

Comments and Responses - Tribal Workshop Transcripts

ID	Comment	Response
Ely Shoshone Tribal Mtg Transcript		
33131-1	One of the things that we have questions on was like the 50-year forecast by the University of Nevada, Las Vegas, on the water according to population needs. So that was our concern, and we believe that Southern Nevada Water Authority should reevaluate their projection.	Thank you for your comment. The specifics of SNWA's projected water demand, the population growth projections embedded therein, and its consideration of alternative sources of water are outside the scope of this EIS. As noted in Sections 1.1 and 1.6, SNWA is acting within its statutory obligations and responsibilities in the development of its water plan, recognizing the long lead-times and uncertainties associated with securing additional water resources and major capital facility development. Gen-3 and SocEcon-2 provide additional response to this comment.
33131-2	One of the questions we had is where does the federal slash tribal water rights fall into this picture with the State of Nevada where they issue the water rights?	Impacts to all potential water sources – whether or not those sources are the subject of federal reserved water rights, state appropriation-based water rights, or are unappropriated waters – have been summarized, evaluated, and considered in the EIS. Similarly, project mitigation measures apply to all water sources regardless of water rights status. By analyzing potential impacts to all identified water sources, the EIS analysis thus encompasses potential impacts to any federal reserved water rights that may later be identified in or adjudicated on these sources. Finally, the EIS describes the background for federal reserved water rights in Chapter 3, Section 3.3.1.7, Water Resources. There is no federal authority prohibiting the grant of a federal right of way on BLM land prior to the adjudication of federal reserved water rights. In this instance, Congress specifically mandated that certain portions of the right-of-way be granted by the BLM for the GWD Project. See Pub.L. No. 108-424, § 301.
33131-3	In reviewing the documents, we see that there's no class three archeological clearance. That has not been completed. All of these have to be done prior to anything going on, and that was one of our concerns.	As stated in the DEIS, Class III inventories would be completed prior to project construction.
33131-4	On the ethnographic assessment, we would like a copy of the tribal consultation information on how they got to where they got to to do their ethnographic work, you know, like the date, time and place, who wrote the documents, because what we're seeing is there's very limited release, you know, the informant released in the ethnographic assessment.	The methodology used to collect information for the ethnographic assessment, as well as the names of the ethnographers/authors, and the dates of the meetings, interviews, and site visits are included in the ethnographic assessment.
33131-5	In viewing the EIS there's a special status for species like the Pahrump poolfish, the Big Springs Spinedace, the Ute ladies'-tresses, the Yellow Billed Cuckoo, the Southwestern Willow Flycatcher, the White River springfish, the Pigmy rabbit and the Greater Sage Grouse. Our concern is how are they going to address these special status species of plants, fish and animals.	Potential impacts to special status species are analyzed in the EIS and monitoring and mitigation measures are recommended that would be used to reduce impacts on these species.
33131-6	In the report it mentions 77 tribal culturally significant sites. Now our question is what happened to the other 300-plus cultural sites that were identified in the project? What's going to happen to them? I mean, the BLM, how did they evaluate the other remaining 300-plus, is our question.	As stated in the DEIS, prior to project construction Class III inventories would be conducted within the proposed ROW and ancillary facilities to identify any historic properties, including properties of traditional religious and cultural importance to the Tribes. Unavoidable adverse effects to historic properties would be avoided, minimized, or mitigated in accordance with the Programmatic Agreement (PA). The Tribes have been invited to participate in the PA as concurring parties. The BLM continues to consult with Tribal governments to identify tribal concerns.
33131-7	Another one that we talked about was the Indian allotments. How is the BLM going to address this issue, because there's Indian allotments there in Spring Valley.	None of the Indian allotments in Spring Valley (which would be shown as private land in the county records and BLM's master title plats) are crossed by the ROW proposal.
33131-8	Also in reading the EIS it says the Bureau of Indian Affairs signed off on the programmatic agreement, so what gave them the authority that they're signing off on behalf of the tribes, because the tribes should sign off on their own.	The EIS has been revised to clarify that the Bureau of Indian Affairs will not be a signatory on the PA. 15 consulting Indian Tribes have been asked to concur with the PA.
33131-9	In the socioeconomics and environmental justice, we see in Iron County and a few others that a few key tribes were left off, like Cedar City, the Shivwits and the Kaibab, they were left out of the report. They're Southern Paiute tribes is what they are.	As described in Section 3.18, the geographic area of influence for socioeconomic and environmental justice is defined in terms of counties in which GWDP facilities or groundwater production basis would be located and the majority of drawdown effects would be anticipated. The location of other reservation in the surrounding region is described in sections 3.18.1.1, in conjunction with Table 3-18.5, and in Section 3.17.
33131-10	The mitigation on sacred sites, how are they going to do that, because our belief is you can't mitigate sacred sites.	It is unknown at this time how many places of religious and cultural significance and/or sacred sites would be affected by the proposed project. As such, no site-specific treatment plans have been developed. The PA outlines the steps to be taken to avoid, minimize or mitigate adverse impacts. Ongoing consultation would address these issues as the project is implemented.
33131-11	The tribes believe that the state BLM office should continue with ongoing interviews, ethnographic interviews, rather than hand it off to the Ely District. And also the tribes should be the one to do the ethnographic interviews rather than BLM. We'd like to have them there, if they so choose while we do the interviews, but the tribes should be the one to do, to conduct one-on-one systematic structured interviews, not windshield interviews like they've done.	The ethnographic assessment conducted to inform the EIS was completed in 2010. If the project is approved, there may be an opportunity to continue collecting further ethnographic information through government-to-government consultation and during subsequent NEPA analysis. The Nevada State Office and the Ely District have been and will both continue to be involved in tribal consultation and data collection for this project.
33131-12	The first thing is on the ethnographic studies, they should be more in depth and more interviews, the Southern Nevada Water, and it should be I believe a Native American who does the interviews. Ethnographic studies, there's no structure and no follow-up interviews.	The PA developed for the proposed project outlines the means to avoid, minimize or mitigate adverse effects (see appendix F3.16). Ongoing consultation between BLM and tribal governments may identify additional mitigating measures.

