described in Section VIII below, compliance with NHPA and ESA, will address this concern.*

- Analysis of future habitat management along the Gila River corridor in the District.

*The Gila River Flood Channel and the adjacent wetland mitigation areas are managed by the District under the terms of the Section 404 permit issued by the United States Army Corps of Engineers (USACE) for the Gila River Flood Channel. Title transfer will not change the USACE habitat management program, as described in Section 3.6 of the FEIS.*

- Concerns over effects on the Colorado River water supply and water quality, effects on the Yuma Desalting Plant operations, water supply for Colorado River delta in Mexico, establishing additional controls over agricultural return flows, effects on power contracts and power generation, and effects on the Colorado River Multiple Species Conservation Plan.

*These issues are important, but not relevant to this project. Title transfer will not affect existing contractual, regulatory or other relationships and obligations in the District.*

- No boundary surveys, title searches, cadastral surveys, appraisal or other real estate transactions have been completed.

*All required real estate transactions prerequisites will be completed prior to the transfer and are listed under Environmental Commitments in section VIII of this ROD.*

- The current value of the facilities and lands to be transferred should be identified.

*Wellton-Mohawk Division construction involved a financial commitment by the District when it originally executed its repayment contract with Reclamation. The repayment obligation has been discharged and the current value of the facilities and lands to be transferred to the District has no bearing on the title transfer.*

- The current value of the lands to be purchased should be identified.

*A proprietary appraisal was prepared to establish the market value of the lands to be purchased, pursuant to the TTMOA.*

#### Comments Received from Indian Tribes during Section 106 (NHPA) Process:

- A 100-percent cultural resource inventory was not performed and consultation between Reclamation and Tribes was not meaningful.

*Reclamation made a good faith effort to locate cultural resources on transfer lands. An inventory of all undisturbed lands was performed and a geomorphology study was conducted on the flood plain and other project lands. Reclamation also requested information on the location of eligible sites and other cultural resources from various sources, including Indian Tribes. Reclamation officials and staff met with Tribes on more than 30 occasions and made numerous modifications as a result of tribal concerns.*

## **VIII. Environmental Commitments**

### **A. Compliance with Environmental Laws and Regulations**

Responsibilities for compliance with federal environmental laws and regulations are described in paragraph 1.b. of the July 10, 1998 TTMOA. Reclamation has ensured compliance with NEPA, NHPA, CERCLA and other applicable federal laws, as necessary for transfer of ownership of works, facilities, and designated lands. The District shall ensure that the works, facilities, and lands to be transferred will be operated in accordance with authorized purposes. No change in project purpose, operation or use will occur as a result of the Title Transfer.

## **B. NHPA: Section 106 Compliance**

Efforts to identify eligible sites and other cultural resources in the Title Transfer area have been completed, and Section 106 requirements have been satisfied for the lands included in the initial Title Transfer; no eligible sites are involved in those lands. However, compliance with Section 106 is still in progress for the remaining lands containing eligible sites. Reclamation has prepared a draft Historic Properties Treatment Plan and a draft CRMOA. These documents have been developed in consultation with the Advisory Council on Historic Preservation (Council), SHPO, and the District, and taking into account comments from Tribes and interested parties. If lands containing eligible sites are transferred, execution and implementation of the CRMOA and the Treatment Plan would fulfill Section 106 requirements. Section 106 requirements will be completed, either through the Treatment Plan, CRMOA, or other appropriate means, prior to transfer of any lands containing eligible sites.

## **C. Hazardous Substances Compliance**

Phase I and Phase II Environmental Site Assessments (ESAs) were conducted in 2003 and again in 2007 to identify any hazardous substances or materials on lands to be transferred in accordance with Environmental Protection Agency (EPA) regulations, All Appropriate Inquiries (AAI) regulations, and American Society of Testing and Materials (ASTM) standards (E 1527-05). Recognized Environmental Conditions (RECs) were observed during both Phase I investigations. Further evaluations were performed during the Phase II ESA. One site has been identified as requiring additional remedial efforts before it can be transferred:

- **District Headquarters Sandblast Area**

*Based on a review of non-hazardous waste manifests provided by the District, 96.85 tons of sandblast media were transported to the Copper Mountain Landfill in Wellton, Arizona between September 18 and 22, 2003. NEI Environmental, Inc. performed a Phase II ESA of the sandblast area, collecting soil and sandblast media samples. The samples were analyzed for arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver. Arsenic was reported at concentrations exceeding the Arizona Department of Environmental Quality Residential/Non-Residential Soil Remediation Level (SRL) of 10 mg/kg for four of the samples. A 1.25 acre parcel surrounding the sandblast area will not be transferred until remediation is completed.*

Appropriate provisions will be inserted in the QCDs to protect the interests of the United States and the public relative to hazardous substances.

