White Pine County Exhibit U

Review of Section 3.18, Socioeconomics and Environmental Justice:

A. Overall Concerns with the Quality of the Socioeconomic Data and Analysis:

The Socioeconomics section fails to comply with the CEQ requirement to "take a hard look" at the factors under review. (In *E.I. DuPont de Nemours & Co. v. Train*, the court interpreted "hard look" to mean that "assumptions must be spelled out, inconsistencies explained, methodologies disclosed, contradictory evidence rebuffed, record references solidly grounded, guesswork eliminated and conclusions supported in a manner capable of judicial understanding." The courts have further defined the information required for a "hard look" to mean that it does not require perfection, but should be based on information that is available and not at an exorbitant cost).

The Socioeconomic analysis is weak because the data used to describe social and economic conditions in each area are limited, the Draft relies heavily on readily available published data regarding the affected counties without exploring further to understand what the data mean, and the Draft contains several errors and omissions of information. (Specific instances of errors and the need for improvement in the data and analysis are listed in the page by page review of the document in Sections B and C)

The socio-economic section including Appendix F is lengthy, but it is called upon to analyze five geographic areas, each with its own unique social and economic setting; a proposed action, five Alternatives A through E, and the No Action Alternative; and four distinct project elements (construction, operation of the pipeline and transmission system, construction and operation of the water development segment, and long term impacts of pumping). The time frame begins with the filing of applications for water rights in 1989 through the present to construction between 2012 and 2023 and then pumping which may be initiated in each of five hydrographic basins at some point between the completion of construction and 2049 (Snake Valley). The impacts of the pumping will extend for 200 years or more. Given the scope in geographic size and diversity, project elements, and time frames, it would be impossible to provide an in-depth analysis of each geographic area for each project element under each alternative. The size and scope of the project does not negate the need for a "hard look" at the existing conditions and potential impacts.

1. The discussion does not provide an adequate baseline of existing economic conditions and contributions for White Pine County or for the Spring and Snake Valley areas.

The information needed to comply with CEQ requirements is available. For example, the discussion on Tourism and Recreation uses the Nevada Department of Wildlife statistics on hunting and fishing license sales, Great Basin National Park visitation records, and a national survey to define daily expenditures. The Nevada Department of Wildlife has substantial information readily available on hunter days by hunt unit and species as well as angler days. The BLM and Forest Service provide information on recreation visitor days, and the White Pine County Tourism and Recreation Board can provide lodging tax revenue by month and by property. All of these sources are available without cost and

most are available online. In the discussion about agriculture's economic contribution, the primary source of information is the White Pine and Lincoln County tables from the 2007 Census of Agriculture. The University of Nevada Reno, Ag Econ Department and Cooperative Extension Service publish reports and studies detailing the economic contribution of agriculture by County and in-depth analysis of economic impacts of agriculture. Both outdoor recreation and agriculture were identified as key elements of the economic base for White Pine County in general and Spring and Snake Valleys yet none of the information was used to try to develop a better picture of the existing economic conditions as a baseline for analyzing the potential socioeconomic impacts of the proposed project.

2. A review of Chapter 6 and the references cited for Appendix F 3.18 shows that only two references are cited for White Pine County, an interview with the County's Economic Diversification Coordinator in 2009 and the Tourism and Recreation Board/Chamber of Commerce List of Accommodations. The Draft does not cite White Pine County's planning documents or Annual Comprehensive Economic Development Strategy which include discussions about economic history, current economic conditions, population projections, economic trends, needs and priorities, and future development.

3. The document cites published data and draws conclusions about employment, personal wealth and poverty levels, housing, and public services that do not necessarily reflect actual conditions in each of the rural counties. Follow up contacts with County personnel and community leaders could have helped to explain what the data actually mean.

4. The document omits important areas of socioeconomic discussion including impacts on traffic during construction and impacts on court systems if law enforcement activity increases. Information on these topics is readily available.

5. The Socioeconomic section makes statements and draws conclusions without citing references. (See Section C)

6. In some instances the document attempts to offer one explanation for factors for rural areas. Each of the areas has its own economic and social setting. What may be true for one may not help to explain conditions in another area. An example is the explanation that lower average personal wealth in rural areas is manifested in higher levels of poverty. In Lincoln County, 16.5 percent of the population is at or below poverty level. In White Pine County, wage and wealth averages are lower but the County has historically been at or below state and national poverty levels. The breakdown by income category shows the lower average wage levels indicate that the County has fewer wage earners at the highest salary levels.

The Socioeconomics discussion does not adequately address unknown factors essential for analysis of potential impacts.

1. No where in the socioeconomic section is there an acknowledgement that there are unknown or incomplete data that is essential to fully understand and analyze impacts of groundwater development projects and long term ground water pumping on the socio-economic conditions in the affected areas. The time frames for the proposed project are too long and there are too many unknowns to allow adequate analysis of potential impacts. The proposed project is not "ripe for analysis."

2. The application for the Right-of-Way was received in 2004 and the Draft was released to the public in June 2011. The time period to develop the Draft includes one of the most severe economic declines in the country's history and Clark County has been one of the hardest hit areas in the nation. The Socioeconomics discussion shows inconsistency in how to address the updated information available during the time it has taken to develop the draft and uncertainty in how to interpret the impact the recession will have on future growth of the Las Vegas Valley. There needs to be a stated and consistent approach to new information available since this section of the Draft was written and there needs to be an independent review of the impacts of the recession on the growth anticipated for Las Vegas Valley that is stated in the document and subject to public review and comment.

3. The NEPA process does not require speculation but it is required to make an informed judgment on estimated future impacts based on trends and the probably effect of potential decisions. The analysis of potential long term socioeconomic impacts and cumulative impacts is inconsistent between urban and rural areas. Potential rural development is limited to projects that have begun the NEPA process. The Draft does not include all probable or potential development in White Pine County. The BLM has applications for initial stages of research on wind energy projects in the Spring and Snake Valley areas and there have been a number of inquiries and applications for other types of renewable energy production throughout White Pine County including solar and pumped storage indicating further development of renewable energy development is probable; during the past two years, the White Pine County Commission received an application for a zone change to accommodate recreational development in Spring Valley, and the Spring and Snake Valley area have supported a wide range of agricultural activity in the past including orchards, livestock, and alfalfa cube production. The Draft accepts the projection of continued growth in the Las Vegas Valley based on previous population figures in spite of the impact of recent economic decline, reports of excess housing, and the fact that new industrial development, construction, and casinos, needed to support that growth have not yet been proposed.