Comments and Responses - Tribal Workshop Transcripts

ID	Comment	Response
33131-13	We also wanted to know about cultural monitors, if they decided if they're going to have them or not, and we believe that they should, or I should say I believe that they should.	Per the Programmatic Agreement (PA), an Indian Tribe that attaches religious and cultural significance to a historic property, including an eligible TCP, that may be adversely affected by construction of the GWD Project will be invited to monitor that construction. In addition, the PA states that additional areas requiring monitoring will be identified during the Class III inventories and geomorphological studies, and will be monitored by a BLM-approved archaeologist.
33131-14	And what are they going to do about mitigation, the project along the pipeline, do they have a plan for that, plan for mitigation yet, because we didn't find anything in the EIS.	As stated in the DEIS, Class III inventories have not been conducted at this time; therefore, it is unknown how many historic properties, including properties of traditional religious and cultural importance, would be adversely affected by the proposed project. As such, the DEIS provides a general overview on the types of mitigation that could be developed given the impact. The Programmatic Agreement (PA) developed for the proposed project outlines the means to avoid, minimize, or mitigate adverse effects (see Appendix F3-16). Continued consultation between the BLM and Tribal governments may identify additional mitigation measures.
33131-15	I'd like to know how can it be determined what is spiritual and what is cultural, how you guys have determined what is spiritual and what is cultural to Native Americans.	As described in updated section 3.17 (Native American concerns), BLM has followed the processes and procedures noted in the section to ensure compliance and protection of Native American traditional values, places of religious and cultural significance, and sacred sites.
33131-16	And the other thing we discussed was the increased and decreased population, how can it be forecasted and how has it been forecasted? Does the study still fit their population needs change from study? Was there a decrease in the population, that's what we'd like to know, in Vegas, because they did, what, a forecast for how many years? But it seemed that it slowed down with the population now.	Please refer to Generic Comment Response SocEcon-2.
33131-17	And how are they going to determine what the needs of White Pine County and the Native American here, the Shoshones, how are they determining that with the water? Are we going to have enough water once they start this? And what will the future impacts be?	As a disclosure document, the FEIS lays out the impacts on the issues mentioned in this comment.
33131-18	We would like more information on the involvement with the BIA, if they can get us that.	BIA is involved with this project as a cooperating agency.
33131-19	This is back to mitigation, how can they protect cultural sites? No mitigation plan has been started. And tribes want to be involved with that, at the beginning and after. And we want to know where in the programmatic agreement, where is it at.	Class III inventories have not been conducted as of this date, but would be completed prior to project construction. Therefore, it is unknown at this time how many historic properties, including properties of traditional religious and cultural importance, would be adversely affected by the proposed project. As such, no site-specific treatment plans have been developed. The PA outlines the steps to be taken to avoid, minimize, or mitigate adverse effects to historic properties, which includes development of site-specific treatment plans. As stated in the DEIS, any developed treatment plan would be reviewed and approved by the BLM, SHPO, interested Tribes, and other consulting parties.
33131-20	One, what are the management objectives for the proposed development area?	The management objectives for the project area are set by the Ely Resource Management Plan and the Southern Nevada Resource Management Plan and are referenced in the EIS in each resource section.
33131-21	Two, what are the classes for these areas, and I'm talking about the visual resources.	Visual Resource Inventory classes and Visual Resource Management classes are identified in Section 3.15.1.1 and Figures 3.15-1 through 3.15-4.
33131-22	Three, has there been an analysis to determine whether the potential visual impacts from the proposed surface disturbing activities would meet the management objectives established for the area? Endangered species and the status of the pygmy rabbit and sage grouse too.	The impact analysis in Section 3.15.2.2 evaluated conformance with visual resource objectives for all proposed facilities, and identified mitigation measures to meet the visual resource objectives.
33131-23	RICK SPILSBURY: P.O. Box 1055, McGill, Nevada 89318. I'd like to start off on the schedule over here that I see on this first particular poster. It says Pipeline Construction Timeline. It doesn't seem to be very clear in the fact that it shows construction times that don't correlate with what would be expected completion times. Initially the first section of construction shows them being completed around 2014, and the pipeline doesn't seem to be finished until around 2017 to 2027. And it appears to me that at least three years in there that water treatment plant will be just sitting idle, which gives me the impression that the timeline is not accurate.	Thank you for your comment. Please see Figure 2.5-6 - the Preliminary Construction Schedule for the Proposed Action and the Construction Milestone tables for individual alternatives in Chapter 2 in the FEIS.
33131-24	The second thing I'd like to talk about is the stipulated agreements that the federal organizations agreed to. I just found out that this happened over a period of time rather than instantly. I was under the impression that all this happened the day before the first state trials, water trials, and we didn't know about it until then so there was no way for us to respond to it. One of the organizations was the Bureau of Indian Affairs. They never consulted with one Indian. Also there was the BLM, and obviously they never consulted with one citizen when they agreed to these stipulated agreements.	Comments on the Stipulated Agreements have been compiled and sent to the executive committee who provides oversight on the implementation of the agreements. Section 3.20 describes how BLM will use the conditions and information generated through the Stipulated Agreement process.
33131-25	And apparently now there are meetings that the BLM is having with the State to discuss monitoring and mitigation. We have no access to the transcripts of those meetings. We have no access to participate in those meetings. Basically all this is being done behind our back, essentially secret. And, one, I don't appreciate that; two, these people are supposed to represent us, not take over. They're working for us and not for government agencies. They're obviously working for government agencies but those government agencies are being paid by us. And the whole monitoring and mitigation process is sketchy at best.	The process discussed in this comment is a legal process defined by Nevada State Revised Statute in association with BLM's (and other Federal agencies) protests on SNWA water rights applications. How this relates to the ROW application by SNWA is discussed in detail in Chapter 1 of the EIS.

