

BLM_NV_NVSO_GWProjects

From: Dennis Ghiglieri <dgnevada@gmail.com>
Sent: Tuesday, October 11, 2011 8:17 PM
To: Woods, Penelope D; BLM_NV_NVSO_GWProjects
Subject: Comments on the GWD Project DEIS - Sent via email 10/11/2011.
Attachments: D-Comments-GWD-DEIS10-11-2011.pdf

Please find attached a PDF file of my comments on the GWD Project DEIS.

Thank you.

--Dennis Ghiglieri, Reno, NV

Dennis Ghiglieri

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October 11, 2011

Penny Woods
Project Manager Bureau of Land Management Nevada Groundwater Projects Office
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***** VIA EMAIL *****

RE: Clark, Lincoln, and White Pine Counties Groundwater Development Project (GWDP) Draft Environmental Impact Statement

Dear Ms. Woods:

I'm writing as an individual who is concerned with the serious and continuing impacts to public lands and resources identified in the GWD Project DEIS from groundwater pumping proposed by the Southern Nevada Water Authority. The pumping impacts from the GWDP in Spring, Snake, Cave, Dry Lake, and Delamar Valleys are shown to extend to surrounding valleys negatively affecting public lands and resources and private water rights and resources of Great Basin National Park, National Wildlife Refuges, ACECs, and Wildlife Management areas and other public and private resources. The DEIS inadequately analyzes impacts to wildlife and fish resources, impacts to domestic livestock grazing, and the socio-economic loss of local communities to name just a few of the deficiencies.

The DEIS purpose and need section is incorrect. The BLM does not have a "need" for action. The obvious and simple purpose and need is to provide additional water to S. Nevada. Since the GWDP must have water to supply to the pipeline the purpose and need for the project and, therefore, the DEIS is for additional water supply to S. Nevada. Further, there must be a definition of how much water is needed for supply, all potential sources for that water and then the alternative means to provide that water. The GWDP is simply one means, but not the only means to provide additional supply to SNWA.

All the DEIS "alternatives" are simply scenarios of the GWDP. The proposed action and other scenarios are similar or with reduced pumping. Except for the no action alternative there are no alternatives to compare the various pumping scenarios to. All alternatives to increase the water supply by 78 to 177 thousand acre-feet annually should have been part of the DEIS. And, despite numerous public scoping comments (including my own) asking for alternatives to the GWDP to increase supply in S. Nevada, the BLM ignored those scoping comments.

Serious alternatives to the GWDP must be considered in the DEIS and must not be eliminated simply because the proponent doesn't like them. Further, the DEIS must quantify

- all the existing water resources at the disposal of the SNWA,
- all the water resources available to the SNWA on the Virgin & Muddy Rivers agricultural areas,
- population increase anticipated as a potential range based on current trends.

The DEIS must provide a range of alternatives to meet projected demand including but not limited to 1) water efficiency and conservation, 2) water purchases within the available surface water resources remaining in Nevada, 3) water purchases/sharing with other Colorado River entities including potential for desalination as an exchange for additional Colorado River supplies. All alternatives must have an independent analysis of their costs including the GWDP.

The GWDP DEIS details the long-term drawdowns of the water table in the 5 targeted valleys in the proposed action. The result of those drawdowns will be damage or loss to springs, meadows, wetlands, tree cover (in Spring Valley, for example), and to senior water rights including the unidentified reserved water rights of the BLM and other federal and state agencies responsible for the protection of vegetation, wildlife and fish habitats. While the BLM has identified the serious groundwater drawdowns of the pumping proposal, there is a general and systemic failure in the DEIS to recognize that the mitigation in the referenced, secretly negotiated Stipulated Agreements (Appendix B) is woefully inadequate.

The agreements fail, in part, because they have not been subject to NEPA as a major federal action affecting many thousands of square miles of public lands and resources and the agreements provide only a process for discussion but do not call for definitive steps to be taken such as timelines for action, constraints on the pumping, or limits on drawdown to protect public or private resources from degradation and loss. Another problem with the agreements is that only those actions to change "management" (pumping regime) that are agreed to by the SNWA can be implemented. It would appear that the agreements provide merely a means of delay of definitive federal action to protect public lands and resources.

The DEIS ignores the fact that the permitting for the ROW for the pipeline is proceeding despite the public statements by the General Manager of the SNWA that the project will not be pursued at this time. Further, the capacity of the pipeline is not identified but it appears likely that it would have capacity in excess of the amounts analyzed in the DEIS. The capacity of the pipeline is a serious issue since the DEIS must identify impacts of the project without piecemealing the NEPA.

The DEIS fails to identify all the water applications which could reasonably be expected to be brought forward during the 3.8 decades until "full-buildout". These applications include some by the SNWA itself as well as some by Lincoln

County Water District or Vidler and the owners of the Coyote Spring Development. All of these applications, if approved in whole or part, would be most likely placed into the pipeline. The amount of water applications under consideration is significant in at least 8 basins and totals to over 200,000 acre-feet per year. The DEIS fails to fully consider these reasonably anticipated future actions.

