

BLM_NV_NVSO_GWProjects

From: Kathy Hill <kathrynhillster@gmail.com>
Sent: Tuesday, October 11, 2011 12:52 PM
To: BLM_NV_NVSO_GWProjects
Cc: Abby Johnson
Subject: more DEIS comments

Penny Woods, BLM Project Manager
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Dear Ms. Woods:

As the hearings for Spring, Dry, Cave, and Delamar valleys have proceeded, new and confusing information has come forward which is sometimes in conflict with DEIS or not taken into account. Here are some of the concerns based on new information in the hearings:

1. For the hearing going on now, NSE is only considering the 19 well applications in Spring Valley. So the distributed pumping plan is currently not the proposed action, but Alternative Action B is the proposed plan being acted upon at the hearings. So terminology in the DEIS as to the proposed action and the alternative actions is either confusing, or at the worst, inaccurate. If the BLM made a decision in favor of the "proposed action," just which action are they approving – distributed pumping as stated by the DEIS, or the points of diversion being heard by the State Engineer?
2. SNWA really has no concrete plans or funds set aside for monitoring and mitigation. According to Entsminger, SNWA has no estimate for costs of management, monitoring and mitigation, has no firm plan about how to do it since it is so "site specific," and has no annual budget set for it. However we know they are "committed" to it. So how can the DEIS analyze the MMM plan for this project when there is no plan?
3. According to the attorney for the LDS church at the NSE hearing, in order to get the amount of water from SNWA's water applications of 19 wells and which the State Engineer is considering at this time, SNWA will need to pump all the wells at a maximum rate 365 days a year with no down time. This does not allow for a management. So promises to "manage" pumping is not a reality, just a promise. The DEIS should have a concrete plan of how the pumping will be managed given the realities of the number of wells, the capability of the wells to produce water, and amounts of water removed from the well over a given period of time.
4. The stipulated agreement between the DOI and SNWA has no teeth in it and because of the consensus clause, give SNWA veto power over anything decided by the Executive committee. The neutral third party has no power and is nothing but an advisor. The only real control is exerted by the Nevada State Engineer and it will be up to him/her to enforce actions. As the Nevada State Engineer is appointed by the governor, it becomes a political hot potato to enforce anything against SNWA's wishes. There absolutely needs to be an independent entity who has the power to monitor and shut down pumping if the environment and other water rights are threatened by the project. This provision of power should be part of the EIS and the ROD.