Comments and Responses - Tribal Workshop Transcripts

ID	Comment	Response
33131-26	Also, I was looking at the drawdown maps, and Southern Nevada Water Authority claims that if water is drawn down too much in a certain particular area, they'll stop pumping and pump someplace else, playing a shell game, kind of like a little shell game. If too much water gets pulled out of one place, they'll just suck it out of some other place. Well, from the looks on the map, that's going to have to be over 200 feet of drawdown. So saying that they'll just move their pumping stations someplace else is not clear as to when they're going to move those pumping stations, which means basically nothing. When you look at the drawdown maps, basically they're planning on drawing down as much as they possibly can. And too much is too much in whose eyes? Theirs, not ours, because we think any is too much.	Comment noted.
33131-27	I was also looking at the other economic factors, and the way it reads is, Uncertain water supply may discourage retirement lifestyle migration, second home investment, and economic development in rural areas. It sounds very technical but basically what it means is whatever is in this area is all that will ever be in this area. There will be no more growth. There will be no more growth in the rural areas.	Please refer to standard resource responses Gen-8 and SocEcon-5 for information on this topic.
33131-28	I'm looking at the DEIS, Appendix C, Stipulation for Withdrawal of Protests. This was the stipulated agreement between the Department of Interior organizations and the State of Nevada. Number 13 says, This stipulation shall be governed in accordance with the laws of the State of Nevada to the extent not inconsistent with federal law. The federal government has made a number of agreements with the Western Shoshone, primarily the Treaty of Ruby Valley, which is being totally ignored. Within the Treaty it says that the Western Shoshone would get plenty of water to support, to be supported to live here, reproduce, multiply, whatever you want to call it. This limits that.	BLM is aware of the Treaty of Ruby Valley and acknowledges it as a treaty of Peace and Friendship. This understanding of the treaty was considered in the analysis for the EIS.
33131-29	And also there was as Winters Doctrine, which the Supreme Court ruled on I believe in 1908, that said that the natives are legally bound – the federal government is legally bound not to allow water to be taken away from tribal lands. And at the same time the federal government, under the laws that we're living with, they have delegated the responsibility of water to the State, who's giving away water because they don't have any responsibility to the natives. So what I see here is that the federal government is ignoring their responsibility, and it says so right here in the stipulated agreement.	Impacts to all potential water sources – whether or not those sources are the subject of federal reserved water rights, state appropriation-based water rights, or are unappropriated waters – have been summarized, evaluated, and considered in the EIS. Similarly, project mitigation measures apply to all water sources regardless of water rights status. By analyzing potential impacts to all identified water sources, the EIS analysis thus encompasses potential impacts to any federal reserved water rights that may later be identified in or adjudicated on these sources. Finally, the EIS describes the background for federal reserved water rights in Chapter 3, Section 3.3.1.7, Water Resources. There is no federal authority prohibiting the grant of a federal right of way on BLM land prior to the adjudication of federal reserved water rights. In this instance, Congress specifically mandated that certain portions of the right-of-way be granted by the BLM for the GWD Project. See Pub.L. No. 108-424, § 301.