The discussions of social conditions and attitudes are subjective and not properly referenced

In discussion of social conditions, the documents repeats several times the statements that some people in Clark County favor the project because it will reduce risk and help ensure

future growth while others have concerns about diminished quality of life, that there are strong feelings against the project in rural areas, but there are mixed feelings in Lincoln County where the project may provide water resources and infrastructure to support existing and potential economic activity. The document provides a general list of the sources it looked to for information on community attitudes including the scoping meetings, Nevada State Engineer's hearings, newspaper articles and public meetings. Community attitudes for and against the project and potential ramifications of those attitudes are repeatedly cited in lists of impacts. The document notes that in the absence of a public referendum on the project, there is no adequate measure of opinion for and against.

If community attitudes are important to understand the project impacts, it would be beneficial to conduct an independent study of attitudes about the project to be included in the appendix material. The methodology for such a study is available. While it might represent an additional cost, it would be minimal compared to the costs of water modeling and other studies conducted for the State Engineer's hearings and EIS processes.

The discussion regarding population projections needs further explanation of the methodology and limits of the statistical techniques used for the projections.

The document uses the State Demographer's population projections which are the official projections for all Nevada Counties. In addition, it cites the CBER population projections for 2009.and notes the 2010 census does not agree with the projections of the State Demographer. There are several projections of population growth available for Clark County as an urban area. There is disagreement among the studies in whether the growth rate experienced by Clark County during the past decade would have continued at that rate for an extended period in the future independent of the impacts of the recession since 2008 or access to water resources from Central Nevada.

The document needs to include a discussion about the methodology for the development of the projections. In the State Demographer's case, a regression analysis is used looking at the past to predict the future. The technique will predict growth for Clark County because Clark County was growing during the historical period used as the baseline. The technique will predict losses for an area like White Pine County because the County experienced a mine closure during the baseline period. The projections cannot predict emerging economic activity and changes in economic base. In White Pine County's case, for example, the projections predicted a steady decline during the period the Ely State Prison opened, there was new mining activity, and the County was growing. In recent years the State Demographer has worked to overcome this deficiency by requesting information about anticipated projects or potential changes in the County's economy and population. These have been factored in to the projections. The County worked closely with the State Demographer while doing its 2006 Water Resource Plan based on a 50 year planning period. During those discussions he acknowledged that the process used for the projections was not well suited to long term analysis.

An explanation of the techniques and the limits of population projections could be included in the appendix material and would help the reader understand the figures used. In addition, the document would benefit from an independent and comprehensive review of population growth and projections not only in Nevada but in the Southwest.

B. Inadequacies and Inaccuracy of the Information Provided

Section 3.18.1, Affected Environment:

Page 3.18.2, Discussion on communities and settlements in the study area lists "the emerging Coyote Springs development on southern Lincoln/northern Clark counties. There needs to be an explanation of what Coyote Springs is, its history, what is there now, and what is proposed.

Page 3.18.3, *"Lincoln, Juab, and Millard counties all experienced long term population growth while White Pine County experienced a pattern of cyclic contraction and expansion tied to mining and the opening of a state prison."* The fluctuations in the mining industry caused fluctuations in population. The opening of the Ely State Prison in 1989 increased population and that has remained constant.

Page 3.18.5 (first paragraph) Discussion regarding Clark County population declines due to the recession. The statement notes that the State Demographer anticipated a decline in population of 50,000 that was not reported in the 2010 Census but other statistics suggest that a substantial out-migration occurred. The statement should cite the other statistics it is referring to. As noted in Section A, above, there is a need for an independent and comprehensive review of population trends and projections in light of the impacts of the economic recession on Las Vegas.

Page 3.18.9, Table 3.18.6, White Pine County population projections change from 2008 to 2010: The change from growth to population decline is due to the fact that the State Demographer was including the population projections for both White Pine Energy Station and Ely Energy Center in the 2008 projections and subtracted them when the projects were put on hold and factored in the potential closure of the Robinson mine when Quadra published information on the projected mine life.

Page 3.18.13 and 14, 2007 Census of Agriculture: The discussion doesn't indicate if the data for the 2007 Census of Agriculture reflect the purchases and operation of ranches in Spring Valley by SNWA.

Page 3.18.14, Last bullet point: "Although farming and ranching are not major income generators on an accounting basis, agriculture is an important element of the economic base of the four counties." There are reports published by UNR and the Cooperative Extension Service on the value of agriculture by county as well as studies on various segments of the agricultural industry in Nevada that provide additional understanding and documentation of the economic benefits of agriculture. The document emphasizes the reliance of the rural areas and especially Spring and Snake valleys on agriculture. It

would be a stronger discussion if it included a more in-depth review of the information and analysis that is available rather than just including the White Pine and Lincoln County tables from the 2007 Census of Agriculture.

Page 3.18.16. The concerns listed regarding SNWA's ownership and operation of the ranches in Spring Valley do not include the concerns that the management of the ranches is not based on production but preservation of the groundwater for other uses and the concern that SNWA is unfairly competing with local ranchers. These concerns have been raised in a number of public meetings that were attended by SNWA staff and have been documented in minutes.

Pages 3.18.6, 17, and 18 Tourism and Recreation: The discussion on tourism and recreation in rural areas is not comprehensive. The information used includes a national survey, reports of hunting and fishing licenses sold, and visitation at Great Basin National Park.

Additional information available through Nevada Department of Wildlife includes reports of hunter days per species and by Hunt Unit, fishing creel census data that can identify angler days by specific location (including the creeks in Spring and Snake Valleys) and hunting activity per County by species including upland game birds, waterfowl, small game, and trapping activity. By working with the Department for access to individual results from big game hunter report cards submitted by tag recipients each year, hunter days could probably be identified for specific areas rather than hunt units. The Department enjoys a very high response rate on the report cards because hunters must pay $50 to apply for a tag the following year if they do not turn in their report card. The discussion of the seasonality of rural tourism does not acknowledge that big game hunting seasons in White Pine County span a period from early August through December. This discussion also omits revenue generating activity related to wildlife in the Spring and Snake Valley areas including hunting guide revenue, taxidermy business, and land owner tags. Historical data would probably show the revenue lost from land owner tags when SNWA purchased the ranches in Spring Valley because they are not eligible for the tags.

Both the Forest Service and BLM maintain records and professional estimates of recreation visitor days and the State Parks Division has information on visitorship at its parks by county of origin. Both the NDOW and State Parks data show that the vast majority of recreation use of White Pine County facilities comes from Clark County visitors.

The discussion in Section 3.18 does not include lodging tax data or attendance at special events from the Tourism and Recreation Board. Although it requires some assumptions including average room occupancy and average room rates, the lodging tax revenue can be used to determine the number of visitors per month. The discussion does not include business travel. According to the White Pine County Tourism Master Plan completed by Tom Harris at UNR, business travel accounts for a substantial portion (35 to 45 percent) of the room rentals in the County and it is year round rather than seasonal.

