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CLARK, LINCOLN, AND WHITE PINE COUNTIES
GROUNDWATER DEVELOPMENT PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
SCOPING MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

On Tuesday, August 9, 2011

At 5:00 p.m.

At the White Pine High School

1800 Bobcat Drive

Ely, Nevada

Reported by: Deborah Ann Hines, CCR #473, RPR

1 FACILITATOR JOHN GODEC: Good evening,
2 everybody. I think we'd like to get the public
3 hearing portion of this evening's hearing started. I
4 want to thank you again for joining us tonight and
5 remind you again that when you came in you got a
6 brief ten page summary of this project. If you
7 haven't had a chance to go through it, if you're not
8 familiar with the project, it's I think a very good
9 start, a good snapshot about what this is about.

10 If you would like to speak tonight and you
11 have not yet filled out a speaker card, please do so
12 at the back of the room at the table when you came
13 in. We only have about nine people that have
14 actually submitted speaker cards, so if you weren't
15 planning to speak but were considering it, please
16 reconsider and feel free to fill one of those out.
17 We need to hear from you.

18 We're going to ask you tonight to please
19 keep your comments to five minutes. I'll hold up a
20 yellow card and give you an indication when you've
21 got about a minute left. So if you could adhere to,
22 we appreciate it to be fair for everybody. If you
23 brought anything in writing that you intend to read
24 tonight, and you think it's going to take you longer
25 than five minutes, please leave it with Debbie, our

1 court reporter, and we will make sure that we capture
2 every bit of it for the formal public record.

3 So with that let me introduce you real
4 briefly to Dr. Michael Dwyer, our public hearing
5 officer for tonight, who will walk through the rest
6 of the proceedings.

7 DR. MICHAEL DWYER: Good evening, everyone.
8 Good evening and welcome. Thank you for being here
9 tonight. The purpose of this hearing is to hear your
10 comments on this document, Clark, Lincoln and White
11 Pine Counties Groundwater Project Draft Environmental
12 Impact Statement. This document was prepared by the
13 Bureau of Land Management with the help of the
14 environmental consulting firm AECOM in response to an
15 application that the BLM received from the Southern
16 Nevada Water Authority in 2004 for rights-of-way
17 across public land to build a groundwater pipeline
18 and the facilities to transport groundwater.

19 Let me be clear that the Bureau of Land
20 Management has not made a decision on that
21 application at this point in time. The National
22 Environmental Policy Act requires that before we do
23 so, before we make that decision, we document and
24 take into consideration the impacts that would result
25 from this proposed project. So this document, the

1 final version of this draft environmental impact
2 statement, will be the vehicle for conveying the
3 impacts of this proposed project to the decision
4 makers, so it's very important that we get it right.

5 This hearing is your opportunity to help us
6 make it as clear, comprehensive and accurate as it
7 can be. And please know that several alternatives
8 were analyzed in this document, including a No Action
9 alternative, and what No Action means is that
10 describes the impact if BLM were to deny this
11 application and continue with current land uses.

12 So let me clarify what this hearing is not.
13 First, it's not about the allocation of water rights.
14 That decision is not a BLM decision. The allocation
15 of water rights is under the jurisdiction of the
16 State of Nevada, and specifically the Nevada state
17 engineer, who will conduct separate public hearings
18 this fall before rendering a decision on the Southern
19 Nevada Water Authority's application for water
20 rights.

21 Second, this part of the meeting is not a
22 debate. The first part of the session was designed
23 to answer your questions about this project. This
24 portion of the meeting is about listening to you,
25 what you have to say about this project and what you

1 have to say about this environmental impact
2 statement, this draft. It's a formal public hearing
3 in which each person who wants to make comments
4 orally in a public forum will be given the
5 opportunity to do so. Your comments and questions
6 will be captured, as John said, by Debbie, our court
7 reporter, and will be addressed in writing in the
8 final environmental impact statement.

9 Please be aware that if you ask a question
10 while you're at the podium, we will note them in the
11 record and we will address them in the final EIS but
12 we won't respond during this hearing. If you have
13 questions you think of during this hearing, you're
14 very welcome to stand up, walk to the back of the
15 room, seek out one of the BLM folks or the AECOM
16 folks and step out of the room and get your question
17 answered.

18 We want to hear from everybody who has
19 something to say. I don't think time is going to be
20 an issue tonight. As John said we'll go about five
21 minutes per person and he'll hold up some cards to
22 help you manage your time while you're at the podium.
23 When you see the time expired card, please wrap up
24 your comments. And as he said, if you have comments,
25 more extensive comments than you can share with us in

1 five minutes, we still want to hear them, so please
2 submit them in writing.

3 Written comments carry just as much weight
4 as your verbal testimony here, and may be submitted
5 to BLM any time until October 11th of 2011. That's a
6 30-day extension of the original comment period.

7 Regarding audience participation, please
8 treat the speaker as you'd like to be treated when
9 it's your turn here at the podium. Please don't
10 interrupt the speaker, and please note that audience
11 comments and your reactions will not be part of the
12 record.

13 Finally let me explain what happens from
14 this point forward. The comments you make here
15 tonight, along with all the comments we collect at
16 the public hearings and in writing, will be used to
17 develop a final version of this environmental impact
18 statement, and we expect to have it available for
19 review in mid 2012. It will include a comment
20 response document that explains how we have used all
21 the comments that we've received.

22 When the final EIS is ready for release,
23 we'll publish a notice of availability in the Federal
24 Register, as well in local newspapers, and we'll post
25 it on the website, the BLM website. A decision on

1 the right-of-way application can be rendered by BLM
2 any time 30 days after that notice of availability is
3 published. A formal record of decision will be
4 published and posted when that decision is made.

