

## **BLM\_NV\_NVSO\_GWProjects**

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**From:** Jeremy Drew <jeremy@rci-nv.com>  
**Sent:** Monday, October 10, 2011 2:36 PM  
**To:** BLM\_NV\_NVSO\_GWProjects  
**Subject:** Comment to DEIS DES 11-18  
**Attachments:** 2011-10-10 CPB Comment Ltr to SNWA DEIS.PDF

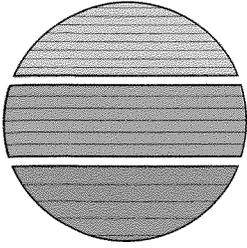
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please find attached a comment letter pertinent to the DEIS referenced in the subject line. This letter was prepared by Resource Concepts, Inc (RCI) on behalf of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints and Delamar Valley Livestock. A hard copy of this letter and referenced enclosure will be put in the mail as the enclosure is too large to email.

Please confirm receipt of this email and the attachment.

Thank You,

Jeremy Drew  
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ENGINEERING • SURVEYING • RESOURCES & ENVIRONMENTAL SERVICES

**RESOURCE CONCEPTS, INC.**

October 10, 2011

SNWA Project, Bureau of Land Management  
Attn: Penny Woods  
P.O. Box 12000  
Reno, Nevada 89520

**RE: Comment to the Clark, Lincoln, and White Pine Counties Groundwater Development Project Draft Environmental Impact Statement (DEIS) (June 2011 DES 11-18)**

Dear Ms. Woods:

Please consider these comments to the above referenced DEIS document on behalf of Delamar Valley Livestock (DVL) and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole (CPB). DVL is a subsidiary of CPB, and holds grazing permits on the following impacted allotments: Cleveland Ranch, Negro Creek, Bastian Creek, Cliff Springs, Oak Springs, Delamar, Buckhorn, and Lower Lake East. CPB also owns approximately 7000 acres of private property with associated water rights in north Spring Valley. Livestock produced by DVL as part of its overall operation is used to supply a large-scale welfare program that is managed by the CPB. DVL is committed to maintaining or expanding its livestock operation as opportunities allow.

CPB does not support or oppose the proposed Southern Nevada Water Authority (SNWA) project. CPB does oppose the parts of the project that affect its operations in north Spring Valley. The project as currently comprised will have profound impacts on the above listed allotments, CPB water rights within those allotments, and on CPB's private lands and water rights. CPB has an interest in making sure that potential impacts of this proposed project are fully described and disclosed in this DEIS, and that the project is modified or downsized and that proper mitigation options are included to minimize such impacts. As currently written, the CPB does NOT believe that this DEIS accurately or completely describes the potential impacts to its public lands grazing allotments and water rights held within those allotments, nor to its private property and associated water rights. CPB also believes that the mitigation options described in this DEIS are inadequate to address the anticipated major impacts of this project. CPB would request that a supplemental DEIS or modified DEIS be issued to address the shortfalls of the current DEIS and to allow further review and comment. The below Chapter-specific comments identify some of the observed shortfalls of this analysis.

2011-10-10 ltr Woods 11-143.1 Kirton & McConkie JLD-kh L10-10.doc

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### **Chapter 3.2: Geologic Resources and Chapter 3.3 Water Resources:**

In conjunction with hearings being held by the Nevada State Engineer on water rights applications filed by SNWA, CPB hired a professional groundwater resource firm, Aquaveo, to review the SNWA water model specific to northern Spring Valley. Aquaveo's report (enclosed) entitled *Impact of Proposed SNWA Wells on CPB Water Rights in Northern Spring Valley, Nevada* describes the SNWA model and some of its deficiencies. It applies similarly to the information presented in the DEIS. It describes how several of the geologic and water development assumptions used in the model were inaccurately developed and/or used. Finally, the report describes some of the anticipated impacts to CPB properties and water rights in northern Spring Valley including water rights on the Cleveland Ranch, Negro Creek and Bastian Creek Allotments. Please include the enclosed report in the formal record for this DEIS and modify any future supplemental, revised DEIS, or final EIS to describe the impacts identified in the report. It is of paramount importance to note that because of the deficiencies in the SNWA model and reports, many of the impacts described in this DEIS are inaccurate or not properly described. These inaccuracies should be corrected, the modeling changed, and further reports issued in order to fully and accurately disclose all potential impacts.