Spring and Snake Valleys play a vital role in the White Pine County's tourism and outdoor recreation and with some effort, much of their contributions can be quantified. This was done for Spring Valley in the report of socioeconomic activity submitted for the State Engineer's hearings in 2006 and it could be updated and expanded to improve the Draft EIS. Without the additional information, the economic benefit of tourism in the rural areas is understated in comparison to the wealth of information available on Clark County tourism.

Page 3.18.19 Personal Income and Poverty:
"The consistently lower incomes in the rural counties manifest themselves in a higher incidence of poverty and low income as measured by individual or family income relative to a defined threshold." This blanket statement about the variations in personal income and poverty levels from urban to rural areas appears to try to offer one explanation for the unique economic conditions in the various rural areas included in the study area. In fact, White Pine and Lincoln County have very different economic conditions and population characteristics that determine personal income levels. White Pine County's average weekly wage has historically been 80 to 85 percent of the statewide average and at the same time, the percentage of households living at or below the poverty level has been equal to or slightly below the state and national average. Income data from the Census includes the prison population and the impact of the low income status of inmates can be derived from isolating institutionalized populations (which also includes the residents of the White Pine Care Center) and comparing household to family data. Even with the prison population included in poverty level data, White Pine County (10.8 percent) is relatively close to Clark County (11.0 percent) and below the state and national averages while Lincoln County is much higher at 16.5 percent. White Pine has a relatively small transient population which is usually explained by the colder climate. Some Lincoln County officials (economic development and CDBG contacts) have complained in the past that part of their low income population is migrating from Clark County because of the lower cost of living. White Pine County's income data reflect a larger moderate income population with fewer in the highest and lowest income brackets reported while Lincoln County may reflect a larger incidence of low income households.

Pages 3.18.20 and 21, Housing data:
The discussion on vacancy rates acknowledges that the vacancy rate in 2000 reflects the recent BHP closure at Robinson mine. This figure needs to be updated to reflect the current tight housing market, lack of rental housing, and housing prices.

The statement on Page 3.18.21, The statement, "*The limited scale of new residential development in White Pine County suggested by the net change in housing units masks population growth as many incoming households were able to find existing, affordably priced housing,*" needs to be documented and a reference cited since it is inconsistent with the understanding of the County's housing market based on the information from the County Assessor and reports from area employers.

Property sales were tracked by the County's economic development program from 2005 through 2010. Based on the County Assessor's records, the single family home market was very active and prices were increasing from 2005 through 2010 and experienced a slight decline in selling price in 2010. In tracking number of housing units, the economic development program staff discussed the Annual Report of Housing Units with the County Assessor and found that the small net increase is misleading. In recent years, some previously reported housing units were taken off of the report because they were substandard and considered uninhabitable. There were actually more new housing starts than the net increase reflects because of the loss of the substandard units. In several public discussions with employers including the annual Comprehensive Economic Development Strategy (CEDS) and the Workforce Housing Assessment completed by Tom Harris, UNR, area employers including the school district, BLM, Ely State Prison and the Robinson mine reported that their recruitment of new employees was hindered by inadequate affordable housing in the area. The problem prompted Quadra to finance extension of infrastructure and a housing development in Ruth to meet the needs for their employees.

Table 3.18.13 shows a vacancy rate of 15 percent in Clark County in 2010. According to the Las Vegas Housing Market Conditions report from CBER, there were 31,674 vacant units listed for sale in the Greater Las Vegas area during the first quarter of 2011 reflecting an excess supply of 10,203 housing units above the estimated normal vacancy rate for the area. The number new housing starts in the area may reflect real estate speculation.

Page 3.18.21: Temporary Housing: *"Project related needs could compete with the traditional uses and markets for those units…and in Ely due to the community's efforts to promote its tourism and convention trade."* This is a documented impact of large construction projects including the prison and construction of the mill at Robinson mine. It impacts general tourism and convention trade but is most severe when it impacts special events. The community spends years and thousands of dollars creating special events and building the clientele for them. When participants can not get motel rooms for the events because they are full of construction workers, they tend to stop going to the event. If the impact continues for a period of years, they may not come back at all.

The other issue identified with previous large construction projects is that the community does not want construction workers' RV's scattered all over public land near the construction site. This was a significant problem with the construction of the prison with the prime contractor from Utah and workers commuting on a weekly basis. This issue has been identified several times but was not addressed in the discussion.

Page 3.18.22, Section 3.18..6, Public Facilities and Services, Local Government, third paragraph on water providers omits the McGill Ruth GID. McGill and Ruth are part of the Ely population center and will be impacted. The McGill Ruth GID is also omitted on Table 3.18.15 (page 3.18.23).

Page 3.18.23, Table 3.18.16: Public Service Providers: White Pine County entry should note that White Pine County now has full time fire and emergency medical service personnel supplemented by volunteer services. This also needs to be updated in the narrative discussion on Page 3.18.24.

Page 3.18.26, "*Lincoln and White Pine Counties are more dependent on intergovernmental transfers than are the other three counties.* The intergovernmental transfers should be identified. Part of the dependence comes from federal PILT and SRS funding due to the high percentage of federal land in the rural counties, part of it comes from the state's system of CTX tax distribution and guaranteed county status to provide a base of sales tax revenue for rural counties, and part of it is from SNWA's PILT agreement on the ranches in Spring Valley.

Pages 3.18.27-29, Social Organization and Conditions:

1. The introductory paragraph references Appendix F 3.18, however, the Appendix offers little additional information or documentation of the summary statements in the narrative.

2. The section identifies Baker and Ely as the two communities that may be impacted by the ROW construction. The impacts will be County-wide and the list should include Ruth and McGill as part of the Ely population center as well as Lund and Preston. The entire County will feel impacts on public services and the commercial center in Ely. The White River Valley is an important element in the County's agricultural industry to the extent that the livestock and ranching interests are impacted in the County, the White River area including Lund and Preston will be impacted. The research done for the State Engineer's hearings on Cave Valley showed that White River produces winter feed used by ranchers throughout the County.

3. Snake Valley (page 28) Lehman Caves is misspelled.

4. Coyote Springs (page 29) there needs to be further description of what Coyote Springs is, its history, the extent of development and population there now, and the anticipated population at full development.

5. Las Vegas Valley: The discussion focuses on the benefit of tax revenues generated in Las Vegas Valley for the state as a whole and links it to the need for other areas of the state to support growth in the Las Vegas area to generate tax revenue. This discussion may be misplaced because it is not consistent with the format and information offered in the discussion of other communities in the study area. The discussion does not relate the revenue generated to the state expenditures in the Las Vegas Valley nor does it include the concerns of Las Vegas Valley residents with the negative impacts of continued growth.