5 So once more I'd like to extend my sincere
6 thanks to all of you for your willingness to be here
7 and participate in this process. I've worked on a
8 lot of environmental impact statements in my 31 years
9 with BLM and they're always better in the end for
10 vigorous public review and comment, so I thank you
11 for being here.

12 So with that I'll call this hearing to order
13 and ask John, our facilitator, to please call the
14 first speaker.

15 FACILITATOR JOHN GODEC: I will call the
16 speakers in the order that we received them but we
17 always defer to elected officials and give them the
18 opportunity to speak first, so I'll ask White Pine
19 County Commissioner Perea to come up.

20 When you come up, please spell your name and
21 give us your address.

22 GARY PEREA: My name is Gary Perea, that's
23 P-e-r-e-a. I'm from Baker, Nevada. And I wanted to
24 let you know what White Pine County will be
25 submitting written comments so I won't go into detail

1 on these comments. I want to let you know what White
2 Pine County has been doing in this process.

3 White Pine County has been a cooperating
4 agency since the beginning when this started, and
5 I've been representing the County at those meetings.
6 We've had a number of face-to-face meetings and
7 telephone conference meetings and I've been
8 participating in all of those.

9 We also have a lot of help within the
10 county. I want to point out those individuals. Bill
11 Butts and Robin Bell have been part of the water
12 community, done a lot of work, helped me. Also in
13 particular Karen Real has done a lot of great work in
14 making those comments. Unfortunately many of those
15 comments weren't instituted or put into the place
16 where we're hoping that they go. Maybe this time.
17 We'll keep on trying.

18 Reading the document and having gone through
19 this process, I am disappointed in the outcome or the
20 product of this document. I hope that you all have a
21 chance to look at it and read it. I should point out
22 that we do have a hard copy both at the commission
23 chambers and at the White Pine County Library, so as
24 you're reading the executive summary and you have
25 this disk and the map doesn't look right, you can

1 always go back and look at those documents there.

2 But one of the areas that I spent most of my
3 time on was the socioeconomic portion of the EIS,
4 because I felt like I had more knowledge and was able
5 to maybe address some of those issues that come up.
6 And I was disappointed in that section. Over the
7 five, five and a half, six years that they worked on
8 this document, what I can figure is the BLM only
9 spent about maybe six or seven months on that
10 section. It seems to me that deserved a lot more
11 than that.

12 Those water applications have been
13 established since 1989, and having those applications
14 just sit there has had an effect on the economy. And
15 I think that should have been more fully analyzed,
16 and also the fact what is the pipeline going to do,
17 water withdrawal going to do to the economy in these
18 valleys? I don't think they addressed it. I don't
19 think they addressed it adequately. So I would hope
20 that you all would look at that.

21 There are some good portions, parts of the
22 document. The County did hire a hydrologist, Tom
23 Myers, who looked at the document on our behalf and
24 came up with some comments. And the hydrology model
25 shows the impacts but I believe that the impacts will

1 happen much sooner than what the document is saying,
2 so I hope that you maybe will all take a look at that
3 as well.

4 And I think, you know, this water project is
5 full of steps, this is just one step, but it's an
6 important step and I hope that you all take a real
7 good look at those comments. And if you do have some
8 comments, I would say that not only should you give
9 those to be BLM but I would like a chance if you give
10 it to me and/or to the County, come to our water
11 committee meetings and let us know some of the things
12 that you're concerned about, it may be something that
13 we missed. So thank you and I'm glad to see
14 everybody here.

15 FACILITATOR JOHN GODEC: J.J. Goicoechea is
16 it? And I apologize if I butchered your name.

17 J.J. GOICOECHEA: That's okay. It's the
18 common spelling.

19 FACILITATOR JOHN GODEC: Would you please
20 spell your name and give us your address.

21 J.J. GOICOECHEA: J.J., G-o-i-c-o-e-c-h-e-a,
22 mailing address, P.O. Box 589 in Eureka, 89316.
23 Despite my area of the address, I am a fourth
24 generation north valley White Pine County rancher.
25 I'm actually here tonight serving in my capacity as

1 president elect of the Nevada Cattleman's
2 Association, the state affiliate of the National
3 Cattlemen's Beef Association.

4 I'd like to echo the County Commissioner's
5 concerns our association has about the socioeconomic
6 impacts in this document as well. I don't feel that
7 perhaps they were adequately addressed. As he
8 alluded to, what's going to happen to these ranching
9 and agricultural communities in these valleys? Over
10 the years those communities have maintained our
11 cities and our towns in times of up and down
12 economics.

13 This document says that there will be over
14 300 springs and a hundred miles of stream that will
15 be negatively impacted. That's going to negatively
16 impact the ranching community for sure. That goes to
17 your grocery stores, your parts stores, your hardware
18 stores, everything right on down the line. Those are
19 going to disappear.

20 The other thing that is a little bit
21 concerning to us, the BLM is charged with maintaining
22 multiple use of our public lands. And as I read
23 through this, yeah, we know the impacts and we talk
24 about mitigation, but yet recreation, wildlife, wild
25 horses, ranching, they're going to go away in a vast

1 area. There's hundreds of thousands of acres of
2 shrub land and surface vegetation that are going to
3 be impacted by this. And we can talk about
4 mitigation but I think we all know Nevada is a very
5 unforgiving state. And if we're going to try to
6 re-vegetate, that's probably not going to work,
7 especially for pulling so much groundwater out.

