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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 Wednesday, August 3, 2011

At 5:00 p.m.

At the Baker Senior Citizens Center

Saval Street

Baker, Nevada

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

1 FACILITATOR JOHN GODEC: Good evening,
2 everybody. I think we want to get this formal part
3 of the meeting this evening started, so if you'd like
4 to, please feel free to make your way on up. I've
5 been asked to help facilitate this meeting tonight by
6 the Bureau of Land Management. Let me explain real
7 briefly just a couple of things.

8 When you came in, we asked you to sign in
9 with your name and contact information. And if you
10 haven't done so, we would really appreciate if you
11 wouldn't mind doing that.

12 A couple of things that we handed out, there
13 are a couple of sheets up there, one is a document
14 called Frequently Asked Questions. And just as a
15 summary, this is sort of an executive summary of the
16 executive summary of the environmental impact study,
17 which is voluminous, as you know. It's pretty
18 daunting and we hope that we have at least, well, we
19 certainly tried and we hope that we succeeded in
20 answering some of the most key questions that a lot
21 of people have.

22 If you haven't signed up to speak this
23 evening, there are speaker cards up at the front that
24 look like this. Please feel free to fill one out, if
25 you have not yet done we. We have about a dozen

1 people that have signed up to speak.

2 If you would like to get a copy of the
3 environmental impact study or the executive summary,
4 100 page executive summary, please fill out one of
5 these things and we'll make sure that we get that to
6 you.

7 We also have written comment forms at the
8 front. If you would care to fill one out before you
9 leave today and leave it with us, please feel free.
10 If not, take it home with you, fill it out whenever
11 you wish. If there are people that you know that
12 couldn't make it tonight that you know have an
13 opinion about this or have something to say, please
14 take a couple of copies of this or feel free to make
15 Xerox copies of this and pass them around your
16 neighborhood.

17 With that I'm going to introduce Dr. Michael
18 Dwyer, our public hearing officer, this evening who
19 will explain the ground rules and how this will work.

20 DR. MICHAEL DWYER: Good evening, ladies and
21 gentlemen, and welcome tonight. The purpose of this
22 hearing is to collect your comments on the document
23 that John just talked about, the Clark, Lincoln and
24 White Pine Counties Groundwater Development Project
25 Draft Environmental Impact Statement.

1 This document was prepared by the BLM to
2 help the environmental contractor AECOM, and
3 representatives from BLM and AECOM are in the back
4 with posters. We prepared this document in response
5 to an application we received from the Southern
6 Nevada Water Authority in 2004 for the facilities for
7 transporting groundwater, as you all know.

8 Let me be clear that at this point the BLM
9 has made no decision on this application. The
10 National Environmental Policy Act requires that
11 before that decision is made that the impacts of that
12 decision be documented and be presented to the
13 decision maker and taken into consideration before
14 that decision is made. The final version of this EIS
15 will be the vehicle to do that, to document and
16 convey those impacts to the decision maker. So it's
17 very important that we have a clear, comprehensive,
18 accurate document, and that's why we need your help
19 here tonight.

20 Several alternatives are discussed in this
21 EIS, including the No Action alternative, and what
22 that means, No Action means the impacts that would
23 occur if the BLM were to reject this application and
24 continue with the current land uses. This document
25 will also be extremely valuable if the application is

1 approved and one of the alternatives and mitigation
2 is required, an analysis that can be useful in
3 establishing stipulations to go with this
4 right-of-way to minimize the impacts.

5 Let me clarify for a minute what this
6 hearing is not. It's not about water rights. It is
7 not a decision that is within the jurisdiction of the
8 Bureau of Land Management, that is in the hands of
9 the State of Nevada, and specifically the state
10 engineer. And the state engineer will conduct
11 separate public hearings on the water rights issue
12 this fall before making that decision.

13 Second, this meeting is not a debate. This
14 part of the meeting tonight, this formal hearing, is
15 about listening. Your time. It's about listening to
16 what you have to say about this EIS. And that's my
17 job as to hearing officer is to make sure everybody
18 has a chance to be heard and that your comments are
19 recorded and used.

20 Your comments and questions will be captured
21 by a court reporter we have here at the front and
22 will be addressed in writing in the final
23 environmental impact statement and will include a
24 comment response document that explains the
25 disposition of every comment we received tonight or

1 in writing or at any of the other public hearings
2 that occur on this project.

3 Please be aware that if you ask a question
4 while you're at the podium, it won't be answered.
5 We'll note it in the record and address it in the
6 final EIS, but we'll not respond during the hearing.
7 If you have a question you think of during this part
8 of the hearing and you want an answer, please feel
9 free to stand up, walk to the back, find one of the
10 BLM or AECOM people and just step outside and they'll
11 be glad to address your question.

12 I want to make sure everybody has a chance
13 to speak tonight. We don't have that many speakers
14 signed up but what we'd like to do is ask you to give
15 your comments in five minutes or less, and John has a
16 couple of placards that will just help you keep track
17 of your time. If you see the one that your time is
18 expired, we would ask that you just wrap up your
19 comments.

20 If you have more extensive comments, we want
21 them. Please submit them in writing. And written
22 comments carry every bit as much weight as the ones
23 that you'll make oral here tonight. You can submit
24 your comments up until October 11th of 2011, that's a
25 30-day extension beyond the original due date.

1 A couple of last things regarding audience
2 participation. Please treat the speaker as you'd
3 like to be treated when it's your turn at the podium.
4 Please don't interrupt the speaker, and please note
5 that audience comments or reactions will not be part
6 of the transcript for this meeting.

7 Finally, let me explain what happens from
8 this point forward. The comments that you make here
9 tonight, along with all the other comments that we
10 collect, will be used to develop the final version of
11 this EIS. We expect to have that document available
12 for public review in mid 2012, so mid next year. It
13 will include a comment response document that
14 explains how we used everybody's comments.

15 When the final EIS is ready for release,
16 we'll publish a notice in the Federal Register as
17 well as notices in local newspapers and we'll post a
18 notice on the BLM website that that document is
19 available and tell you how you can get copies.

20 A decision on the application, the
21 right-of-way application, can be made at any time
22 after a 30-day period after the release of that final
23 EIS, and we'll publish a record of decision once a
24 decision is made.

25 I'd like to just extend my sincere thanks to

1 all of you for being here tonight and for your
2 willingness to participate in this process. I've
3 worked on many environmental impact statements in my
4 31 years with BLM and they're always better in the
5 end for vigorous public review and comment, so I
6 thank you for being here tonight to help us make this
7 document a good document.

8 So at this point I'd like to call the
9 meeting to order and ask John, our facilitator
10 tonight, please call the first speaker.

11 FACILITATOR JOHN GODEC: We have about a
12 dozen speakers or a dozen people that have signed up
13 to speak. If you change your mind at any time,
14 please feel free to step to the back, fill out one of
15 these cards.