Pages 3.18.30-31: The introductory paragraph for Social Conditions references the Socioeconomic Technical Report of Appendix F 3.18. The Appendix offers little additional documentation of citizen input on the project and does not itemize sources for summary statements in the section.

Pages 3.18.31, Social Conditions, item 2: The discussion of perceived risks does not include concerns of Las Vegas residents about negative impacts of continued growth. Item 4 discounts the comparison to Owens Valley because of the differences between the two projects but does not explain what those differences are, and Item 6 states that the risk of water shortages and curtailment of growth is unacceptable but does not identify the interest groups.

3.18.2.2, Proposed Action, Alternatives A through C:

Page 3.18.34, Discussion on poverty levels in rural areas, same concerns as the discussion on poverty on page 3.18.19.

Page 3.18.37, Facility maintenance

1. The fact that a staffing plan for maintenance and operation is not available at this time makes it difficult to determine the economic benefit of Alternatives A through C for rural areas.

   Local governments may receive some tax benefit from the maintenance and operations activity but without sites identified and a staffing plan in place the benefit cannot be determined. Without an agreement in place, there is no guarantee that local governments will receive tax benefits or that contractors will be required to purchase and hire locally or have deliveries made in the affected counties to provide tax benefits for local governments. The tax benefit is uncertain if SNWA uses its Municipal status and purchasing power to ensure it has minimum operating costs.

   Local governments will be called upon to meet short term and long term impacts but without agreements in place, it is uncertain whether the tax revenues received will cover the cost of additional services.

Page 3.18.41, Alternatives A-C: Same concerns with temporary housing as noted for 3.18.21.

Page 3.18.42, Table 3.18.24, Point 5, summarizes the potential benefits of some of the workforce spending money in the area strengthening local business, adding jobs, and pressuring employers for higher wages. White Pine County's experience with large construction workforces that commute home each weekend is that expenditures locally are limited. Workers stock up on groceries, etc. when they are home for the weekend and bring it back with them. In addition, as new mining activity and other construction projects (SWIP North, wind energy projects, and other renewable energy activity)

becomes a factor, additional service sector jobs may be difficult to fill and increased housing demand will increase rent and purchase prices.

Page 3.18.43, Table 3.18.24 continued
Point 2. *Impacts on general government services such as the County Clerk and municipal utilities would be modest.* This does not account for the fact that increased law enforcement activity also increases occupancy and services needed in the jail and court activity which in turn impacts the County Clerk because in White Pine County, the Clerk's office provides the Court Clerk services.

Point 6, Law enforcement, needs discussion on the impact on county jails, court systems, and court clerks.

Points 7 and 8, Emergency Services: Makes the statement that Baker EMT's are not over taxed with current demands. This needs to be verified and documented. The demands on emergency services are understated. Demands can not be evaluated just on the basis of the number of potential calls but must include the costs of being prepared for an emergency at the construction site. A commuting workforce and an increase in wide-load truck shipments will add to the potential for traffic accidents that require emergency services.

White Pine County has recently been involved in detailed discussions with Spring Valley Wind and Great Basin Transmission (north) to determine the needs for emergency services during their construction projects. The resulting Development Agreements can help provide an understanding of the needs for emergency services during construction. Similar discussions with county emergency services personnel are required to determine the full level of potential impacts.

Page 3.18.44, Table 3.18.24 Continued

Point 2, Tax revenue for local governments, How will vendors be required to establish business licenses and points of delivery within rural counties? Who will ensure that this happens? How is this consistent with the mitigation identified in the Transportation Resources section (3.10) that local deliveries of materials will be minimized to improve highway safety?

Point 8, Same concern as Point 5.

ACM 12.2, SNWA's PILT agreement with White Pine County excludes the state portion of property tax and real property transfer tax. The $10,000 annual payment was an estimate by SNWA and White Pine provided documentation showing that the $10,000 did not cover the lost revenue. SNWA refused to reconsider the amount. The PILT agreement depends on approval by the SNWA board and is not guaranteed.

ACM 12.1, 3, and 4: Clark County prevailing wage rates are generally higher than prevailing wage rates for White Pine County and this would benefit White Pine residents

employed on the construction project. The statement could be stronger if it added Clark County prevailing wage rates and zone rates for all portions of the construction project.

Page 3.18.47.

SE-1 should include operation of the jail, court system, and court clerk costs.

SE-3 should note that the PILT agreement excludes the state portion of taxes.

SE-5 should include a provision that rural counties have input in the socio-economic monitoring report to identify and monitor impacts to local communities.

Page 3.18.55, Table 3.18.32, Summary of impacts for Construction of Alternative E, Same issues as other Alternatives.

Page 3.18.58, Table 3.18.34, Alignment Options: Alignment Option 1 parallels the line from North Spring Valley to Gondor Substation. Is SNWA's transmission is going to use Gondor substation? If so, what impact would that have on the available transmission capacity at Gondor and its capacity to help support renewable energy projects in White Pine?

Page 3.18.61, Section 3.18.2.8, Groundwater Development/Pumping

Identification of wells, collector pipelines, power lines, and future facilities to be studied under the tiered process. These are actually Connected Actions that need to be analyzed in the same document as the ROW.

Issues:
The discussion does not include potential impacts for future renewable energy, and recreation development which could occur in White Pine County including Spring and/or Snake Valleys. These projects are not speculation but are documented in applications submitted to the BLM, an application for a zone change for recreational development in Spring Valley, and historical agricultural activity.

Page 3.18.62: If pumping is not anticipated in Snake Valley until mid-century, the project will have impacted the area for over 60 years (since the filings in 1989) before water might be used from that basin.

Page 3.18.63, "*Potential project-related social and economic effects of groundwater drawdown are assessed based on review of projected drawdown areas and range of drawdown for each alternative considering existing land use and economic activities within those areas*" The project is based on projected future growth of the Las Vegas Valley including the potential for new commercial, residential, and industrial development that has not yet been proposed. The analysis should include the potential for new commercial, residential, and industrial development within rural areas that may not have been proposed to date.

The discussion should provide a chart of the actual local and non-local job generation for each phase of construction. Short Term construction for development will generate 125 jobs for each of the two 3-year phases for Spring Valley, 35 percent anticipated from rural areas and 30 percent by non-locals relocating to the area, approximately 44 jobs for rural residents for each phase and 37 for non-locals relocating during construction. Of the 105 jobs for Snake Valley, 37 jobs for rural residents and 31.5 for non-locals relocating. County and community service providers should be asked to comment on how these figures might impact their ability to deliver services.