8 We talk about the subsidence of the land.
9 We're already seeing a lot of ground subsidence in a
10 lot of basins across the state that aren't pulling
11 this amount of water. And I know that this isn't
12 about the water rights permitting process but unlike
13 the Field of Dreams I believe if we don't build it,
14 they won't come. So I think we really need to take a
15 look at that permit process. And are we going to
16 grant them a right-of-way through here, because once
17 the pipeline is there and the right-of-way is there,
18 they're going to fill it up with water and they're
19 probably not going to stop here, we all know that.

20 So I would encourage the BLM to slow down.
21 It's six years in the process. Let's take a good
22 look at this. And I commend you on allowing us to
23 extend the comment period. I understand it's already
24 been extended. Our association will be submitting
25 formal comments. So let's slow down, let's take a

1 good, in-depth look at the socioeconomics of what
2 it's going to do to our rural lifestyle out here.
3 Thank you.

4 FACILITATOR JOHN GODEC: Carol Hunt.

5 CAROL HUNT: Carol Hunt, HC 32 box 32324,
6 Ely, 89301. My comments are I agree with him
7 wholeheartedly, if you don't build, they won't come.
8 I know you're dealing not with them but if our
9 neighbors to the south would be more neighborly and
10 go and find the ocean water and desalinate like
11 Florida and Holland and the Middle East and many
12 countries too, where I just saw a documentary on TV
13 about Norway having the most water. If they went and
14 had them send water over to Clark County, that would
15 be lovely, and leave us the heck alone. If they left
16 us alone, you wouldn't need these meetings, you
17 wouldn't need a pipeline that would be disturbing the
18 vegetation, you wouldn't threaten our lifestyle, our
19 rural heritage, the cattle, which is feed for
20 America, until somebody does something against that,
21 and there's plenty being done against America at this
22 point but that's another story.

23 But as far as I'm concerned it's just too
24 much to ask of neighboring counties to destroy their
25 lands that the BLM administrates. And that's about

1 it, without keep repeating myself. Just if you don't
2 allow it, that helps our little cause. And Pat
3 Mulroy and Harry and Rory and all them, they need to
4 be a little bit more considerate than just pillaging
5 and plundering of their neighbors. Thanks.

6 FACILITATOR JOHN GODEC: William Butts.

7 WILLIAM BUTTS: My name is William "Bill"
8 Butts, B-u-t-t-s. And I live at HCR 33 box 33401 on
9 McGill Highway.

10 And I have to agree with Mr. Goicoechea that
11 the farming and everything is going to -- it's going
12 to impact it because of these water rights and
13 everything that have been holding. We can't get any
14 more water rights. There's a lot of DLEs out there
15 that would be being used, it's a desert land entry,
16 if they had water available. And I believe that it's
17 really crimped our style a little bit here in White
18 Pine County.

19 The biggest thing though, I've got several
20 issues with it, but, you know, you can't grind the
21 whole axe at one time, but the thing that concerns me
22 is there is an inter-basin transfer between Steptoe
23 Valley and Spring Valley. The USGS says it's a lot
24 of water. The Southern Nevada Water Authority says
25 it's a little water. So we had a discussion here

1 tonight and they can't tell you how much it is.

2 Now the USGS says that they were going to be
3 able to tell us because they had two new test pumps
4 and everything that they put in, but so far nobody
5 has said. But if you take over the years the head
6 pressure that the water would gain if they pumped
7 down Spring Valley, how much water is going to run
8 out of Steptoe Valley into Spring Valley, and is that
9 going to impact the water in Steptoe Valley. And
10 when it gets a head pressure, who knows how much it's
11 going to go, but I believe that's something you've
12 got to look at because once it's done, it's done.
13 And I don't think that there's any way to back it up.

14 But like I say, if you take the USGS, which
15 you have to defend and take what they say, they say
16 it's a lot of water, thousands of acre feet. SNWA
17 says, oh, it's hardly anything. So that's a big
18 stretch from one to the other. But anyway, I think
19 that we really need to have an answer for that. And
20 all I can say is if we had more water rights and
21 others get used, there's a lot of DLEs out there that
22 weren't used because they couldn't get a water
23 permit. Thank you.

24 FACILITATOR JOHN GODEC: Karen Rajala, did I
25 pronounce that correctly?

1 KAREN RAJALA: Karen Rajala, and it's
2 R-a-j-a-l-a. Mailing address is Post Office
3 Box 150492 in Ely.

4 And I'm speaking tonight as a concerned
5 citizen of White Pine County and at the request of
6 Great Basin Water Network. My comments are specific
7 to the socioeconomic section. And I would like to
8 give some general comments. My specific comments
9 will be submitted in writing that will be itemized by
10 page and subsection.

11 I would like to echo the concerns of the
12 previous speakers in terms of the inadequacy of the
13 socioeconomic analysis and the long-term impacts on
14 our economy, but I would like to know a couple of
15 things in terms of the way that the section is
16 structured.

17 Throughout section 3.18, there is several
18 instances where conclusions are drawn about social
19 impacts, economic impacts, community attitudes, and
20 those conclusions are not supported by where that
21 information came from, who the sources were, and how
22 those conclusions were derived. I think the section
23 would be stronger if that background was provided for
24 the reader.

25 Secondly, I just want to note that the rural

1 counties are dependent on the state demographer's
2 population projections. White Pine County has worked
3 with the state demographer for a long time on those
4 population projections, especially as we looked at
5 how to predict at 50-year planning window for our own
6 water resources plan. That methodology is based on a
7 regression analysis that looks back 20 years and what
8 the patterns are in order to determine the multiplier
9 to look at population projections in the future.

10 But it does a great job at predicting the
11 past and what our previous and continuing economic
12 structures have been, both for us and for Clark
13 County, but it does not do well in predicting merging
14 economies and economic change, and we found that over
15 the years. In fact, the state demographer projected
16 a steady 20-year decline in our population at the
17 very time that we were growing with the opening of
18 the prison.