16 We will do this in order, in the order that
17 people filled out a speaker card, if it's okay with
18 you. And what we typically do in deference to
19 elected officials is give them the option to speak
20 first. So I'd like to invite Gary Perea, White Pine
21 County Commissioner, to speak this evening. And,
22 Commissioner, if you would, please spell your name
23 and if you would, give us your address for the court
24 reporter.

25 GARY PEREA: My name is Gary Perea, White

1 Pine County Commissioner, last name is P-e-r-e-a.

2 First I wanted to let you know what White
3 Pine County has done with being involved in this
4 process. White Pine County was invited by BLM to be
5 a cooperative agency five years ago, six years ago
6 when this thing started. And White Pine County
7 volunteered and chose me to represent the County
8 going to the EIS meetings and the teleconference, the
9 main meetings.

10 I want to first say that my comments are not
11 directed to anybody particularly in BLM, particularly
12 Penny. I've been pretty hard on Penny through this
13 process, and my comments are more toward the
14 document. There's no individuals. My comment aren't
15 towards any individuals.

16 White Pine County, we hired hydrologist Tom
17 Myers and he is looking over or has been looking over
18 the hydrology. We've had the opportunity to look at
19 the model, hydrology model and the data, oh, three or
20 four times through the process. We've also been
21 somewhat involved with the socioeconomics, but I'll
22 talk about that a little bit later.

23 My concern about this document, looking at
24 it, is that it's the least the BLM had to do. They
25 went through and they did what they had to do, what

1 NEPA required them to do, but I don't think they went
2 beyond what they -- they did not do what this
3 project, what we deserved should have been done. I
4 think they should have done much more of an analysis
5 of the socioeconomic portion of the EIS.

6 If you haven't had a chance to, if you do
7 read through the socioeconomic portion, to me it is
8 very cursory. They didn't go into depth. They
9 didn't analyze what the applications have done to the
10 economics of White Pine County. Those applications
11 have sat there since 1989 and has put a stranglehold
12 on some economic developed.

13 You know, you look back, the applications
14 were filed back in 1989 and the national park was
15 established in 1986. So almost the entire life of
16 the park those applications have sat there, and I
17 don't think we've been able to live up to our
18 potential if we were allowed to grow. I think the
19 EIS should have addressed that, what the effects of
20 the applications have been, what the effects of this
21 pumping is going to be. It did not really go into
22 depth about the agriculture or the business, what the
23 draw of the ground water will do.

24 Like I said, we've hired Tom Myers. I'm not
25 a scientist. I didn't look at the hydrology that

1 much. I kind of went through it and I went off of
2 Tom's recommendations and what he saw. And Tom is
3 showing, and the BLM shows that there are going to be
4 negative effects, and they are illustrated in the
5 document, but I don't believe that it's going to take
6 as long as it says it's going to in the document.
7 They're projecting out 200 years of what the water
8 drawdown will do, but I think these effects are going
9 to happen much sooner than what they're predicting.

10 I feel that we've been cheated a little bit
11 with this document. I think they could have spent a
12 lot more time. I go back to the socioeconomic
13 portion. This document took about five, six years to
14 put together, and by my calculations they spent about
15 six months studying the socioeconomic portion of the
16 study. They did not fully address what the effects
17 will be on White Pine County nor did they study the
18 effects it will have in Clark County. I think this
19 will have a detrimental effect on both counties if
20 this is allowed to happen.

21 So I hope that you all will read the
22 document, and not only what I suggested that you send
23 your comments to BLM but also it would help me if you
24 would send them to myself or White Pine County so
25 that we can make sure that we're catching everything

1 that we should. Thank you.

2 FACILITATOR JOHN GODEC: Kathy Hill.
3 Miss Hill, if you'd spell your name and give us your
4 address please.

5 KATHY HILL: Kathy Hill. Kathy is
6 K-a-t-h-y, Hill, H-i-l-l.

7 My first concern is based on the amount of
8 water withdrawn for the pumping project. The EIS
9 model could not achieve a steady state of equilibrium
10 for the aquifer, so the 75 and 200 year timeframes
11 are somewhat arbitrarily assigned.

12 The DEIS has not considered a sustainable
13 yield scenario as one of the alternative actions.
14 All the actions in the DEIS could be considered
15 groundwater mining because they don't allow the
16 aquifer to reach equilibrium in the foreseeable
17 future, and all the actions modeled for the DEIS show
18 permanent and irretrievable impacts.

19 The EIS should show an alternative action
20 based on sustainable amount of water withdrawn from
21 the aquifer. The hydrologist at San Diego State
22 University states that an average sustainable yield
23 is about 40 percent capture of recharge. He also
24 said a reasonable conservative estimate would be ten
25 percent in capture recharge, and this is based on way

1 higher figures than that.

2 Another concern I have is the only time
3 drought is mentioned is the alternative action C is
4 based on drought on the Colorado River where they
5 would actually pump more from the Great Basin, but if
6 there's a drought on the Colorado River, there's also
7 a drought in Great Basin. And I think the DEIS
8 should have a model based on a drought scenario in
9 the pumping area.

10 Another one I have, a comment, is about
11 mitigation. J.C. Davis, the spokesman for the water
12 authority, said the feared effects from water levels
13 won't happen because BLM officials don't take into
14 account the planned mitigation efforts or groundwater
15 monitoring, like the quote from the Las Vegas
16 Review-Journal. This is a theme song we've heard
17 from SNWA and they've presented no evidence that the
18 statement is true. In fact, we have topnotch
19 hydrologists, such as John Brederhoeft, that say
20 management and mitigation will be extremely difficult
21 to do.

22 Quoting Brederhoeft he says, Monitor for
23 control has fundamental problems. The maximum
24 impacts are larger than those observed at the time
25 pumping stops and they occur some time after the

1 pumping stops.

2 So the DEIS discusses required monitoring
3 and refers vaguely to a few mitigation programs that
4 would be initiated in the future, but there's very
5 little solid information about the mitigation and no
6 information about the effectiveness of mitigation in
7 the DEIS. So the DEIS should include a study about
8 the effectiveness of specific mitigation and
9 management procedures.

10 Drawdown are not major until they reach ten
11 feet. The model used for the DEIS can't
12 differentiate between drawdown of six inches or
13 six feet. That's unacceptable. Drawdowns of two to
14 three feet in shallow wetland areas makes a
15 significant difference. We need a better model that
16 shows more precise drawdown levels.

17 The maps used don't cover all the effected
18 areas. They go to the hydrological boundary and
19 stop, even though the drawdown is right up at that
20 boundary is ten feet to twenty feet. We need a map
21 that really shows all of the areas that will be
22 affected by groundwater pumping, whether it's within
23 the hydrological model or not.

24 You also ask for comments regarding Snake
25 Valley's inclusion in the groundwater project in the

1 Great Basin National Park. Snake Valley is going to
2 be affected whether SNWA actually pumps from it or
3 not. In fact, southern Snake Valley may be more
4 severely impacted if SNWA pumps only from Lincoln
5 County, depending on what the Nevada State Engineer
6 grants them. Leaving out Snake Valley does not mean
7 we'll not experience severe impacts.