The DEIS appears to accept huge changes to the public lands and resources in the targeted basins rather than setting limits to prevent those changes. Shoshone Ponds and the "swamp cedar" forests of Rocky Mountain Juniper found in Spring Valley are examples. However, there are numerous springs, wetlands, meadows, grass/shrub valley bottom land throughout the basins which are at serious risk of partial or complete loss. These water resources are critical to the environment and economy of the entire region and depend on the existing water table. The DEIS shows the water table will decline sharply within the study time frame from the proposed groundwater pumping. The loss of the groundwater is directly related to the loss of all of the above features found on public lands in the 5 targeted basins as well as other surrounding basins where additional public resources on wildlife refuges and management areas and Great Basin National Park face damages as well. The DEIS is deficient by not specifically setting the thresholds which are required to protect the water critical to public lands and resources.

The No Action alternative is the only true alternative. It would offer the best protection for public lands and resources of any of the pumping scenarios. The proposed action and scenarios all have similar effects with the primary difference between them is the time frames required for the extinction of water dependent resources on public and private lands in the study area. However, the No Action alternative is not truly "no action." The BLM includes pumping actions which would not be possible without the issuance of the right-of-way. This taints the analysis by overestimating the negative effects of No Action. The DEIS must correct this deficiency.

The DEIS fails by dismissing true alternatives to the GWDP based on cost yet does not provide costs for the GWDP. The DEIS needs to provide full and independent cost analysis for the GWDP, and all the costs associated with the monitoring and mitigation program. Costs that would be required of federal agencies and private individuals and businesses to protect their land and resources should also be estimated. The DEIS fails to adequately address the social and economic impact from the GWDP on ranching, farming, and mining communities in Nevada and Utah. Also, the DEIS does not acknowledge nor quantify the long-time cost to these same communities inability to grow and expand because of the SNWA water applications have brought (and continue to bring) economic development in the valleys to a halt. The monopolization of water resources by the SNWA is a serious issue for the economic health of a large region of Nevada and Utah.

The DEIS limits showing the extent of water table drawdown to 10' or more. However, there can be significant damage to springs and plants from drawdown of

1' to 10'. Small springs can go from being intermittent to completely dry, sub-irrigated meadows can dry out and plant species can become less valuable to wildlife, for example. Including drawdowns in the range of 1' to 10' will add many thousands of acres more than depicted in the DEIS and the potential damages will be far greater than the DEIS claims. The DEIS is deficient in not showing and acknowledging the loss of public land resources from drawdowns in the 1' to 10' range.

The DEIS is premature and no tiering is needed. The ROW should only be considered once all the known locations for the pumping have been determined. There is no reason for building the pipeline until all the water pumping facilities are located. The BLM is attempting to do an EIS on an undefined and unknown project rather than one which is defined and is simply to be conducted over a few year period. The DEIS is deficient because there are so many unknown aspects of the project including whether or not there is any groundwater permitted and where the permitted groundwater will be allowed to be pumped. Further, a single look at an overall project that will admittedly take nearly 4 decades to complete is inappropriate. "Groundwater development areas" are not under consideration by the Nevada State Engineer and, therefore, the DEIS is premature and the BLM should decide on the "No Action" as its only reasonable choice.

At the present time there is no indication that the SNWA is in need of additional water which would be supplied by the GWDP. There is ample evidence that SNWA has sufficient water resources available in light of the construction of a 3rd intake into Lake Mead. The DEIS uses old information on population, growth and a water resources plan from 2 years ago based on 2008 data. The DEIS is premature and based on out-of-date and incomplete and missing information and lacks any independent analysis to demonstrate a need for additional water resources.

The BLM is a signatory to stipulated agreements which appear to compromise the agency's responsibility to manage and protect public lands and resources. The signing of the first agreement terminated the BLM and other federal agency protests of the very water applications the subject of this DEIS. The BLM and other agencies dropped their protests to the 1989 SNWA applications in 2006 (and subsequently). These facts are missing from the DEIS and further compromises the ability of the commenting public to fully understand the conflicting roles of the BLM.

The length and complexity of the DEIS documents certainly warrants a comment period of more than the 120 days ultimately allowed by the BLM. Although I am grateful for the additional 30 days, I believe that the BLM erred in not granting an additional 60 days for public review and analysis.

I request that the BLM reissue a DEIS when the many unknowns and missing information are finally available from the SNWA and the project is in a form that it can be studied and all the impacts fully analyzed. The DEIS appears to be premature with no attempt to recognize that the proposed action and most scenarios cannot be accomplished until another State process is initiated and

completed on all 5 of the targeted basins. There is no justification for tiering this project at this time because it piecemeals the process and does not provide sufficient information for the BLM to make an informed decision.

The BLM is obligated by the FLPMA to protect the resources of the public land from unnecessary and undue degradation. Even with its deficiencies, the DEIS clearly demonstrates that the GWDP will cause unnecessary and undue degradation of public land and resources. The BLM should select the “No Action” alternative or recognize that the seriousness of the impacts currently identified and the incomplete nature of the GWDP means that the only possible action will be to reissue the DEIS at a later time when the GWDP unknowns have been determined.

Thank you for this opportunity to comment.

Sincerely,

/s/ Dennis Ghiglieri

Dennis Ghiglieri