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Page 3.18.65, Table 3.18.37

Point 2, Demand on general government services, modest: This does not acknowledge that increased demand on law enforcement will also impact the Court system, District Attorney's office, and County Clerk's Office.

Point 7, Competing demands on the local business community would create conflicts: Based on the employment figures on page 62, the additional impacts would result in 30 to 32 non-local workers relocating to the area for the construction. This statement should be reviewed with Baker area business owners to determine how the added workforce might impact them and their customers.

Page 3.18.66 Table 3.18.37 continued

Point 1, impacts on law enforcement and emergency services is likely to be modest—one large incident could create a hardship for the law enforcement and emergency services personnel, equipment, and budgets. Part of the impact on law enforcement and emergency services is the need to be prepared for a major incident.

Point 2, How will construction agreements be developed with contractors to ensure that maximum tax benefits go to the state and to the local governments within the project area?

Point 5, Should be Snake Valley, not Snake River Valley

3.18.67, Introduction to Groundwater Pumping effects: The statement shows that the impacts will be long term, even after pumping ceases and at large distance from the pumping areas, that they are not reversible and that they cannot be predicted. If the impacts could be severe with no means to correct them, the statement is in conflict with SNWA's continued reassurance that if negative impacts are observed in one area, they will stop pumping and shift to another well to minimize impacts.

Table 3.18.37,

Point 1: Disincentives for future economic development in some rural areas, including development on public lands identified for potential disposal in the Ely RMP: This

statement should read curtailment of future economic development potential including renewable energy projects that require water resources, recreational development, and value added agricultural development in Spring and Snake Valleys.

The public land identified for disposal in the Ely RMP is supplemented by the 45,000 acres of land for disposal identified in the White Pine Conservation, Recreation, and Development Act of 2006. The 45,000 acres exceeds the total for disposal in the Ely RMP and will require an amendment to the RMP. The additional land has not yet been identified and could include land in Spring and Snake Valleys.

Point 4: Effects on air quality, the level of impact should be quantified and not subjectively labeled as Minor.

Page 3.18.68

Negative impacts to the majority of agricultural land in Spring and Snake Valleys will have a significant negative impact on the economic contributions of agriculture in White Pine County. The socioeconomic report done for the State Engineer's hearings on Spring Valley in 2006 showed that Spring Valley accounts for approximately 25 percent of the County's economic output from agriculture.

Point 2: The potential for negative impacts on BLM land for disposal could be more than the 4,918 acres identified in the RMP, it could include additional acres as identified in the 2006 White Pine County Conservation, Recreation, and Development Act.

Point 3, The current transfer fee is based on $6 per acre foot. In the past, there have been attempts through the State Legislature to increase the fee. The statement should reflect the potential for a change in the fee based on actions of the State legislature.

Point 4, The 8,000 afy of water from the Spring Valley Ranches will require action by the State Engineer before it can be used for the Groundwater Development Project.

Page 3.18.69 (Table 3.18.38 continued)

Point 1: Transfer fees are based on the water pumped from the basin for inter-county, inter-basin transfers and without being able to predict pumping schedules, local governments can not count on the revenue for on-going expenses.

Point 2: The potential revenue losses based on curtailment of agricultural activity and reduced property values would potentially exceed any increased revenue due to project activity.

Point 3: White Pine County's current agreement with SNWA for the PILT payments includes any future purchases of private property. This is not a guarantee and requires approval from the SNWA Board putting White Pine County at risk.

Point 8. Subsidence: Long term impacts of subsidence on economic development could also include damage to private facilities, increased insurance costs, and could cause lack of development due to concerns about structural integrity.

Point 9, Potential for and impacts of major accidents or structural failures of the pipeline or transmission system and required actions to minimize the potential needs to be discussed in more detail than bullet point in Table 3.18.38.

Remaining points in the chart: Same concerns about summary statements without documentation.

**Pages 3.18.70-71: Discussion of indirect effects: The project would result in loss of future development potential and population gains in Spring and Snake Valleys and White Pine County as well as declines in current population and economic activity. The groundwater pumping is not anticipated in Spring and Snake Valleys until mid-century. This is too far in the future to adequately analyze the direct, indirect, and cumulative impacts of the project. The proposed project development and implementation in northern Spring and Snake Valleys is not "ripe for analysis." If this analysis is to follow with the future tiered EIS process for well development in Spring and Snake Valley, it is too late. It would be not be feasible or wise to construct the pipeline and transmission system for Spring and Snake Valleys and then not develop the wells to use it.

Page 3.18.72, If the water is used to replace the Colorado River water used by Las Vegas Valley, then it would not support growth and the arguments about additional tax revenues for support of the state would not be valid.

Page 3.18.72, The review of southern Nevada's planning documents shows that the assumptions for the need for additional water to support growth and avoid slowing the pace of growth are based on a variety of conditions nationally and globally for over decades in the future. At the same time, the City of Las Vegas, using the Clark County REMI population forecast for 2008-2050 and Census data projected that population growth in Clark County would slow considerably and predicted, "a return to more realistic, consistent rates of growth than that which occurred in the 1990's and continued through 2007." There needs to be an independent and comprehensive review of population data and projections for Las Vegas and the Southwest before to fully understand potential growth and water needs.

Page 3.18.73, Key findings of LUTAQ modeling include increased growth, development, and transportation as they are currently occurring in the Las Vegas Valley will result in increased traffic congestion, air pollution, and deterioration of air quality. There is information available about the negative impacts of continued growth and development in the Las Vegas Valley that should be included in the analysis of the proposed project.

Page 3.18.72-75: Review of Clark and Lincoln County planning documents and codes.

White Pine County's planning documents should be included. The White Pine County Water Resource Plan (2006), Land Use Plan (2008), and Public Land Use Policy (2008) have all been adopted by the Regional Planning Commission and White Pine County Commission and included as components of the County's Comprehensive Master Plan by resolution. They all include long term planning direction, predictions, and guidelines. White Pine County's annual CEDS document contains a detailed analysis of socio-economic changes during the past year, development activity, and an in-depth review of needs and priorities. The full document is done every 5 years (2006, most recent) and provides a full overview of the County's economic history, current situation, and potential for the future. There is no reference to the County's planning documents or CEDS documents in the Socioeconomics section.

Page 3.18.76: Foreseeable economic impacts should include the recognition that impacts began when the applications were filed in 1989

Mitigation Measures: Who will monitor and ensure that the mitigation measures are implemented? Rural local governments need an equal "seat at the table" to ensure that rural needs are adequately addressed. The CEQ requires that the NEPA analysis addresses the probability and effectiveness of proposed mitigation strategies.