8 The DEIS also leaves me confused about how
9 senior water rights and Great Basin National Park
10 will be protected from the massive amounts of water
11 withdrawn. I would like to see the BLM make some
12 hard and fast decisions that protect rights from this
13 water grab. Nothing in the DEIS gives me hope that
14 this will happen from this draft. Thank you.

15 FACILITATOR JOHN GODEC: Margaret Pense
16 please. Ms. Pense, if you'll spell you name and give
17 us your address.

18 MARGARET PENSE: My name is Margaret,
19 M-a-r-g-a-r-e-t, Pense, P-e-n-s-e. I live in Baker.
20 I'm an original protestant, and I'm one of the
21 founding members of the Great Basin Business and
22 Tourism Council and I've presently been elected to
23 serve as secretary-treasurer.

24 I rent a room in my own home to tourists who
25 visit Great Basin National Park, that's how small I

1 am as a business. People come from all over the
2 world to visit the park and to enjoy the natural
3 beauty of this fragile, high desert environment.
4 Livelihood depends upon tourism, but I'm at the
5 bottom of the rung, so I'm also interested in
6 mitigation, which I don't feel has been addressed in
7 this DEIS.

8 I have two comments to make. First, the EIS
9 does not adequately analyze the impacts of the
10 destruction to this area that it will have on our
11 local based tourist economy and businesses. I think
12 it's just, you know, whatever.

13 Second, if BLM is truly a steward of public
14 land, it cannot approve the right-of-way for this
15 pipeline because of the documented devastating
16 effects on communities, the natural resources and
17 environment, wildlife and people. And I also believe
18 that if you went back and considered Tim Durban's
19 model that was funded by Southern Nevada Water
20 Authority when this first started and then
21 disregarded at the Spring Valley hearings because it
22 showed the devastation, that maybe that would help
23 your model also. Thank you.

24 FACILITATOR JOHN GODEC: Katherine Rountree.
25 Ms. Rountree, could you spell your name and give us

1 your address please.

2 KATHERINE ROUNTREE: Yes. Katherine,
3 K-a-t-h-e-r-i-n-e, Rountree, R-o-u-n-t-r-e-e. HC 64
4 Box 64510, Ely, Nevada 89301. That's my name. I've
5 lived in Spring Valley for 36 years and in White Pine
6 County for 56 years, and we hold the permit on the
7 Turnley Springs. And I just have several questions
8 and some observations about the draft EIS.

9 Number one, it's huge and I haven't gotten
10 through it all yet, but the parts I have managed to
11 get through have generated the following issues and
12 questions: Concerning the monitoring of springs, I
13 would like some ironclad guarantee that if the spring
14 levels begin to drop, pumping would stop immediately
15 and mitigation would begin immediately. As we all
16 know, the process of getting the pumping stopped by
17 any kind of litigation would mean the death of any
18 plant, animal or human life dependent on that spring.

19 Of course we also know that regeneration of
20 the water table would take longer than it took to go
21 down and the spring might never regenerate. An
22 example of what I'm talking about, SNWA has been
23 monitoring our springs flow. As the state water
24 engineer in the last ruling ruled that's one thing
25 they had to do was monitor Turnley Springs. And they

1 were monitoring it monthly for a while but in the
2 last year they've gone from every month to once a
3 quarter. I've been told this is due to budget
4 constraints.

5 Think about what would happen if they were
6 pumping and had budget constraints. No matter what
7 SNWA promises, we have no guarantees for our property
8 and our way of life. Can a document that absolutely
9 protect the owners of water rights be crafted?
10 Perhaps by establishing a non-revokable escrow
11 account or non-revokable bond.

12 Number two, how would the loss of the
13 evapotranspiration from the phreatophytes that are
14 peeled by water drawdown effect the climate and
15 precipitation stream at downwind locations such as
16 Salt Lake City? Will the loss of this humidity
17 affect the local climate? How will lower humidity
18 affect fire suppression? What is the result on local
19 temperatures from the loss of the phreatophyte
20 communities that provide more shade than shorter and
21 sparser replacement vegetation? What is the impact
22 on species dependent on the greasewood, which is one
23 of the major phreatophytes they're trying to get rid
24 of?

25 As regards radionuclides, on page 3.1-35 you

1 cite no studies of what fallout might or might not be
2 in the soil. You make a pretty general statement
3 that there would be no effect. Could you address
4 this question more thoroughly with studies and, etc.?

5 Being a family of downwinders, on page 3.20,
6 page nine, about the Shoshone ponds, this is just
7 something that I noticed that kind of makes me wonder
8 about the rest of the data in the thing. It's stated
9 there would be likely impact, and one of the
10 mitigations proposed is to drill a new well in the
11 aquifer currently used as a source of water for the
12 ponds. Huh? If the source of water has already been
13 drawn down, what good will drilling new water to that
14 same aquifer do? It's just something that I noticed.

15 I haven't yet found any discussion of the
16 impact on the insect communities dependent on the
17 surface water in Spring Valley. Some might say
18 that's a good thing but other species in the valley
19 depend on them, particularly bats, birds, etc. In
20 other words, the whole web of life in the valley
21 should be concerned. Everything. I strongly request
22 that there be a 90-day extension of this process to
23 give us time to redigest and understand the document
24 more fully.

25 I think you said something about there's an

1 extension, 30 days?

2 DR. MICHAEL DWYER: It's been extended 30
3 days just within the last week or so.

4 KATHERINE ROUNTREE: It was? Okay. But I
5 would like to see it be 90 days, if possible. Thank
6 you.

7 FACILITATOR JOHN GODEC: Jo Anne Garrett.
8 Miss Garrett, did I read your name correctly?

9 JO ANNE GARRETT: Yes, you did. Thank you.

10 FACILITATOR JOHN GODEC: Would you mind
11 giving the court reporter your address as well, spell
12 your name?

13 JO ANNE GARRETT: It's two words, Jo Anne
14 Garrett, G-a-r-r-e-t-t, Box 130, Baker. I don't know
15 if -- I haven't read even the small, reduced
16 document, so I can't say whether or not it addresses
17 the need in Las Vegas for this water. I know that I
18 believe it's true that that factor does need to be
19 taken into account, not just by the state engineer
20 but in the EIS. And so I'm hoping that that's
21 covered, because from everything that I've read and
22 understood recently, that's questionable whether Las
23 Vegas needs this water.

24 If Las Vegas would undertake conservation,
25 as most other large southwestern cities have done,

1 they could have a per capita consumption that is
2 predictable and under control. And as far as I know
3 that has not been attempted. And I've heard Pat
4 Mulroy allude to this, the answer was that somehow
5 that didn't apply, that per capita consumption
6 couldn't be applied in Las Vegas. So I'd like to
7 have that thoroughly discussed.

8 And I think with the world population the
9 way it is and the food situation in the world where
10 thousands of people are starving for lack of food,
11 that this agricultural land should be valued for what
12 future importance might be, which would be something
13 simply to feed human beings, because we're fortunate
14 enough to have some water and a lot of land. And I
15 don't think we should be restricting our comparisons
16 to what's going on now around here because there are
17 a lot of years ahead of the world population, and
18 water is the most precious thing that we have; can't
19 be overvalued. Thank you.