19 So just as a caution, especially for the
20 rural counties that don't have the resources to have
21 other studies done, it's important to consider and to
22 include in that document the limits of those
23 projections and how they're used.

24 Related to that the applications were filed
25 in 1989. SNWA purchased ranches in Spring Valley in

1 2006. The very time period that has provided the
2 baseline data for that population history is a
3 timeframe during which the county was already being
4 impacted by this proposed project, and I think there
5 needs to be more discussion about the previous
6 impacts up to this point as well as the future
7 impacts.

8 The socioeconomic section relies heavily on
9 published data that's available through census, state
10 agencies and Bureau of Labor Statistics. Having
11 helped White Pine County put together the
12 socioeconomic discussion for the state engineer's
13 hearing in 2006, I can certainly attest to how hard
14 it is to find information on a valley. Nobody but
15 the state engineer apparently thinks in terms of
16 hydrographic basins. We were down to working with
17 not only all the agencies but calling the individual
18 property owners and asking them how many cows they
19 had in Spring Valley so that we can assess how much
20 that economic impact was.

21 I would suggest that this document need to
22 pay more attention to the contributions that our
23 valleys have made, even when they don't have an
24 established community within them, as Spring Valley.
25 Our best estimate based on the information that we

1 collected in 2006 prior to the purchase of the
2 ranches by SNWA, Spring Valley alone accounted for
3 about 25 percent of our agricultural sector's
4 economic impact in White Pine County and its
5 contributions. Thank you.

6 Finally I would just like to say that this
7 draft EIS appears to be such a large scope
8 geographically and in geographic diversity and also
9 in the timeframes that it almost defies being able to
10 do an adequate job of that analysis for all of the
11 areas over time. If we're looking at an EIS needing
12 to be updated because it's five years old, and the
13 prediction is that they won't use the water from
14 Spring or Snake Valley until the 2040 time to 2050
15 timeframe, how can we look that far ahead? There's
16 too much incomplete and unavailable information on
17 how to look at what those future economic conditions
18 and impacts are going to be, not only in our rural
19 areas but in Clark County as well.

20 Because we can't be sure that those issues
21 will be adequately addressed in the future tiered EIS
22 process, I think it's important that those issues be
23 raised now within this current document.

24 And finally in conclusion, there are
25 numerous areas of very specific points that after 27

1 years of doing economic compilation of data for White
2 Pine County, I can tell you they need to be
3 strengthened, they need to be improved, and I will
4 submit those also in my written comments. Thank you.

5 FACILITATOR JOHN GODEC: Jim Garza.

6 JIM GARZA: Jim Garza, G-a-r-z-a, HC 10 Box
7 10902, Ely, Nevada 89301. I'm here as the Director
8 of White Pine County Community Economic Development,
9 and I'm going to try to speak fast because I've got a
10 lot of things to say, so if I go too fast and anybody
11 has any questions...

12 In your executive summary, 2.10, are other
13 agencies' approvals and consultation required before
14 the project will go forward: We learned quite a lot
15 of things with this power line now where there needs
16 to be open communication between the counties and BLM
17 when they go through and do a right-of-way grant.
18 And we'll probably be sending some new practices on
19 how that open communication needs to improve, so I
20 would make a suggestion that when you look at that
21 executive summary and talk about 2.10 and then you go
22 into chapter 1 page 1-8, area 1.5.1, cooperating
23 agencies, which we are listed as a local agency,
24 Nevada counties, Clark, Lincoln, White Pine, that you
25 speak to us on a regular basis as to what the motives

1 and directions and changes that are going to take
2 place in this EIS statement so that we are involved
3 along the way so we don't have the surprises that
4 we're having now with the right-of-way grant to the
5 Smith south line. That's one issue.

6 Second issue is that when you look at the
7 local agencies you need to take a look at a lot of
8 things that BLM has promised our county. First of
9 all, you know, 45,000 acres of land that's allocated
10 in land sales that we here in White Pine County are
11 going to try to produce, what part of the land is
12 going to be on the eastern side of our county? What
13 portion is BLM going to future look at and allocate
14 to us?

15 A lot of that property is in the wind energy
16 corridor, which BLM identified. We have geothermal
17 in the top section that's in the groundwater shed
18 study. How is that going to be effected? That
19 geothermal is not going to be feasible once the
20 groundwater drops. So these are things that I think
21 you kind of need to take into consideration when you
22 go in and approve both zones for wind zones, for
23 geothermal zones, biomass, solar, that you take a
24 look at those past history documents to see how this
25 new EIS is going to affect those applications,

1 because that's a concern for us, especially since
2 this is a big wind corridor going through. And, yes,
3 wind does not utilize a lot of water but it does
4 during the construction processes but there are other
5 uses that this county looks at it in its economic,
6 you know, income of revenue.

7 There's some things that I think when this
8 model was put together, I myself would love to see
9 the model how the state engineer put his thoughts
10 together as to how much linear feet of groundwater
11 was allocated for Spring Valley and those uses and
12 didn't take a lot of things into consideration.

13 We're in a serious economic distressed state
14 as a nation. Many changes in economics are occurring
15 right now. And the model that he used ten, five
16 years ago, I am sure I can show that it cannot be
17 implemented today with several different factors.
18 One, rural America, that's where it's being pushed
19 and you need to understand what that means. That
20 means us, White Pine County, can benefit and grow
21 because there's going to be a big push of population
22 out of metropolitan areas into rural America. How
23 does that affect our land uses in those areas?