## **IX. Public Response to the FEIS**

On January 12, 2007, Reclamation published the Notice of Availability of the FEIS in the *Federal Register*. With respect to the comments received on the FEIS and pursuant to Reclamation's NEPA guidance, only in special circumstances should specific comments be addressed in the ROD. If comments raise significant new issues, the need to supplement the



FEIS may be considered. Reclamation does not believe that the comments received raise any significant issues that would require supplementing the FEIS. Below is: (1) Reclamation's response to a letter from Morrisset, Schlosser, Jozwiak, and McGaw, legal representatives for the Quechan Indian Tribe; and (2) electronic mail (e-mail) correspondence from the Bureau of Land Management, Yuma Area Office.

**A. Comments from the Quechan Indian Tribe, Letter Dated January 30, 2007**

The Quechan Indian Tribe has expressed concerns over the impacts of the Title Transfer. A summary of those concerns and Reclamation's responses are as follows:

Issue 1: The Environmental Impact Statement does not adequately address Arizona Clean Fuels's (ACF) plans for an oil refinery on Title Transfer lands. Reclamation's reliance on another federal agency to complete a separate NEPA process deprives the Quechan Indian Tribe and the public of their right to comment on the oil refinery project. Reclamation was aware of the refinery site selection and therefore must supplement the DEIS and provide a thorough assessment of direct and indirect impacts to cultural and natural resources. The oil refinery opens the doors for an industrial corridor along the Interstate 8.

Response:

The District's negotiations with ACF began several years after passage of the Act. ACF has considered several possible locations for its proposed oil refinery, including sites not included in the Title Transfer Area. (JL) Under NEPA, it is Reclamation's responsibility to describe direct, indirect and cumulative impacts within its control and responsibility. Reclamation does not have any control over the location and siting of the proposed oil refinery in implementing the Title Transfer with the District, and there is no causal connection between the Title Transfer and a third party proposal to locate an oil refinery in the Wellton-Mohawk Valley. The possible oil refinery will stand or fall on its own merits. The proposed oil refinery is not a reasonably foreseeable result of the Title Transfer with the District. Further, if the proposed oil refinery is developed at some point in the future, it would be considered a federal undertaking and would require permits from several Federal agencies. The project would be subject to a separate NEPA analysis and compliance with Section 106 of the National Historic Protection Act. If the District sells land to ACF, there are no guarantees that the refinery will be built. Should plans for the oil refinery move forward, the tribes and public will have ample opportunity to comment on significant impacts to cultural and other resources.

Issue 2: The Title Transfer and proposed oil refinery are sufficiently connected to require a simultaneous environmental review and should not be segmented.

Response:

The Title Transfer fulfills Reclamation's mission to reduce federal involvement and control over its irrigation and drainage systems by transferring that responsibility to the entity that has been operating it for over 50 years. Reclamation is not involved in negotiations with ACF or any other industrial developers. The two actions are not "connected actions" as defined by CEQ Regulations at 1508.26. One action does not automatically trigger the other.

Neither action depends on the other in the sense that it cannot proceed unless the other action is previously or simultaneously taken; furthermore, the two actions are not interdependent parts of a larger action that depends on the larger action for their justification. Consequently, the two actions do not warrant a simultaneous review. Under NEPA, Reclamation's responsibility for direct, indirect, and cumulative impacts extends to reasonably foreseeable actions within Reclamation's control and responsibility. Reclamation does not have control over the location and siting of the proposed refinery in this proceeding and there is no causal connection between the Title Transfer and the oil refinery. Thus, the oil refinery is not a reasonably foreseeable result of this action.

Issue 3: The Cumulative Impact Analysis should be supplemented to include in its analysis a proposed ethanol plant adjacent to the proposed ACF oil refinery.

Response:

These developments are speculative and may or may not occur. Cumulative effects will be addressed if and when these projects move forward. The proposed ethanol plant is a very recent speculative notion. The large quantity of private land available for development in this area further demonstrates the lack of dependence of these future developments on the Title Transfer. Reclamation's responsibility for direct, indirect and cumulative impacts under NEPA extends to reasonably foreseeable actions within Reclamation's control and responsibility in this proceeding. Reclamation does not have any control over the location and siting of the ethanol plant in this proceeding, and there is no causal connection between the Title Transfer and the proposed oil refinery. The ethanol plant is speculative and is not a reasonably foreseeable result of the Title Transfer with the District.

Issue 4: Reclamation's cultural inventory of undisturbed lands does not adequately assess impacts to cultural resources in the project area.