20 FACILITATOR JOHN GODEC: Thank you very
21 much. Mark Rogers.

22 MARK ROGERS: I'm Mark Rogers, P.O. Box 58,
23 Baker, Nevada.

24 I would like to address a geological point.
25 It points out that subsidence of five or more feet is

1 possible, that subsidence will take place within the
2 aquifer. My question is that there has been no study
3 done on what it's going to do, the ability for that
4 aquifer to recharge and/or be able to move water
5 through it.

6 That also does not address what it's going
7 to do to the park's topography which includes up into
8 the park as far as what it's going to do to the
9 limestone formations, because there's caves, not only
10 with above surface but there's other caves below
11 ground. What's going to happen there to the flowage
12 and is it going to increase, decrease or what is this
13 going to do? Nothing has been done on that at all.

14 I would heartily recommend that the BLM
15 reject this out of hand and/or go to the No Action
16 alternative. I'd also like to point out that based
17 upon some of the things that have been said earlier
18 that a lot of the studies, as I went through, I went
19 through the geologist portion very carefully, many
20 areas in there, my opinion, were glossed over. They
21 were not that, and this has been pointed out by
22 Mrs. Rountree, it's been pointed out by Mrs. Hill and
23 several others, that this was get it over with, get
24 out of here, they'll pass it. Huh-uh. I want it
25 looked at and I want it looked at much more

1 carefully. And with that my other comments will be
2 submitted in writing to BLM because I have a number
3 of others that I'd like to submit. Thank you.

4 FACILITATOR JOHN GODEC: Cecil Garland.
5 Mr. Garland, if you could, spell your name and
6 address please.

7 CECIL GARLAND: I can do that. I'm not
8 really a good speller but I generally get it right.
9 Cecil, C-e-c-i-l, G-a-r-l-a-n-d. And I'm from
10 Callao, Utah, C-a-l-l-a-o.

11 A couple of years ago a bunch of us got
12 together and we went down to Vegas and we veered into
13 a lion in his old den, and a Review-Journal reporter,
14 he sat down there wearing a scruffy old cap, anyhow I
15 hope no one here is that offended because it's the
16 cleanest dirty cap I got.

17 I own and operate I guess what you'd call a
18 medium size ranch cow-calf operation. We started in
19 1937, my wife and I did. She's been a schoolmarm for
20 37 years. And we started with six calves and a
21 couple hundred acres of rather poor ground. And
22 we've spent mostly an adult lifetime doing what we
23 have loved to do with a passion that's about as
24 sincere as I think you could.

25 And I'm here to say that I don't think any

1 action should be taken that's going to take water
2 from my ranch or anyone else's ranch in this valley.
3 And I think that's precisely what a pipeline and
4 taking the water out of here is going to do.

5 When I first came to Callao, we irrigated
6 with shovels and dams. And now there's 11 pivots or
7 10 pivots in Callao. A pivot uses about 1100 gallons
8 of water a minute. That's a lot of water. If you
9 put it all together, that would be quite a creek
10 running right down out of Callao.

11 This year has been a good year, but when I
12 came there in 1973, there was on our property
13 somewhere between 20 and 30 active springs. All of
14 them but one have dried up. Gone. And what was it
15 that dried them up? Well, it was about 10 or
16 12 years of drought plus an exponential growth or
17 pretty close of an exponential growth of the use of
18 the water for agriculture purposes.

19 To say that there's surplus water is
20 ludicrous. It's ridiculous. So this whole fiasco
21 about the water is essentially about nothing, about
22 something that does not exist. And we perpetuate
23 ourselves in this charade, this game, only simply
24 because the people at SNWA simply don't know how or
25 understand "no." The science has said no. The

1 courts have said no. The Indian people have said no.
2 We, the ranchers and the citizens, have all said no.
3 So why do they continue to perpetuate this thing,
4 this effort? The reason is simple: Somebody is
5 getting paid an awful lot of money to keep the damn
6 thing alive.

7 It's wrong. There's no surplus water. It's
8 immoral. And we should simply stop it because
9 there's no reason for it. You can't do what my wife
10 and I have done for the last 37 years and not feel
11 passionately opposed to this thing. Do whatever you
12 can to stop it.

13 And the simple fact is that there is no
14 surplus water in this valley. None. I can prove it
15 because I know where the springs were. I know
16 they're not there. I know where the water table is.
17 I know what our rapid increase in the use of water
18 agriculturally is concerned. So believe me, folks,
19 it's just not here.

20 FACILITATOR JOHN GODEC: Wilda Garber.

21 WILDA GARBER: My name is Wilda Garber
22 spelled W-i-l-d-a, G-a-r-b-e-r. And I'm at Post
23 Office Box 57, Baker, Nevada 89311.

24 I've lived here in Baker for about four
25 years and in the state of Nevada since 1993. I grew

1 up in California where I saw firsthand what was
2 happening in Owens Valley. I worked later as a
3 geologist and an environmental project manager in
4 states including California and Colorado. There I
5 witnessed the results of the water giveaway that
6 occurred in the 1800s where water, more water than
7 has ever existed before was given away to California
8 because there was no one to stop the political
9 maneuvering and the money changing hands back then.

10 Right now I'd like to just address a couple
11 of items that I have noticed in reading part of the
12 DEIS for the groundwater development. The
13 groundwater project states it is a right-of-way
14 application for a pipeline that is of unknown
15 nonspecific sources of a size up to 96 inches in
16 diameter that could be resized during final design.

17 In chapter two, and if you look at section
18 2.5.1.2 and table 2.5-2 and in the executive summary,
19 ES page 17 is the page, the first paragraph and the
20 last sentence states, The final size of the pipeline
21 would be determined during facility design.

22 I would ask that the No Action alternative
23 be selected for this project because we don't even
24 know the source of the water. None of that has been
25 examined. We do not know what will be done, what

1 happens when you drill these wells. What are the
2 surface affects when we don't even know where they
3 are? We are using a very generalized model. That
4 doesn't tell us specifics. Why would you build a
5 96-inch pipeline for something that you don't even
6 know is there? Because the studies are based on
7 models or they're based on a few selected wells.
8 They're not based on what they're asking for, which
9 is their way to put the wells wherever.

10 Other people have already addressed the fact
11 that the water rights have been held up, that we've
12 been interfered with since 1989.

13 One other point I'd like to ask for the No
14 Action alternative on is the fact that the BLM
15 groundwater project DEIS does not adequately address
16 alternatives being used in Las Vegas. There are
17 alternatives they haven't even used yet covering
18 swimming pools. At least 19 golf courses when I was
19 working there in -- I left there in 2008 -- were
20 using primary water to water their golf courses.
21 There are very few cities left who can afford to do
22 that. They can't afford it using our water or any of
23 the rest of the state's water.