24 What are the top ten industries in the
25 United States that we capitalize on as a nation

1 wanting us to capitalize on that you're going to
2 affect us by going in and doing this water, you know,
3 grab and now we can't do it? Agriculture is huge.
4 Import exporting. You know, in Nevada, I just read a
5 report today, Nevada is the number one state with the
6 possibility of import of exporting, and that's, you
7 know, a very interesting comment.

8 And, you know, we have a huge -- we have a
9 company in Eureka that exports pet food. You know,
10 it's a hay product, and so when you go in and take
11 the water away from that whole eastern section of
12 Nevada, you just wiped out the possibility of farmers
13 going in there and raising that crop and taking
14 advantage of an industry that the nation is trying to
15 push. It's probably number six motive right now in
16 bringing this economy back on line.

17 New jobs. You know, where are the new jobs
18 going to go? They're going to get pushed in rural
19 America. Where? Renewable energy. What are we?
20 We're probably one of the best areas in the nation
21 for renewable energy growth. Granted you're not
22 going to see a lot of jobs be produced by wind, you
23 know, but you will see those construction periods.
24 But being that, a lot of funding is going to go into
25 that direction over the next ten years and that wind

1 corridor goes right smack through that area. And how
2 is that going to get affected for us, you know, to
3 capitalize on that national initiative? What is that
4 national initiative? How does White Pine County play
5 a part in that? How do we help our neighboring
6 states? How do we develop new jobs?

7 Every ounce of acre in our county is very
8 valuable right now because of the word rural America.
9 And our best and highest use of that land needs to be
10 considered, not just, you know, from the last ten
11 years model, it needs to be considered from the
12 future model. And the state engineer needs to
13 understand what that is and maybe the allocation of
14 linear footage of per acreage would be a lot
15 different. Thank you.

16 FACILITATOR JOHN GODEC: Delaine Spilsbury.

17 DELAINE SPILSBURY: Delaine Spilsbury,
18 D-e-l-a-i-n-e, S-p-i-l-s-b-u-r-y, P.O. Box 1055 in
19 McGill, 89318.

20 And I'm a tribal elder with the Shoshone
21 tribe here in Ely, and I have a native person's
22 overview of the BLM draft EIS right-of-way for the
23 Southern Nevada Water Authority pipeline.

24 It is common knowledge that the Great Basin
25 native people were driven from their homelands by

1 settlers and the U.S. cavalry. Those who were not
2 eradicated in numerous massacres were denied their
3 traditional lifestyle. In order to just survive, our
4 ancestors performed menial labor where they could
5 find it. Ranches, mines, railroads and such
6 benefitted from the cheap labor on the land they had
7 taken by force from the natives.

8 But the oppression isn't over. In this 21st
9 century there are two generations from the last
10 massacre of Nevada's Indian tribes, and my great
11 grandmother was one of two little girls who survived
12 the final Swamp Cedars massacre. That's a short time
13 ago. The aforementioned tribal lands were sold at
14 auction for some very high prices.

15 Adding insult to injury of Nevada's native
16 people, a major portion of the SNWA auction funds
17 from the tribal lands sale were allotted to Southern
18 Nevada Water Authority for the construction of a huge
19 96-inch diameter pipeline that will drain and destroy
20 our traditional homelands. I have a reference there
21 if you need that.

22 I find this systematic trend of exploration
23 thoroughly disgusting and I hope you do too. For the
24 draft environmental impact statement the Bureau of
25 Land Management wants the tribes to designate sacred

1 sites that will be disturbed by the SNWA pipeline
2 right-of-way. What the American society doesn't
3 understand is that our native people do not have
4 manmade churches, temples and the like. Tribal
5 sacred land is not limited to a 200-foot wide swath
6 of land, the right-of-way. Our beliefs are in the
7 Earth Mother and all that she provides. All nature
8 is sacred. Fresh water springs are extremely sacred.
9 Animal, plant life are sacred.

10 In the West, each tribal band has its sacred
11 mountain. Ours is Ward. Asking a native which fresh
12 water spring, herd of animals or stand of Pinions to
13 save is equivalent to asking Mother which of your
14 children should we save. However, SNWA has no
15 problem making the choice. SNWA has no problem
16 throwing the rural ranchers and Indians to the
17 wolves, or should I say to the desert, in favor of
18 speculators and developers in Southern Nevada.

19 In addition, the Supreme Court found in the
20 Winters Doctrine that an Indian reservation, this is
21 a quote, an Indian reservation may reserve water for
22 future use in an amount necessary to fill the purpose
23 of the reservation. Reservation use has not been
24 recognized by SNWA nor does SNWA recognize plant and
25 animals life, nor does SNWA recognize what we tribal

1 people believe in: The next seven generations of
2 people who live here in rural Nevada. It is the
3 consensus of many tribal folks that there's only one
4 action that the BLM can make on this draft
5 environmental impact statement, that is the No Action
6 decision. And thank you.

7 FACILITATOR JOHN GODEC: Rick Spilsbury.

8 RICK SPILSBURY: Rick Spilsbury,
9 S-p-i-l-s-b-u-r-y, P.O. Box 1055, McGill, Nevada
10 89318.

11 They tell we live in a democracy, and yet I
12 don't really believe that the people of American
13 would vote for this. I don't think the people in
14 Nevada would vote for this. And I used to live in
15 Las Vegas, I really don't think the people of Las
16 Vegas would vote for this. It almost feels a bit
17 like a travesty, the whole systematic way this is
18 being done. It's not something that I'm saying has
19 just been created recently, this has been going on
20 for over a hundred years.