### **Chapter 3.5 Vegetation Resources:**

CPB questions the validity of the impacts described in this Chapter for two primary reasons:

1. The water model depicting drawdown in the depth-to-ground water is flawed and not sufficiently calibrated. Therefore, the arbitrary drawdown of 10 and 50 feet used to "predict" potential impacts to vegetation do not result in a full or adequate description of the impact (see related Aquaveo report).
2. The use of only two drawdown depths to predict potential vegetative impacts may dramatically underestimate such impacts. The DEIS itself cites a study by Naumburg et al published in 2005 entitled *Phreatophytic Vegetation and Groundwater Fluctuations: A Review of Current Research and Application of Ecosystem Response Modeling with and Emphasis on Great Basin Vegetation*. This study identifies "...a number of confounding factors..." that can influence and modify vegetative response to groundwater drawdown (stated to occur as a result of this project) and fluctuating groundwater levels (likely to occur as a result of the monitor, manage and mitigate approach agreed upon in the SNWA-DOI Stipulated Agreement). On page 736 the study goes on to say:

*These (confounding factors) include soil texture, timing and rate of change in groundwater, herbivory, and disease. Finally, climate change may affect precipitation amount and temporal distribution and thus groundwater recharge in these ecosystems. This could further increase conflicts between human consumption and ecosystem requirements. The only way human impacts on such complex systems can be addressed and mitigated is by modeling. Models like*

*EDYS allow the evaluation of different management and climate change scenarios, which provide a way to determine better management practices.*

The SNWA model, and the analysis used in this Chapter, do NOT adequately address many of these confounding factors, particularly as it relates to the “timing and rate of change in groundwater” and climate change influences. This is a major omission, particularly since the SNWA’s purpose and need for this project is to stabilize its water supply due to the potential for long-term drought conditions. If increased pumping is required during times of drought, then impacts to vegetation are likely to be much worse than described in this section.

Finally, the CPB requests that some proposed wells be deleted from the project, that quantities of water from remaining wells be limited, and that a more robust set of mitigation measures be established to limit impacts to vegetation, especially in north Spring Valley. Also, every effort should be made to avoid impacts to white sage vegetation in Dry Lake and Delamar Valleys. This is critical forage that does not respond well to disturbance. In addition, the BLM should require the use of temporary irrigation in any disturbed area that is revegetated to allow for stand establishment of desired species rather than being outcompeted by annual invasive species such as cheat grass and red brome.

### **Chapter 3.8 Land Use:**

The Conclusion for Section 3.8.2.9 states the following:

*Approximately 4,926 acres of public land available for disposal would be affected by the drawdown of groundwater levels at full build out plus 75 years, and 5,399 acres would be affected at full build out plus 200 years. Approximately 1,206 acres of private agricultural land would be affected by the drawdown of groundwater levels at full build out, 15,792 acres at full build out plus 75 years, and 17,203 acres at full build out plus 200 years. This may reduce the value of lands for disposal and agricultural uses, which is discussed further in Section 3.18 Socioeconomics.*

Many of the acres owned by the CPB in northern Spring Valley will be impacted as described above. This conclusion does not adequately describe the impact to the private property and water rights that will be impacted, nor does it adequately describe the loss of potential grazing allotments associated with these private lands that will be impacted. BLM should not permit a project such as that proposed by SNWA that has such profound impacts on private lands and private rights without requiring modifications that will lessen or minimize the impacts?

### **Chapter 3.12 Rangelands and Grazing:**

The DEIS doesn’t adequately quantify the potential impacts to grazing, particularly in regards to loss in forage capacity, loss of water and associated livestock distribution, nor the potential impact to range improvements. The other major deficiency in this analysis is that it does not properly disclose projects currently under construction or in the planning stages. Many of the CPB grazing allotments that will be impacted by this project have already been subject to other

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major impacts. These include, but are not limited to, the Spring Valley Wind Project, and the ON Line power transmission project. These active projects and other planned projects should be adequately described in the cumulative impacts section of this report.

CPB believes the fact that no mitigations were listed under this Chapter is a major oversight, and highly inadequate in the face of serious impacts. There is a high potential for profound impacts to grazing allotments and overall ranching operation from this project. These impacts will be primarily due to the loss of stock watering sources (and subsequent loss of livestock distributions) and reduction in desirable forage, both of which should be addressed. CPB requests that the BLM EIS Team members responsible for this section meet with DVL Ranch Managers to discuss project modifications and potential mitigation measures or processes that could be used to minimize potential impacts. We believe that these items MUST be included in a supplemental or, revised DEIS, and final EIS.

CPB would like to thank the DEIS Team for its time and energy in reviewing and addressing these comments. CPB will remain engaged in this process, particularly as it relates to developing workable project modifications and mitigation options to limit what it views as very significant impacts to its interests as a result of this project. If you have any questions or further needs in regards to these comments, please contact CPB's agent, Resource Concepts, Inc. (RCI) and its Project Manager, Jeremy Drew at (775) 883-1600.

Sincerely,



Jeremy Drew, Resource Specialist  
Resource Concepts, Inc.

JD:kh

Enclosures: *Impact of Proposed SNWA Wells on CPB Water Rights in Northern Spring Valley, Nevada* prepared by Aquaveo