Page 3.18.77, Residual effects: Residual effects are assumed for 200 years of pumping and beyond. How can the DEIS begin to predict the residual effects? How can the conditions and needs be identified given the changes in technology, policy, and global conditions for that period of time? There is no mention of unavailable or incomplete data that prevents complete analysis of the residual effects at this time. Under the discussion of the tiered process (Chapter 1) it implies that the effects of groundwater pumping will be considered through the Tier 1 EIS and that the subsequent EIS processes will be directed at the location of the wells and connector pipelines and power lines. At the same time the discussion says that new information will be considered and analyzed during subsequent EIS processes. Does this include the long term impacts of groundwater pumping? The CEQ says that NEPA analysis can not be done on a piecemeal basis. The Tier 1 DEIS should be held to a standard of full analysis of the long term, residual effects of the groundwater pumping.

Point 3: The statement that residual social and economic changes in Lincoln County and the Las Vegas Valley could arise in conjunction with growth enabled but not caused by the water conveyed via the pipeline is "splitting hairs". It still needs to be analyzed.

Pages 3.18.78-3.18.88, Groundwater development impacts for Alternatives A, B, and C:

These sections essentially duplicate the previous discussion and the concerns noted above for pages 3.18.66 through 3.18.88 apply to the discussion for Alternatives A, B, and C.

Pages 3.18.88-92, Alternative D, The discussion on Alternative D includes the same concerns on data and methodology as listed above. The proposal for Alternative D would

be consistent with the SNPLMA and LCCRDA requirements to issue the ROW in Clark and Lincoln Counties. If selected, there would still need to be monitoring and mitigation of impacts in White Pine County due to the drawdown in south Spring Valley.

Pages 3.18.93-96, Alternative E: The discussion on Alternative E includes the same concerns on data and methodology as listed above.

Page 3.18.97, Table 3.18.49, comparison of alternatives, Socioeconomic Long Term adverse effects in the rural area, "Yes and Potentially Significant" does not seem to be consistent with the socio-economic statements on Table 4.0-1. The statements on 4.0-1 are limited to the increased costs for irrigation.

Page 3.18.98, No Action

The introductory paragraph implies that BLM cannot select the No Action Alternative because of Congressional Action. If so, the additional discussion that denial of the ROW could result in a second ROW application from SNWA and starting over seems to be speculation.

Page 3.18.100. The quote regarding power projects is not reported accurately. The discussion was about two coal fired power projects, not several and the reasons they were put on hold did not include slowed demand due to the recession.

The long term development potential for White Pine may include the closure of the Robinson mine based on the published mine life, but it should also show the expansion of Bald Mountain Mine, and other mining and renewable energy projects that have applications in varying stages of consideration by the BLM.

Page 3.18.101, The discussion that with the No Action alternative, SNWA would have to look at other alternatives for water resources to allow the Las Vegas Valley to grow is inconsistent with the previous discussions that the water made available from the project might enable growth but not cause it so there is no need to analyze the impacts of the growth.

Long term economic development is based on current economic activity in all of the study areas even though the time frame is identified for over 200 years and is beyond the definition of reasonably foreseeable. Economic development activity in White Pine County is limited to mining, outdoor recreation, and agriculture and excludes renewable energy projects and other potential industrial activity.

Page 3.18.103-104, Cumulative Impacts

Page 104, two major US Highways, need to add State Route 318 which would have some increase in traffic.

The statement that unemployment rates in rural areas have been higher than those in Clark County is no longer true. During the recession, unemployment in White Pine County has been much lower than the unemployment rate in Clark County.

Page 108, the document acknowledges that the long term time frames for the project exceed a time period of effective cumulative analysis. The cumulative analysis is limited to Spring and Snake Valley. If the entire County will be impacted, the cumulative analysis should include projects in the entire County. There is no mention of the BARCAS study conclusions that it is likely larger amounts of water flow eastward from Steptoe to Spring and Snake Valleys than previously thought. With that finding in mind, the cumulative analysis should be extended to Steptoe Valley as well.

C. Undocumented Statements and Conclusions:

The Socio-Economic and Environmental Justice Section, 3.18, makes statements and draws conclusions that are not quantified, thresholds for making statements are not identified, and statements are not documented as to the information, source, and reasons for the conclusions.

Page 3.18.1, Introduction: "*A number of hydrographic basins included in the groundwater model extend outside these five counties; small portions of these basins, such as western Beaver County are at risk for long-term drawdown. However, those areas are excluded from the socioeconomic study area due to their remoteness, sparse population, and limited areal extent of the affected areas, which together limit the potential for appreciable socioeconomic impacts.*" If the basins are included in the groundwater model and may be impacted by the groundwater pumping and drawdown, what are the thresholds used to determine that there was no need to include them in the socioeconomic analysis?

Page 3.18.8, Section 3.18. 1.2, Population and Demographics:
Projected Long-Term Population Growth in the Study Area: "*The projections for the two rural Nevada counties, which portray little or no growth, are viewed with skepticism locally, particularly in Lincoln County where public land sales have created an expectation of long-term growth.* The statement needs to cite the resource, who reported skepticism in White Pine and Lincoln counties?

Page 3.18.10, Section 3.18.1.2, Population and Demographics
Projections in Lincoln County do not include allowances for any substantial level of future development in Coyote Springs or Toquop—"*Lincoln County estimates that these developments could ultimately increase local population by 250,000 (Lincoln County, no date).* If this statement is going to be included, it needs further explanation. Is this a reputable source? What other Lincoln County document support it? Why doesn't the State Demographer include the potential for the projects in the state population projections? Both projects fit the definition identified for cumulative impacts. If the two projects could result in substantial population growth, they need to be included in the analysis of impacts and cumulative impacts. There is

a brief paragraph on general potential impacts if construction on Coyote Springs moves forward but no mention of potential construction of Toquop in the Cumulative Impacts portion of 3.18.

Page 3.18.12, Section 3.18.3, Economic Overview:"*An adjunct of the relatively small size of the rural economies is a lesser degree of diversity, which makes them more susceptible to economic distress and less resilient to adverse changes affecting one or more elements of their economic base. The lack of economic diversification and associated recognition of the limited options for expansion facing the rural counties raised concerns regarding fiscal distress from potential future cutbacks or the loss of existing employers such as the Nevada Test Site and Robinson Mine.*" This statement needs to be supported with historical data regarding the economic resiliency of both urban and rural areas in the study. The statements regarding the potential closure of the Robinson Mine need to be documented. The projected mine life has been published several times and it would not be difficult to include a specific time frame for potential closure and reference for this statement. The discussion should also include current expansion and development of new mining projects which may offset the loss of the Robinson mine if and when that happened.