21 But the people of Las Vegas, I'll go back to
22 that, they don't want Las Vegas -- most of them don't
23 want Las Vegas to grow like a virus or like a yeast
24 in a wine bottle, because everybody knows what
25 happens to yeast in a wine bottle, it grows and grows

1 until one day there's just no resources left and
2 everything dies. We're smarter than yeast.

3 And I feel that there are better ways of
4 dealing with this issue than just taking what is
5 closest. Twenty years ago when Southern Nevada Water
6 Authority or its predecessor applied for these water
7 rights, the cost of desalinization was a lot more
8 expensive than it is now, close to ten times as much.
9 And we know now that even Southern Nevada Water
10 Authority is using desalinization down in Yuma. It's
11 a viable option.

12 But when you ask them or you talk to anybody
13 about desalinization, they're not even willing to
14 talk about it, offshore desalinization to give
15 California water in trade for more water from the
16 Colorado River. It is a good option. They won't
17 talk about it.

18 I would like to see Las Vegas, Southern
19 Nevada and that whole area live well. I'd like to
20 see them grow a little bit but not a whole lot.
21 There is a point where it's too much, and the people
22 of Las Vegas, the last I heard, 70 percent of them
23 don't want Las Vegas to grow anymore.

24 I'm not unhappy with the BLM. I'm not
25 unhappy with any of the people here. What I'd like

1 to see is a system that gives us what we really want,
2 not what works for those who control it. And the sad
3 truth is I don't think the people control this
4 because the people wouldn't have it this way. And I
5 think that the people in the BLM, they don't have the
6 authority to actually make a difference in something
7 like this. Maybe they can do the No Option for the
8 water pipeline. But the only authority they have
9 right now is the authority over the pipeline, not the
10 taking of the water. We consent that the State has
11 that responsibility but we're the State, aren't we?

12 I really feel that to some extent this whole
13 process is a travesty, that we're being given the
14 opportunity to stand up here and vent and in the end
15 what they want is what they're going to get, and it
16 isn't really what they want. It's what the people
17 who committed 20 years ago wanted.

18 And the game has changed. The price of
19 desalinization has dropped so much that it's now
20 cheaper to desalinate water than it is to take it
21 from here. It's going to cost billions of dollars.
22 And the people of Las Vegas don't want to pay that.
23 They sure don't want to pay it all up front. If you
24 do desalinization, you can do it incrementally as
25 needed as the city grows.

1 Las Vegas, well, Southern Nevada Water
2 Authority bought water rights in Mesquite, Nevada.
3 They paid almost \$10,000 an acre foot. The price of
4 desalinization is being quoted around \$2,000 an acre
5 foot. It doesn't add up. It seems this is more
6 about greed than it is about need.

7 I look around and I visit most of these
8 places, sometimes on a mountain bike over the course
9 of days pulling a little trailer behind me. And this
10 place is beautiful. Everyplace they're talking about
11 taking water from is beautiful. Even Delamar Valley,
12 it's dry but there's Yucca forests down there, just
13 they go on for miles. They're all going to die.

14 And, you know, you can't replant antelope.
15 Even if they do put other plants out there, it's not
16 going to be the same. It's not going to be as good,
17 it's not going to be as beautiful. It doesn't have
18 to be that way. And I would like to see, if the BLM
19 has the authority to actually do it, to tell Southern
20 Nevada Water Authority to go back to the drawing
21 board because there are better options. Thank you.

22 FACILITATOR JOHN GODEC: Denys Koyle.

23 DENYS KOYLE: Denys, D-e-n-y-s, Koyle,
24 K-o-y-l-e, Box 30, Baker, Nevada. The EIS is an
25 impressive document. I was going to carry the whole

1 two volumes up but I haven't yet, overwhelmed with
2 it. It provides a lot of ammunition for us. It
3 proves our point really. If you don't read any of it
4 except chapter four, please read chapter four, which
5 is the irreversible and irretrievable commitment of
6 resources. It tells why this will be an economic
7 disaster.

8 But the thing I forgot to say in Baker and
9 why I said I'd speak tonight was people might not
10 realize that this document addresses only the 96-inch
11 pipeline, not all of the auxiliary pipeline, all the
12 right-of-ways going to be granted for electrical
13 facilities. It doesn't address how many wells
14 there's going to be. All of those little auxiliary
15 things are going to require an additional EIS. So
16 why should we have action on this when there are so
17 many unanswered questions about the entire size of
18 the pipeline? The 1500 pages is just the tip of the
19 iceberg and this is a Titanic of environmental
20 disaster and it should be a No Action. Thank you.

21 FACILITATOR JOHN GODEC: Jerald Anderson.

22 JERALD ANDERSON: Jerald Anderson,
23 J-e-r-a-l-d, A-n-d-e-r-s-o-n, address is HC 78 Box
24 500, Garrison, Utah 84728.

25 My comments are similar to some of those

1 that have been made tonight. In reading through the
2 parts of the EIS that I've had the chance to review
3 in detail so far, it strikes me that there is a lot
4 of uncertainty in a number of major areas. First,
5 there is no cost estimate included, and at the outset
6 that might seem like not a big deal but the project
7 costs are going to have to be known to identify
8 whether or not the economic impact of those in the
9 Las Vegas region is acceptable. Whatever this
10 project costs is going to be paid by the ratepayers
11 in Las Vegas, and so it will have an affect on local
12 consumers there.

13 There will also be required growth rates to
14 come up with the total amount of funding necessary to
15 pay for the financing. There is certainly some
16 question in this economic environment as to what the
17 municipal tax free bond market might be or government
18 subsidized funding, given our current credit rating.

19 And there are also questions about the
20 pumping locations, the rates. Alternatives that were
21 developed are good, you have something to study, but
22 I don't know that they necessarily reflect any sort
23 of reality as far as the specifics of the areas that
24 are going to be impacted.