24 We also have not looked adequately at
25 alternatives. Desalinization would be one

1 alternative. We also have a declining population in
2 Las Vegas now. That needs to be addressed. Nowhere
3 in this DEIS has it addressed a declining population
4 for Las Vegas. In other industries we are required
5 to address what's happened at present and what we
6 would anticipate in the future, whichever direction
7 it may go, negative or positive, increase or
8 decrease. That has not been addressed.

9 So again I would ask that there be a
10 selection of the No Action alternative for this DEIS.
11 I have many other comments just for the parts that I
12 have read in detail and I'm still working on it but I
13 will submit those in writing. Thank you.

14 FACILITATOR JOHN GODEC: Thank you. Dean
15 Baker.

16 DEAN BAKER: Dean Baker, D-e-a-n, B-a-k-e-r,
17 P.O. Box 10, Baker, Nevada.

18 I'm opinionated about the history of the BLM
19 because I've known it since a child. In World War II
20 I can remember clearly when my father was told by the
21 BLM where the fence line went that divided his
22 rangeland there. I've seen lawsuits that went into
23 my age with the division of rangeland.

24 But the BLM was created to protect the land
25 and make it work and make it work for agriculture and

1 livestock. The creation of BLM was very clear to do
2 that. In that process it's protected the land for
3 wildlife and in the end environment. The range in my
4 life is much better than it was the first years that
5 I really dealt with it because of the work that the
6 BLM did.

7 In Nevada you required that you have the
8 water right largely in part where your district came
9 from. You need strongly to consider to protect all
10 those water sources for the livestock if you're going
11 to continue to do what you created for.

12 When you look at the Lincoln County bill, it
13 was put through by legislation for a pipeline in
14 Lincoln County. That's what it clearly said. It
15 didn't say White Pine County. Southern Nevada Water
16 Authority and others have not come to agreements on
17 letting it go, nor would the state engineer or
18 anything else. So you have to, in my opinion, look
19 very strongly at the environmental, but livestock,
20 agriculture in White Pine County, but also there will
21 be the effect in Millard County, Utah, Utah State.
22 And with a pipeline of that size I think also in
23 other parts of Nevada, if they have to keep it full
24 and functional.

25 So for you to say that it's only the

1 pipeline and if you're going to let it come on north,
2 is that what BLM was created to do? My memories of
3 the BLM and what they did to help on the range, some
4 of the older retired people that I know have said to
5 me, My life 30 years, when I went to work for the
6 BLM, Monday morning we got in and we talked what we
7 did to protect the land. That's what we talked
8 about, that's what we did. When he got to retirement
9 he says, Now we talk about other things. The land
10 seems to be secondary.

11 But I think that you need to protect the
12 land, that's what you were created for and that's
13 what your job is.

14 Our applications for water for underground
15 pumping predated I think entirely Southern Nevada's
16 October 17th, 1989 thing. We have developed water.
17 My father was very helpful in getting the power lines
18 put into this country so we quit using a minor amount
19 of diesel engines. When we got the electricity, then
20 we would use electric engines which were very simple
21 to run, very economical, and so we pumped more and
22 more water and developed more and more land. As we
23 did that, we dried up more and more springs, pulled
24 the water levels down in wells and killed things.

25 It is very clear to see the impacts that we

1 have made and our neighbors have made on the land
2 that would hurt agriculture except that it's not an
3 inter-basin transfer. We pull the water out of the
4 ground and put it above ground and so that it creates
5 a field for other things above. Inter-basin transfer
6 just takes the water away.

7 And if your job is to protect the
8 environment, the plants, agriculture, livestock and
9 all of those things, inter-basin transfer is a
10 totally different application to look at. You look
11 at the impacts that we make with a minor thing and
12 then look at the amount of water that would be put on
13 an inter-basin transfer without creating the fields
14 above, it's a very different thing.

15 If you went back to 1950 and where the BLM
16 looked at it, you would just laugh at it I believe
17 and say, We wouldn't allow a pipeline that's going to
18 kill all of the people that we've created largely,
19 and you were helpful in creating the ranches that are
20 here.

21 One of the things that is looked at or you
22 should look at is the Burbank Meadows south of here.
23 For instance, the Gonder family still owns some land
24 there. The first of the Gonder family in the Millard
25 County court office says they came here in 1862.

1 That family still owns part of the Burbank Meadows
2 but when the white man first came there, Indians were
3 a huge number there. They lived off of the wildlife.
4 They lived off of the many, many birds that were
5 there, the fish and everything else. It was simply a
6 home for many.

7 The white man built their houses and many
8 houses around the Burbank Meadows. They raised
9 cattle. They created the irrigation corporation to
10 serve that water before either the State of Utah or
11 Nevada were making water laws. It was used long
12 before there were either state existed.

13 So that water is still being used. That
14 basin or the Burbank Meadow is such that in the
15 winter when you quit grazing the grass, the grass
16 quits growing, it gets cold, it doesn't evaporate the
17 water, it comes to solid ice on top of it so that
18 it -- you want me to sit down? I'll try to get
19 through.

20 But what it shows is that there were white
21 man living there creating livestock. It's still a
22 home for a couple thousand cows. And yet when you
23 talk about in your thing, the little you talk about
24 agriculture, you pull that water level down even five
25 feet, that meadow will be essentially gone and its

1 productive level, those springs will be gone and that
2 will mean the cows can't go to the desert. The
3 springs on the desert may well be gone so you need to
4 put more emphasis on agriculture, wildlife,
5 production and everything else.

6 And I could have said many things like Cecil
7 Garland said and others that are very similar in our
8 experience. Thank you.

9 FACILITATOR JOHN GODEC: Thank you.
10 Mr. Baker, if you have additional comments that you'd
11 like to present to the court reporter when we finish
12 with this public session, please feel free. We'll be
13 here.

14 Denys Koyle.

15 DENYS KOYLE: Denys, D-e-n-y-s, Koyle,
16 K-o-y-l-e, Post Office Box 30, Baker, Nevada. And
17 I'll try to talk loud enough for Cecil to hear me.

18 This is one volume. There's two volumes.
19 We haven't read it all. I've read five chapters.
20 But if you don't want to read anything else but
21 chapter four, please get a copy and read chapter
22 four, the four pages of irretrievable and
23 irreversible commitments of resources.

24 Because this is an impressive document.
25 There's a lot of work that's gone into it. And my

1 first reaction to it was they've gone a long way to
2 prove our point. This will be a disaster for us.
3 But that said, there are some problems with it. It
4 probably could be twice as long and not address
5 everything we'd like to be addressed.

6 I'm not a biologist and I didn't read any of
7 the science stuff. I read the five chapters I
8 thought I would be able to understand, which are on
9 the cultural and socioeconomic impacts of the
10 document. And I will submit lengthy comments in
11 writing but I thought I'd talk about some of the
12 things that maybe might not ever get mentioned that I
13 came across.

14 As president of the Great Basin National
15 Heritage area I've been involved -- I will be
16 involved in the Section 106 process, and I know
17 that's still underway and hasn't been fully completed
18 and there are things that will come out of that that
19 will be helpful, but I want to point out that the
20 visual impact of this project was addressed in a
21 separate chapter by itself but the concept of a
22 historic landscape was not.