Page 3.18.16, Section 3.18.3, Economic Overview: (Sales of ranches to other development interests including SNWA) "*Such sales raise economic and social concerns within the local communities including the effects of potential exportation of appropriated water rights....*" How was this determined? The concerns about the purchase of ranches by both SNWA and NV Energy have been reported locally several times. This statement should be documented and the specific concerns identified.

Page 3.18.18, Section 3.18.3, Economic Overview (Discussion on Tourism) "*As noted above a sense of tenuousness exists across the rural counties regarding their economic future..*" This statement needs to be quantified and documented. If this is taken from one or more interviews with residents of the area, the interviews should be cited.

Page 3.18.29, Section 3.18.7, Social Organization and Conditions: (Discussion on Las Vegas Valley) "*as goes [Clark County/Las Vegas/the Valley] so goes Nevada." Although reaction to this perspective ranges from disdain to pride, informed observers describe it as a fundamental recognition of Nevada's economic and fiscal realities.*" This statement needs to be documented. Who are the informed observers and how has the reaction from disdain to pride be identified?

Page 3.18.31 and 32, Section 3.18.7, Social Organization and Conditions, Item 2, (Attitudes and opinions in rural areas and in the Las Vegas Valley regarding perceived risks of the project and perceived risks of inadequate water supplies in Las Vegas) the discussion in Section 3.18 references Appendix F. The discussion is a general narrative about perceived risks and concerns.

The discussion in Appendix F notes that the study reviewed a number of sources including the State Engineer's hearing records, the scoping meetings, public meeting records, newspaper articles, and interviews.

Appendix F notes that "*There has been no widespread public referendum on the proposed water development project in general or any proposed public funding for the project. Such a referendum promotes public dialogue about a project, identifies issues, interest groups, and stakeholders supporting and opposing a project, and produces a result that can be viewed as an affirmation or denial of a project. Given the lack of such a referendum, the only indication of attitudes and opinions about the proposed project among the general Las Vegas Valley population is limited to newspaper polls, the most recent of which indicates that slightly over half of the Clark County population supports the proposed project. The SNWA board of directors, which represents local government and water purveyors, also reaffirmed its support for the project in 2009.*" (Appendix F, 3.18.53.) The newspaper poll does not seem to be cited in the references for Appendix F. A review of the public comment at the Spring Valley hearings would show that most of the public comment made from Las Vegas in support of the project was from public officials and the real estate development and construction industries. If it is important to include social attitudes in the discussion in Section 3.18, to be accurate, there should be an independent study of community attitude about the project to support the conclusions.

Page 3.18.43, Table 3.18.24, "*The Baker community responds to emergency services needs associated with tourists, park visitors, and other highway travelers but such needs currently do not overtax capabilities.*" This needs to be documented. Who determined this?

Page 3.18.69, Table 3.18.38, last three items regarding community attitudes in Lincoln County and Las Vegas Valley, need to be documented somewhere in the document.

Page 3.18.82, "*The effects on population, employment, labor force, and economic structure would result in many corollary effects on social organization and conditions in the affect communities. In the rural communities these would include continuation and potential elevation of existing project related attitudes, opinions, and associated social effects including political conflict, social dissension, community discord, and personal distress.*" The statements regarding community attitude need to be documented either in Section 3.18 or Appendix F. How has this been determined?

Page 3.18.90, "*Not all residents of the rural areas oppose the project. For these stakeholders, implementation of Alternative D may generate mixed reactions. On the one hand it could be seen in an unfavorable light in that it provides for substantially less conveyance capacity which potentially could limit intra-county water transfers. At the same time the fact that implementation of Alternative D provides some conveyance capacity for any future intra-county water transfers could be viewed favorable…*" This statement is footnoted but the footnote does not pertain to the

statements about community attitude. The statement on Page 3.18.90 should specify that it is talking about Lincoln County residents.

Concerns with the Socioeconomics Section in Relation to other Portions of the Draft EIS.

There are a few general concerns as the socio-economic section relates to other sections of the DEIS and NEPA requirements.

1. Statement of Purpose and Need:
Section 1.21. identifies that the purpose for the ROW action is to consider the applicant's request for use of federal land managed by the BLM for construction and operation of the proposed groundwater conveyance system which once in place could facilitate future groundwater development and production in five hydrographic basis contingent upon approval of water rights applications filed by SNWA. Section 1.2.2 identifies that the BLM's need for federal action is to fulfill its responsibilities under the FLPMA and other legislation to respond to the applicant's request. This includes provisions requiring the BLM to grant the ROW to SNWA in SNPLMA, 1998, for Clark County and provisions in the LCCRDA of 2004 for Lincoln County. There is no Congressional direction to grant the ROW in White Pine County.

The Statement of Purpose and Need reflects only the BLM's need to take action on a specific application. There is nothing in the Statement of Purpose and Need to provide guidance for the reader on why the project is needed, a reasonable range of alternatives, and why resources including the land and environmental impacts of the project are needed. There is nothing that helps the reader evaluate the socioeconomic costs and benefits of the project.

2. Tiering

Section 1.3.3 explains the tiering process to be used. Under this section the explanation is given that tiering shows an assessment of a combination of site specific actions and broader programs and issues in the initial (Tier 1) analysis, evaluating the effects of additional and site specific proposals more comprehensively in subsequent tiered NEPA analysis. It states that tiering is appropriate when it helps the lead agency focus on those issues ready for decision, deferring detailed consideration of those issues not yet ready for analysis due to uncertainty or lack of sufficiently detailed description of the proposed development. According to this section the Tier 1 EIS will focus on the proposed alignment of the main pipeline and associated operational facilities (power transmission lines, pump stations, etc.) that are known. Details regarding future facilities for groundwater development including the number and locations of wells and the specific lengths and routes of collector pipeline and distribution power lines are unknown. The environmental effects of that future groundwater development including the long-term effects of groundwater production are the subject of programmatic analysis in Tier 1. After the SNWA identifies specific details of the groundwater development components

it will submit additional ROW applications to the BLM and the BLM will address future site specific components in subsequent tiered NEPA documents. The hydrologic model used for Tier 1 and baseline assessments for all resources will be updated in subsequent tiered analysis on site specific groundwater development components in NEPA documents. The section further states that BLM will require initial construction of each section of the ROW within 5 years of the issuance of the ROW and that the ROD/FONSI for each will require site specific construction and operations plan, that the data, analyses, and other information used to reach a decision may change over time, and a delay in project implementation of even a few years could result in the need to supplement the NEPA process.

According to the schedule listed on Page 3.18.63, future groundwater development would not occur until 2016-2019 or Dry Lake, Delamar, and Cave valleys, 2025-2027 in southern Spring Valley, 2042-2044 in northern Spring Valley, and 2047-2049 in Snake Valley.