25 I think Bill Butts mentioned inter-basin

1 flows. There's a large question as to how the flow
2 model actually operates in this area. And to
3 evaluate based on one set of assumptions may or may
4 not prove to mean anything in the future as we go
5 about dealing with the impacts of this project.

6 I think Denys mentioned subsidence, or
7 somebody did, Mr. Goicoechea mentioned subsidence.
8 It struck me that subsidence is the result of doing
9 the same thing Las Vegas did to itself when it pumped
10 all the water out from underneath themselves in the
11 Las Vegas Valley. Subsidence is an issue that has to
12 be dealt with. If you have subsidence in farming
13 areas, even if you have water you have ground that
14 isn't going to work the same anymore. You just have
15 a completely different terrain.

16 There's uncertainty as to the vegetative
17 impacts. I think someone mentioned that these areas
18 are going to look completely different in some 50,
19 hundred year period. And they're not likely to
20 recover. If you look at the drawdown curves that are
21 portrayed in the EIS, they never reach equilibrium.
22 They're unsustainable. They simply pump until you
23 reach the level of the pump intakes.

24 And in section, I think it's 3.3 in appendix
25 F, it talks about the fact that a lot of these

1 impacts never recover, that they're areas that,
2 regardless of when you stop pumping, they simply
3 don't recover. And that applies to both the springs
4 and the groundwater itself. So there are a large
5 number of uncertainties in this that I believe
6 deserve much more consideration.

7 Also one of the things I noticed is that a
8 lot of the studies that are used are aged at this
9 point. Many of them were done in 2007, and we're
10 four, almost five years from that point now. As
11 Karen Rajala mentioned, that's a long horizon when
12 you're trying to do trending.

13 One of the things in particular is that
14 groundwater has become a permanent plan or part of
15 SNWA's resource plan. If you look at their resource
16 requirements, there is no way to achieve what they
17 want without this groundwater. That means that
18 pumping will never stop, and so whatever negative
19 impacts are depicted in this document will come to
20 pass if their assumptions are correct.

21 However, there are a couple of things. The
22 population studies that SBER put together that were
23 used in this study, I looked at their current data
24 forecast for Las Vegas population for 2012 this
25 afternoon, it's now 80 percent of the value that's

1 used in the EIS. It's five years behind what the
2 study said would be the situation at this point in
3 time.

4 So like Karen Rajala said, the population
5 estimates, all those kinds of forecasts are
6 essentially useless. If you take that 20 percent, it
7 amounts to about 420,000 in population. If you use
8 their 2005 target of 250 gallons per day per person,
9 that equates to 110,000 acre feet per year out of the
10 177,000 for the proposed action, and out of the
11 hundred and I believe it's 14,000 that's requested in
12 alternative A almost negates the reason to have the
13 project in the first place.

14 And if they do achieve the 200 or
15 199 gallons per day per person in 2035, that's still
16 88,000, that's more than half of the project that is
17 taking care of by the change in population. And we
18 know at this point, or I think we pretty well should,
19 that the economic recovery in Las Vegas is not going
20 to proceed even with a five-year delay at the rates
21 that were assumed in those initial projections.

22 So I would encourage the BLM to go back and
23 rework this, cast a lot of the irretrievable and
24 irreversible impacts into this document, look at what
25 happens in the long run. If you look at the

1 uncertainties in the drawdown that's part of the
2 modeling, you'd have 125 years of uncertainty in the
3 impact in the Snake Valley area. That's multiple
4 generations of people that are effected simply by the
5 uncertainty in the modeling that's being done. That
6 doesn't represent anything that gives me any
7 confidence in whatever might be selected here so I
8 have to recommend the No Action alternative as well.

9 FACILITATOR JOHN GODEC: That is our last
10 registered speaker. Does anybody else have anything
11 that they'd like to say publicly?

12 CHRIS DAILEY: I do.

13 FACILITATOR JOHN GODEC: Please come up.
14 Would you give us your name and spell it please and
15 give us your address.

16 CHRIS DAILEY: Chris Dailey, C-h-r-i-s,
17 D-a-i-l-e-y, P.O. Box 1060, McGill, Nevada.

18 My family has been in this area since 1917.
19 We watched the economic climb, the decline, and as I
20 grew up, I ended up traveling all over the world and
21 I've come back here. I have a renewable energy
22 company, and I've got offices in Idaho, offices in
23 Elko, and of course here.

24 In my studies this area is one of the best
25 areas for renewable resources. So to project that we

1 should take all the water out of here when we don't
2 even know where we're going, I've seen just in the
3 last six years I've seen phenomenal changes in the
4 technology. I can't imagine what's going to happen
5 in the next five to ten years, like Rick was talking
6 about desalinization and other processes that are
7 being put in place around the world.

8 If we relinquish our rights to this water
9 and send it down to the desert where it wasn't
10 intended to be in the first place, we're going to
11 relinquish a resources that this area can use to grow
12 and possibly in the future meet all of the energy
13 demands of the western states. That's how good the
14 resources are in this area.

15 So once again I'm going to, you know, chime
16 in with everybody else. I don't think the BLM should
17 allow this, if they have any input. As far as SNWA
18 goes, I've got other names for it, however we look at
19 it, moving this resource has lasting impacts that I
20 can't even begin to think about, because I grew up in
21 those mountains with those springs. Noting that
22 those springs are gone, I mean, it's just how dare
23 they take that away from our heritage. Anyway, I'm
24 just going to let it go at that and I guess I'll be
25 the last guy, unless somebody else has something to

1 say.