Response:

Reclamation believes that more than 90 percent of all eligible sites in the Title Transfer Area have been identified. The original survey design included a search of previously recorded sites, an intensive inventory of high probability areas, and sampling of moderate and low probability areas. The study also included a Traditional Cultural Properties (TCPs) inventory and a geomorphology assessment of the flood plain and adjacent landforms. This valuable study revealed that most of the project area has little or no potential for subsurface deposits. All undisturbed lands have been surveyed. The majority of unsurveyed lands are located in cultivated fields or on lands with disturbed surfaces.

A federal agency is required to make a "reasonable and good faith effort" (36 CFR 800.4 (b) (1)) to identify archaeological properties eligible for the National Register. The Arizona SHPO and more recently, the Advisory Council on Historic Preservation, concluded that Reclamation's identification effort was adequate and satisfied Section 106 requirements. Thus, Reclamation has satisfied its obligations to make a "reasonable and good faith" effort to identify eligible sites in the Title Transfer Area.

Reclamation is aware that the Title Transfer lands are within the aboriginal territories of the Quechan Indian Tribe and other tribal groups. Even so, the Quechan Indian Tribe has not identified any specific TCPs or other eligible sites in the Title Transfer Area that Reclamation failed to investigate or consider. Further, Reclamation has excluded the vast majority of eligible sites identified from the Title Transfer and most eligible sites identified will remain in federal ownership. Any eligible sites that may eventually be transferred will be addressed through the Section 106 process.

Issue 5: Failure to address tribal comments in the FEIS.

Response:

Neither the Quechan nor other consulting Indian tribes commented on the EIS during scoping or the DEIS comment period. Reclamation did however receive numerous letters from the Quechan and other tribes in relation to the Section 106 process. The concerns of tribes were considered and analyzed in the FEIS. Correspondence between Arizona SHPO and Reclamation (Appendix I of the FEIS) summarizes tribal comments related to the adequacy of the identification effort and TCP inventory, and a perceived lack of meaningful government-to-government consultation.

Issue 6: The Quechan Indian Tribe has concerns with the manner in which Reclamation conducted the Section 106 process. The Tribe feels that the area of potential effect is narrow and that inadequate efforts were made to identify Traditional Cultural Properties (TCPs).

Response:

With few exceptions, the District will continue to operate and manage the facilities and lands as they have for decades and there is little potential for the destruction to unknown sites. Large parcels of lands with eligible sites near Division boundaries have been removed from the transfer, thus providing a safe buffer in most areas. Lands with potential TCPs have been removed from the Title Transfer in response to tribal concerns. Unfortunately, Reclamation was unable to obtain the information from tribes needed to meet the National Parks Service's, Bulletin 38 guidance. Nonetheless, the more sensitive sites were removed from the Title Transfer and will be managed in accordance with Section 110 of the NHPA. Reclamation has not ruled out the establishment of an archaeological district for these sensitive areas and may explore the possibility of adding lands with eligible sites to the adjacent Muggins Mountains Wilderness Area.

Consultation with the tribes commenced in 2003 prior to any cultural resource studies. Since then, numerous government-to-government and information (technical) meetings have been held to keep the tribes abreast of Section 106 activities and to seek their input. Many concessions have been made based on tribal comments. Reclamation prepared a draft MOA and distributed it to the tribes and SHPO concurrently. The preliminary document takes into account past tribal comments and concerns. Reclamation will consider reasonable comments on the draft document. Reclamation has been respectful of tribal sovereignty and heritage and has spent several years attempting to balance tribal needs, the needs of the District, and its own mission.

As stated in this ROD, Reclamation intends to transfer those lands with no historic properties to the District. Lands with eligible sites will remain in federal ownership until the Section 106 process is completed. Reclamation will continue to consult with the Quechan and other tribes, as well as the public, in hopes of resolving concerns.

**B. BLM, Yuma Area Office, request for Global Information System (GIS) files**

Issue: The Anza Trail once followed the lower Gila River and possibly crossed Title Transfer lands. The BLM is attempting to determine if the Title Transfer will impact the historic trail route.

Response:


On January 9, 2007, BLM requested GIS data on the proposed Title Transfer land that may impact the Juan Bautista de Anza National Historic Trail. Reclamation has provided GIS "shape files" to the BLM Yuma Area Field Office. The District has indicated that they are willing to work with the BLM in the placement of signage or monuments, if it is determined that the historic route passed through Title Transfer lands.

**X. Alternation of Project Plan in Response to Public Comment**

Public comments on the FEIS did not result in changes to the Proposed Action or selection of the Preferred Alternative.

**XI. Signature**

Approved By:

  
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Larry Walkowiak, Acting Regional Director  
Lower Colorado Regional Office

*March 26, 2007*  
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Date