The tiering process and the time frames raise questions about the confidence the public can place in a ROW grant issued in 2012 and subject to so much uncertainty.

1) The wells, collector lines, and distribution power lines are essential to using the main pipeline, transmission system, and pump stations to achieve the purpose of providing water resources from Central Nevada to the Las Vegas Valley. Wouldn't these facilities fall under the definition of Connected Actions since it would be unwise or not feasible to construct the pipeline without the wells to provide the water? If the wells are truly connected actions, there is a requirement to analyze them within the same NEPA document as the main pipeline.

2) The discussion of the tiering process indicates that this will be a fluid process with new information and analysis taken into account as they go along. How will the new information be related to a ROD on Tier 1?

3) The requirement for initial construction on each ROW within 5 years of its issuance would be within a reasonable period for a ROW for Dry Lake, Delamar, and Cave Valleys assuming a ROD is issued in 2012 and construction on the groundwater development in that area takes place from 2016 to 2019. As the project moves further north, the groundwater development would not occur for up to 37 years from the date of the initial ROD on the pipeline and the ROD for Snake Valley would not be issued for over 30 years to be in compliance with the 5 year requirement. On an administrative level, how will the BLM track the tiered process over this period of time? Is there any precedent for use of the tiered process over a period of decades? How will the public be assured that all of the mitigation measures identified in the Tier 1 EIS will be maintained in future actions?

3) Project Description/Alternatives: The alternatives identified in the Project Description are all modifications of the ROW routes. All other suggested alternatives for other means to develop water resources to serve the needs of the Las Vegas Valley are discounted. The statement of Purpose and Need unduly limits the consideration of a reasonable range of reasonable alternatives to allow adequate evaluation of the irreversible and irretrievable commitment of resources that, according to Table 3.18.49, could have potentially significant adverse effects on the region's potential for economic activity.

4) Project Description, Projects identified for Cumulative Analysis: The projects identified for the cumulative analysis are limited to those that are known today and have taken steps within the EIS process to move forward. The actions identified in the Project Description are not anticipated for a period of up to 35 years and the impacts of groundwater pumping are analyzed for a period of 200 years. The document needs to state that there is no way to do an adequate analysis of cumulative impacts because of the unknown and incomplete information that is not available on potential projects within the time frame outlined.

5) Project Description, Cost Estimates: There are no cost estimates in the Project Description. SNWA provided a cost estimate of $2 billion during the State Engineer's hearings on the Spring Valley applications in 2006 and the estimate was criticized at that time for being out of date. The DEIS includes estimates of tax revenue that would be generated by purchases made by construction contractors. SNWA would have to develop construction cost estimates in order to develop the estimates of tax revenue. Why isn't the cost estimates included in the document? To allow the public to make a fair assessment of the project, there needs to be an accounting of the costs of the project to date, the costs of compliance with NEPA and other federal and state regulations to allow the project to go forward, the costs of construction and operation of the project, the financing costs, and the estimated cost per rate payer to support the project.

6) Time Frames for Groundwater Development and Groundwater Pumping: The time frames for the proposed groundwater development extend up to 37 years into the future and the impacts for groundwater pumping for 200 years. To put this into perspective, the EIS is asked to make an effective analysis of development that may not be started for 37 years and will have impacts beyond 2212. Can the EIS process anticipate growth patterns and economic activity based on policy, world markets, and technology for that time period? Thirty-five years ago, in 1975, there were no cell phones or Internet. Two hundred years ago, the United States consisted of the eastern seaboard and western territories, it was fighting the War of 1812 with muskets and sailing ships, people traveled by horse drawn wagon, and communication was hand carried from one place to another. Could the BLM have done an EIS in 1812 that would predict the level of technology, growth patterns, economic activity, transportation and communication in use today? A review of the socio-economic analysis must conclude that there is no way the socio-economic analysis can adequately address the issues and potential impacts for the time period defined by the DEIS.

7) Size and Scope of this project: The size and scope of the proposed project including the construction of the main pipeline and associated facilities, the groundwater development, and the groundwater pumping are on a scale not anticipated for a single EIS even with a tiered process.

Possible Recommendations:

1) The DEIS discussion on socioeconomic conditions and impacts is inadequate to allow the BLM or public to make an informed decision. It requires substantial revision before the BLM should consider an FEIS. Specifically, additional data is required to provide a full and accurate understanding of the social and economic structures and conditions in all 5 areas of the defined project scope. Consideration needs to be given to other areas that may be impacted. The information needed on agriculture, outdoor recreation, traffic impacts, local government impacts, and potential economic activity is readily available and fits within the definitions of "taking a hard look". The socioeconomic section should be supplemented with additional information on population projection methodology and limits as well as a comprehensive review of population projections in the Southwest. It should be supplemented with an independent study of public awareness and attitude toward the project in the Las Vegas Valley to fulfill the need for a public referendum. The study requires cost estimates of the full range of previous expenditures as well as construction, operations, financing, and compliance costs of the project and the anticipated cost to individual rate payers before the public in the Las Vegas Valley can respond with an informed opinion on the project. Other sections of the DEIS should be reviewed for additional information required to fulfill the requirement for a hard look. The DEIS should be reissued with the new information and the public review process should be repeated so that the public has a full review of the study of conditions and impacts and an opportunity to respond to the new document.

2) The findings in Chapter 4, Irreversible and Irretrievable Commitment of Resources indicates that a No Action Alternative is appropriate. Because of the Congressional directives through SNPLMA and the LCCRDA, the No Action Alternative may not be available to the BLM. It may be politically impossible to ask Congress to reconsider its direction in light of the full NEPA analysis, impacts identified and the fact that mitigation of the impacts is not possible. If that is so, then the recommendation should be for Alternative D which would comply with the Congressional direction to issue a ROW in Clark and Lincoln Counties but would minimize the Irreversible and Irretrievable Commitment of Resources by confining them to Clark, Lincoln, and the portion of White Pine County affected by the drawdown of water resources from the Lincoln County portion of Spring and Cave Valleys.

3) If a ROD is issued, the decision document should include the requirement that SNWA is required to implement the mitigation strategies identified in the EIS as a

condition of the Right of Way so that there is some mechanism to track and monitor the commitments over time.

4) The DEIS uses the existing framework for NEPA analysis that does not anticipate a project of such size and scope in geographic area, potential impacts, and time frames. The DEIS is inadequate in its statement of Purpose and Need, range of alternatives, lack of adequate project description, the use of the tiering process to avoid addressing unavailable and incomplete information and analysis of Connected Actions, and the fact that the project in its entirety is not ripe for analysis.