2 FACILITATOR JOHN GODEC: Anyone else?

3 BILL WILSON: Bill Wilson, W-i-l-s-o-n, P.O.
4 Box 150665, Ely, 89315.

5 I think that two points that we're
6 discussing earlier that may help strengthen these
7 portions of the DEIS, the first one is the purpose
8 and need section. The purpose of the document is
9 explained, it's mandated, the rules and regulations
10 of the BLM is required to analyze impacts. And the
11 need is for the same thing.

12 And then in that same section it goes down
13 and begins, without real clarification it doesn't say
14 purpose and need, but it's the Southern Nevada
15 Water's need for the pipeline. But it continues from
16 the purpose and need section like the pipeline is the
17 only way that they will solve their water problem,
18 and I think that's misleading.

19 Perhaps the EIS could perhaps copy some from
20 the Southern Nevada, they have their own website with
21 their options and plans for additional water, and
22 even being referred to that would help the reader
23 understand it's not do or die for the BLM to approve
24 this project.

25 Also in sort of this press release PR from

1 Southern Nevada Water it stresses that the pipeline
2 would be most important during drought years. But
3 the EIS I don't believe mentions anywhere that
4 drought years for the water supply for Southern
5 Nevada is also drought years for recharge in this
6 part of the country and, therefore, the impacts in
7 chapter four may be magnified but are having less
8 recharge capability.

9 The other topic that is interesting is the
10 disconnect between the BLM and the state engineer.
11 The EIS analyzes all the impacts, the state engineer
12 analyzes all the water, but there's no one that says
13 that, well, this will be the area of least impacts so
14 the engineer should allocate the water to this
15 particular area. And it's left with people like us
16 that wonder, you know, where do we fight the battle,
17 because there's a big void there in coordinating the
18 water supply with the impacts. I think that's my two
19 main points. Thanks.

20 FACILITATOR JOHN GODEC: Does anyone else
21 have a comment they'd like to make publicly? Please
22 take this opportunity if you do.

23 CAROL HUNT: Could I interject one little
24 thought into mine? Carol Hunt again. Just wanted to
25 say that the lady mentioned to me, and I heard it

1 before, that if Las Vegas just shut down its golf
2 courses, they would have enough water to supply the
3 human population.

4 We only have two percent of the water on
5 this planet that is drinkable, and our populations
6 are increasing. We are like a terrarium and we're
7 drinking the same water the dinosaurs did. We're
8 going to have to be a little bit thoughtful and
9 careful of what we do to take care of the human
10 civilization or it's going to be extinct like the
11 dinosaurs.

12 FACILITATOR JOHN GODEC: If there's no one
13 else that would like to make a public comment...

14 JACOB CARTER: I didn't drive 35 miles for
15 nothing.

16 FACILITATOR JOHN GODEC: Please feel free.
17 Take the opportunity.

18 JACOB CARTER: My name is Jacob Carter.

19 FACILITATOR JOHN GODEC: Could you give us
20 your address please.

21 JACOB CARTER: Yes. My last name is
22 C-a-r-t-e-r. I live in Lund, Nevada, Box 273, 89317.
23 I'm a fifth generation rancher in White River Valley.
24 My family moved in there in 1898, been there a long
25 time. It's a beautiful place. I love Sailing

1 Meadows. Lot of water. We pump a lot of water also
2 for irrigation.

3 And since my family has been there, and all
4 the families that moved into that area, wildlife has
5 increased, just life springing up there. And so my
6 concern today is with being next door to this
7 pipeline. And of course in some of the models it
8 shows that we will be impacted somewhat by
9 groundwater.

10 I do focus more on what's up above: Grass,
11 trees, other types of forage because of the cattle
12 ranch, but I'm looking at the future, I'm looking at
13 the future of the area, where we are and where we're
14 headed. Of course everybody has made comments
15 towards that too, the socioeconomic aspects of it
16 all.

17 I teach my children. I have four children,
18 one on the way. I hope that they can continue to
19 stay here and be within this area. I hope it's still
20 here and the stores. I teach them, along with our
21 entire family, to support our local communities. I'm
22 a believer that the rural communities hold our
23 country together. People move in and out of cities
24 all the time, but in rural communities it's
25 different.

1 And this groundwater movement to Vegas will
2 impact us severely economically. We hire many people
3 to work on our ranch and other business that we have,
4 and they also support the communities in the local
5 areas. And it would be a devastating thing to us and
6 so the No Action approach is what I support.

7 FACILITATOR JOHN GODEC: Anyone else? If
8 not, I assume we're adjourned.

9 DR. MICHAEL DWYER: Go ahead and close the
10 hearing then.

11 FACILITATOR JOHN GODEC: If anyone else
12 would like to make a comment privately to our court
13 reporter, we'll be around here for a period of time.
14 Please feel free to come up and join her; otherwise,
15 thank you very much for coming. We'll be here for a
16 while, if you have other questions, comments or would
17 like to chat with any of the staff, please feel free
18 to do so.

19 JERALD ANDERSON: I think the actual
20 application that SNWA submitted for the right-of-way
21 should be included in the documents, both the
22 executive summary and the published volumes as well.

23 (Thereupon the proceedings
24 were concluded at 7:03 p.m.)

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CERTIFICATE OF REPORTER

STATE OF NEVADA)

SS:

COUNTY OF NYE)

I, Deborah Ann Hines, certified court reporter, do hereby certify that I took down in shorthand (Stenotype) all of the proceedings had in the before-entitled matter at the time and place indicated; and that thereafter said shorthand notes were transcribed into typewriting at and under my direction and supervision and the foregoing transcript constitutes a full, true and accurate record of the proceedings had.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 14th day of September, 2011.

Deborah Ann Hines, CCR #473, RPR