23 The landscape of Spring Valley will be
24 drastically altered if this project goes forward.
25 The story of Spring Valley is the story of the

1 American cowboy. Picture Lee Whitlock in the 1940s
2 chasing wild horses in Spring Valley. It's
3 essentially the same valley today. And if this
4 project comes along with its power lines and its
5 buildings and its new roads, that's going to
6 disappear.

7 Also the document indicates that they don't
8 know how many historic sites are out there. I mean,
9 there will be inventories and there will be as many
10 studies as you can do but there are sites that nobody
11 knows about and probably will be turned up when they
12 start digging. The document indicates that unknown
13 archeological sites will be located; and if sites are
14 found, they will excavate and preserve the relics but
15 they'll take them someplace else. My argument is
16 they belong here. And it says they will mitigate it.
17 How do you mitigate something once it's gone, whether
18 it's a relic or historic landscape? It's gone. I'm
19 sorry.

20 In a couple of places the document refers to
21 the possibility of a pipeline rupture and flooding,
22 which could damage or destroy cultural sites. My
23 question is how likely is that event? It's not one
24 I've thought about. And is there a way to prevent
25 such an occurrence? If there is and it costs a lot

1 of money, I want it done. Anything to make this
2 project more extensive is to our benefit.

3 The document does address Native American
4 sites and religious sites, which is really important.
5 And I know the white man has only been here a couple
6 hundred years but I would argue that I've had
7 religious and spiritual experiences in Spring Valley
8 and on the Snake range and on the Schell range that
9 other people haven't had a chance to have and might
10 not when it's disturbed and it's a different
11 landscape entirely.

12 I'm a historian by training and I read the
13 bibliography on that chapter. There's one reference
14 to the history of Lincoln County. There's none to
15 White Pine County, Millard County, Utah or Nevada. I
16 would recommend that you read or look at realignment
17 history of Millard County because it's strong on
18 economics and the agriculture of the county. And
19 then Elliot and maybe for McGill is a strong Nevada
20 historian that has talked about White Pine County.

21 Now I'd like to talk as a business owner in
22 Snake Valley. My son Gary and I have invested the
23 last 35 years into building the business in an area
24 that needless to say is tough going. The remoteness
25 is a blessing but it's also a curse. The fact that

1 we're on Highway 50, the loneliest road, means
2 getting customers off the road and hopefully
3 providing services well enough that they will want to
4 come back is only half the battle.

5 Getting supplies, building water and sewer
6 systems, buying insurance with knowing fire
7 department rates, dealing with almost nonexistent
8 labor force, it's just part of the everyday struggles
9 out here. And despite the limitations of the area,
10 we have turned a \$48,000 investment into something of
11 which we're proud. To have the unknown of this
12 project looming over our heads is worrisome. I'm
13 pretty sure that Southern Nevada Water is not going
14 to come and offer to buy the Border Inn at an
15 inflated price. Patty doesn't want to be a motel
16 maid, Cecil.

17 I worry about negative impacts on the park,
18 the visuals, the caves and how that will affect the
19 tourist traffic and ultimately the traffic on the
20 road. And during my time here I've noticed the wind
21 does blow a little, but since the drought began about
22 ten years ago, we've experienced more dust storms
23 than I remember from 30 years ago. Highway 21 and
24 Highway 50 have been closed the last couple of years
25 off and on because of the huge dust storms. I don't

1 recall either, you know, I just don't remember that
2 happening before the last few years. As the
3 desertification of the desert continues, dust will
4 become even a huger issue and nobody is going to want
5 to drive out here from Delta on a windy day.

6 The socioeconomic section of this is pretty
7 light. It needs a lot of work. One thing it
8 mentions is the stress that has been caused in the
9 communities, political differences. People who have
10 sold ranches were afraid of what their neighbors were
11 going to say, things like that.

12 I'd also say that the stress has been real
13 for those that have spent time and money fighting
14 this fight. The time away from the business, the
15 financial resources we've committed to it, while very
16 insignificant to what SNWA has spent, is significant
17 to us. And we're not going to get repaid or
18 compensated in any way, shape or form.

19 The only people in the Great Basin Water
20 Network that get paid are the lawyers and the
21 hydrologists and some of the paid consultants.
22 Everything else that has been done is voluntary and
23 we've been very effective, folks. We need to keep it
24 up.

25 FACILITATOR JOHN GODEC: Miss Koyle, could I

1 ask you to please wrap up.

2 DENYS KOYLE: I'm sorry. At the state water
3 engineer hearings at the first Spring Valley hearing
4 Mayor Oscar Goodman came and testified about Las
5 Vegas and 9-11 and how after 9-11 Las Vegas was hit
6 dramatically and took a while to recover, and he
7 talked about the fragile nature of Las Vegas. That
8 was before the great recession. We now know exactly
9 how fragile Las Vegas is.

10 In the great recession the rural counties of
11 Nevada survived better and did better than Las Vegas.
12 Las Vegas is still at 12 percent unemployment and we
13 talk about their loss of population. We live in a
14 gambling state and, folks, I wouldn't gamble on Las
15 Vegas.

16 FACILITATOR JOHN GODEC: Ken Hill.

17 KEN HILL: Ken Hill, K-e-n, H-i-l-l. HC 61
18 Box 550, Partoun, Utah. I noticed that the cost of
19 the project is not addressed, and I'm told it isn't
20 necessary to address it but I find it strange that at
21 least a couple of projects' potential alternatives
22 were rejected because they were going to be too
23 expensive. Seems to me if they're saying that's
24 going to be too expensive, you need something to
25 compare it against.

1 And I agree with some of the speakers that
2 we need an additional 60-day extension to the comment
3 period.

4 I don't know if this is covered or could be
5 covered in the DEIS or in a future tier but I hope
6 it's addressed if the project is approved that when
7 it's built it's phased in as the need in Las Vegas
8 becomes necessary; that if the project is built but
9 there's only a modest increase in need in Las Vegas,
10 that means of water then isn't going to be necessary
11 and we're going to be winding up buying our own water
12 back in bottles, if it comes from Las Vegas if that's
13 the case.

14 I think too that we need a broader
15 independent legal review of the language in the
16 Lincoln County Land Act. The EIS assumes that a
17 right-of-way is required because of that act, but I
18 don't know how far they looked for legal advise on
19 that but I think they need to look a little further.
20 In fact, even the EIS is a little bit ambivalent.
21 Some places it says we must grant a right-of-way,
22 other places it says we may accept or we may reject
23 the right-of-way. So seems to me they need to make
24 sure that it is absolutely necessary.

25 I also think the study area is too small,

1 that they should expand it further into Utah. And
2 the quote that Kathy brought up about SNWA's
3 spokesman J.C. Davis, he said the feared affects on
4 water levels won't happen because BLM officials don't
5 take into account planned mitigation efforts of
6 groundwater monitoring. I find this kind of strange.

7 Did SNWA withhold information when they ran
8 their models or are they just trying to blow smoke or
9 what? Seems like that should be addressed. And I
10 think that chapter four that Denys mentioned,
11 irreversible effects, that section alone should be
12 reason enough to go for the No Action alternative.

13 FACILITATOR JOHN GODEC: Max Chipman.

14 MAX CHIPMAN: My name is Max Chipman, that's
15 M-a-x, C-h-i-p-m-a-n. I'm commonly referred to as a
16 cheap man. What I would like to discuss --

17 FACILITATOR JOHN GODEC: Mr. Chipman, can
18 you give us your address as well please.

19 MAX CHIPMAN: I'm sorry, I'm a Las Vegas
20 businessman but I also have a home here in Baker.
21 The address is Post Office Box 50, Baker, Nevada.

22 There's two or three things I would like to
23 go over that's very critical to me and to you. One
24 of those items is the quality of food we eat, the
25 quality of air we breathe, and the quality of water

1 we drink. Without those items we are dead.

2 My issue here that I want to take up,
3 because I'm in the emissions testing program in Las
4 Vegas, I'm a businessman, have been there for
5 20 years, I know what's going on there. In Las Vegas
6 we have Death Valley to the north of us, we have
7 desert to the south of us, and we have many, many,
8 many bad air days, as if you've driven into Las Vegas
9 you have seen.

10 I am in the emissions program so I know what
11 the problem is. It is not pollution coming from
12 cars, all our bad air days in Las Vegas is dust.
13 Dust. My question is here, when the people steal all
14 the water around me here in Baker and generate at
15 Death Valley around me, what's my quality of air here
16 in Baker? It is not good. That's what I would like
17 to take up, it is not good.

18 As a Las Vegan I understand bad air days and
19 I deal with a lot of people that have problems
20 because they can't breathe because of the dust in the
21 air and it is critical that we don't allow that to
22 happen. Thank you.

23 FACILITATOR JOHN GODEC: Brian Morrison.

24 BRIAN MORRISON: At the sake of being
25 redundant, I'll pass. I think it's been well said

1 tonight.

2 FACILITATOR JOHN GODEC: Thank you,
3 Mr. Morrison.

4 Jerald Anderson.

5 JERALD ANDERSON: My name is Jerald
6 Anderson, J-e-r-a-l-d, Anderson, s-o-n. My address
7 is HC 78 Box 500, Garrison, Utah.

8 There are a number of things about the EIS
9 that I'm concerned about, and I haven't gotten
10 through all the volumes yet, but my focal area has
11 been largely on hydrology and soils. I think the
12 thing that concerns me the most is the forecasting
13 that's included for the various alternatives and what
14 it's based on.

15 Eskdale is on the edge of the impact area
16 for the proposed action. It actually cuts through
17 about the middle of Eskdale's farming area. And so
18 that causes me to wonder if that's the ten-foot
19 impact line. Then, number one, like Kathy said,
20 what's ten to zero look like, what's that impact
21 area? And also how accurate is that? You know, if
22 that shifts a half a mile, it takes the entire
23 Eskdale area into account at ten feet and can spread
24 even farther.

25 One of the things that concerned me in

1 section three where it's talking about the
2 inter-basin flows between Spring, Hamlin and Snake
3 Valley, there are a number of studies that are
4 referenced in there. There's Rush and there's I
5 think it's Kazmi, there's the BARCAS study, and then
6 SNWA in 2009 created their own estimates, which I
7 have to presume were included in the modeling. And I
8 have no way to be assured of how those values were
9 chosen, what was used, what priority was given to
10 them.

11 I find it interesting that the recharge
12 numbers between BARCAS and SNWA's study are very
13 close to each other at about 160,000 acre feet per
14 year, but the recharge from Spring Valley through
15 Hamlin into Snake Valley in the BARCAS study is
16 estimated at roughly 33,000 acre feet and the SNWA
17 study it's about 5700 acre feet per year. There's a
18 considerable range of difference in the way that the
19 inter-basin flows and the ET rates that are used. I
20 think at a minimum the EIS needs to state more
21 clearly how the values were chosen that were used in
22 the modeling. So I think that's a significant issue.

23 Secondly, in looking at all of the
24 alternatives, the impact in the Big Spring areas is
25 significant. And the Big Spring area is the

1 headwaters of the flow into Snake Valley. Dean
2 talked about the impact on the wet meadows, but it
3 extends far beyond that. That wet meadows area also
4 feeds Pruess Lake, the creek that goes into Garrison,
5 and there are also impacts in the Roland Spring area,
6 a lot of the other areas in the foothills and the
7 recharge areas. So I have a real concern that all of
8 the alternatives show some impact in that area, and
9 that's a critical area to all of Snake Valley.

10 One of the other things that bothers me,
11 it's been mentioned here too, is we talked about this
12 impact of drawdown on the phreatophytes, what that
13 does to the soils. Those of us who live here, like
14 Denys said, the wind blows a little, and you get to
15 see what happens in dusty areas. Now if the
16 greasewood and the other phreatophytes in this area,
17 but it's primarily greasewood, if they're reduced in
18 volume, their ability to keep the wind from scouring
19 the soils in this area is also going to be reduced
20 and you're not going to see the kind of surface
21 vegetation that ties down the soils, the surface
22 soils.

23 So I think air quality is a significant
24 issue. It doesn't even have to get as far as Salt
25 Lake to be an issue, it's going to be an issue right

1 here. And we've seen this in the drought years in
2 '97 through 2000 where we didn't have enough surface
3 rainfall to generate weeds to help tie it down. We
4 had tremendous amounts of blowing soil.

5 So I think a greater look needs to be taken
6 in the soils area. Also as I was looking through it
7 I noticed there is no soils information mentioned for
8 Millard or Juab County. The analysis in Utah, like
9 Ken said, is woefully inadequate for what's being
10 done, but the initial emphasis that SNWA made on only
11 Nevada still shows up in this EIS. And so those
12 holes have got to be filled in for this to be called
13 complete in any way.

14 The last thing that I'd like to mention is
15 when you look at the trend lines that are over there
16 on the pumping in the various valleys, and you look
17 at the decreases from pumping that goes through the
18 75-year to the 200-year curve, you'll notice that
19 they all go down. There is a curve and if you fit
20 that curve, it's going to go down a long, long ways,
21 probably to the bottom of the well intakes.

22 But one of the things that's missing in this
23 analysis, in addition to the lack of precision that
24 was mentioned before, is there is no forecast of what
25 happens when the pumping stops. Originally when this

1 project was proposed, SNWA said its useful life would
2 be 75 years, and that's reflected in the first set of
3 maps that talks about drawdowns and impacts. But
4 what happens if, indeed, that's true and pumping
5 stops at 75 years? There should be a forecast, a
6 modeling forecast, of what happens at the stoppage of
7 pumping at 75 and a hundred and a hundred and a
8 quarter, whatever we assume this project might use,
9 because if technology comes in that's more cost
10 effective than refurbishing this pipeline, that
11 pipeline will cease operating. We need to have some
12 idea of how long, if ever, the impacts of that
13 pumping will be seen and recovery.

14 And as we stated before also, we know that
15 springs, once they stop flowing, are very difficult
16 to regenerate. So there needs to be a lot more
17 attention paid to the recovery from stopping pumping
18 and that needs to go into the monitoring and
19 mitigation plan. Thank you.

20 FACILITATOR JOHN GODEC: Tom Baker.

21 TOM BAKER: I'm Tom Baker, P.O. Box 29,
22 Baker, Nevada 89311.

23 I've read some of your report. It's been
24 during the busy season and I haven't gotten anywhere
25 near done reading the whole thing, just the most

1 interesting parts. I don't see how you can expect us
2 to have read it and thought about it in the time that
3 you've allotted, and I would request an extension of
4 at least the 90 days.

5 The summary is the main thing I've read and
6 it talks about how many miles of perennial springs
7 are in the affected areas and how many springs that
8 would be dried up, but I don't know how you can
9 approve any kind of project without knowing what
10 drying those springs up will cause, what kind of
11 things it will affect as in plants, animals, people.
12 It doesn't make sense to me to approve it without
13 knowing some kind of an answer to those questions.

14 As I look at the maps, and people have
15 mentioned it here, that the ten feet of drawdown is
16 the smallest that you show. A lot of springs, wet
17 meadows, are affected by less drawdown than that, and
18 also it just shows it within the boundary of your
19 study and we don't know if your ten-foot goes right
20 up to that or even 20.

21 And how do we know how far away that goes
22 beyond the boundaries of your study? And you have
23 numbers for the number of springs and miles of
24 streams, but that doesn't -- how many more are out
25 there that you're not counting for? And I don't see

1 how you can approve it without doing a more thorough
2 study of the boundaries of the affects.

3 And then you can talk about the unknowns and
4 things that you have no idea how the effects are
5 going to occur or what will occur, and I don't see
6 how you can approve any alternative besides the No
7 Action alternative with that many unknowns.

8 And in it they talk about mitigation. I
9 spent a lot of time every day moving water in the
10 valley and looking at the effects, and in this
11 country any time you draw up, take water away from
12 one spot and put it in another, you just dried up the
13 spot you took away from, and the only way to change
14 that is to put the water back where you dried it up
15 and then you dried up the place where you took the
16 water from. And using underground water you can
17 change that a little bit, but given enough years
18 you're not going to mitigate anything if you've taken
19 the water away from this country. That's all I have
20 to say.

21 FACILITATOR JOHN GODEC: Becky Mills.

22 BECKY MILLS: My name is Becky, B-e-c-k-y,
23 Mills, M-i-l-l-s, 994 Wild Cat Canyon Road in
24 Berkley, California 94708.

25 I've been designated by the Coalition of

1 National Park Service Retirees to represent them in
2 reacting to and speaking about the Southern Nevada
3 Water Authority groundwater project. And these are
4 tentative comments because I have not had the time or
5 taken the time to read the entire document and I
6 haven't concurred with some of the other members of
7 the executive committee. We will be submitting
8 written comments.

9 But we have already taken a stand against
10 the project in Spring Valley and in Snake Valley. We
11 took that some time ago. Naturally because we
12 represent hundreds of retired National Park Service
13 employees, our focus is going to be only on impacts
14 and potential impacts on the national park. We can't
15 take a position on anything else.

16 But when you think about that, consider the
17 language in all of the legislation that enables
18 national parks to exist. The language says that the
19 park service is to preserve unimpaired for current
20 and future generations all of the resources of the
21 land within the park. And in the case of this
22 specific park, it is not only that we are to preserve
23 unimpaired the resources within the lands of the
24 park, we are also to preserve unimpaired the vistas
25 around the park that represent the basin portion of

1 the Great Basin of the United States. The language
2 doesn't say that we would preserve sort of unimpaired
3 or mostly unimpaired or kind of unimpaired, it's very
4 specific and very clear. And there's a lot of case
5 law about what it means.

6 This community knows well that as
7 superintendent here I had to make some very unpopular
8 decisions based on my interpretation and the agency's
9 interpretation of what it meant to preserve the
10 resources unimpaired. The scope of this project is
11 enormous compared to the scope of the decisions that
12 I had to make that Dave Moore, when he was
13 superintendent here, had to make, that Andy has to
14 make and that future superintendents will have to
15 make.

16 One little aspect I want to bring up, I
17 don't know if -- I haven't seen it in the executive
18 summary, I don't know if it's in the full document,
19 but when you speak about dust and quality of air, one
20 of the resources that is becoming known throughout
21 the world, and specifically here at Great Basin
22 National Park, is dark skies. So the impact of this
23 project on dark skies ought to be analyzed.

24 The coalition's position was against the
25 project in Spring and Snake Valleys. And as you

1 know, the BLM and the National Park Service both
2 entered into a stipulated agreement to withdraw their
3 protest. I understand this is not the venue but it
4 covers the project in Spring Valley. It was very
5 troubling to the Coalition of National Park Service
6 Retirees that the National Park Service took that
7 position and that BLM took that position, along with
8 the sister agencies.

9 The stipulated agreement withdrew the
10 protest in Spring Valley before there was a complete
11 EIS. We don't have a complete EIS yet. And for the
12 agency, BLM, that is responsible for completing, for
13 preparing, completing and deciding the EIS, to take a
14 position in a stipulated agreement to withdraw their
15 protest in Spring Valley seemed very troubling. Some
16 people would call it a conflict of interest.

17 I understand that the models that are in the
18 full EIS which I have not reviewed do identify, and
19 Jerald Anderson mentioned this, that the inter-basin
20 flow between Spring Valley and Snake Valley exists.
21 Many people reviewing the EIS may not read the full
22 document. Some of us may not. And I think that
23 particular fact needs to be in the executive summary
24 because it will inform what one's position is with
25 respect to the alternative that includes Spring

1 Valley versus the alternative that excludes Spring
2 Valley, if you see what I mean. If it isn't clear in
3 the executive summary that water flows between Spring
4 Valley into Snake Valley, then how can people make an
5 informed decision? I recognize that it is in the
6 document but I think it should be reflected and
7 emphasized in the executive summary.

8 And I thank you for the careful analysis of
9 the irreversible and irretrievable impacts. It's
10 very powerful. And given the mission of the National
11 Park Service to preserve unimpaired the resources
12 that are by law enacted to make national parks, the
13 analysis, in our opinion, should lead to a No Action
14 preferred alternative, but again we will be
15 submitting our written comments. Thank you.

16 FACILITATOR JOHN GODEC: That is the last
17 speaker card that we had at the moment. Assuming you
18 have no objection, Dr. Dwyer, is anyone else
19 interested in making a public statement? If not, I'd
20 like to invite you to stick around. We will be here
21 for a while. If you have any questions or would like
22 some clarification, please feel free to chat with any
23 of the BLM or consulting staff.

24 If you have a comment or a question that
25 you'd like to present privately to the court

1 reporter, she'll be here for a while, please feel
2 free to do so. And don't forget to submit written
3 comments.

4 Thank you for being here tonight and please
5 stay involved in this.

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

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