33131-30	However, that reservation use has not been recognized by SNWA, Southern Nevada Water Authority, and neither does the Water Authority recognize plant and animal life, which are very sacred to us native people.	The EIS in updated sections 3.5 (vegetation), 3.6 (wildlife) and 3.7 (aquatic resources) have information concerning plant and animal species of importance to Native Americans. This information is summarized in updated section 3.17 (Native American concerns).
33131-31	And there's nothing in it that gives reservation for arrangements for the next seven generations, which is also a native belief that everything we do is going to affect the next seven generations. And none of those things have been recognized. None of those tribal things have been recognized in the DEIS.	Impacts to water resources, plants, animals, and Native American traditional values are discussed in sections 3.3, 3.5, 3.6, 3.7, and 3.17 of the DEIS. Mitigation measures for all resources are discussed in sections 2.3, 2.4 and 2.5.
33131-32	We're totally opposed to the fact that we're being asked to approve a right-of-way when the water rights haven't even been designated.	Comment noted.
33131-33	We don't know what the cost is going to be.	See also SocEcon-1, SocEcon-3 and SocEcon-6 regarding the inclusion of project cost information in the FEIS and lack of authority or need for the BLM to independently analyze project costs in conjunction with the ROW application.
33131-34	I've noticed what looks to me like a flaw in the maps here that show the impacts on Spring Valley. One of the maps that's in the document shows wells all the way up the east and west side of Spring Valley, but on the maps that show the impact, there is essentially a big hole where there isn't going to be a drawdown and there isn't going to be any impact on life there. And if you overlay the two maps, it shows no impact in areas where there are going to be wells, and that doesn't make sense. It gives me the impression that the impact maps don't reflect the well maps. I think that somebody screwed up.	The maps are not flawed but reflect the boundary of the model simulated 10-foot drawdown contour in the northern portion of the basin as reflected by the distribution of wells and assumed properties of the basin fill material in this region.
Goshute Tribal Mtg Transcript		
33061-1	The original BARCAS study, it included this Deer Creek Valley, and for some reason, at least my understanding, it was taken off and now it excludes this valley. And that regardless of what the geologists and people supposedly say, we feel that there is a connection with the aquifers and we're concerned that if you start drawing down from Spring or Snake, then our aquifer will be impacted as well.	Please refer to standard resource response WR-6 for information on this topic.
33061-2	It's not only going to affect the livelihood of the people but, you know, we've got wildlife, domestic livestock, you know, the plants the people use for food, you know, the berries, the wild potatoes, the wild onions, other vegetation they use for subsistence, those are going to be impacted.	Updated sections 3.17 (Native American concerns) and 3.18 (socioeconomics and environmental justice) provides a detailed discussion of the potential affects on Native Americans and their livelihood.

Comments and Responses - Tribal Workshop Transcripts

ID	Comment	Response
33061-3	And part of our comment was that at what point, if there's an indication that there's some impact, who makes that decision to shut off the valve and stop it?	An applicant-committed protection measure listed under Adaptive Management Measures would be an option for reducing or ceasing groundwater withdrawals. This measure would determine a reduction or cessation of pumping on a case-by-case basis for individual production wells or well fields using technical and consultation process identified in the stipulated agreements. The BLM would be involved in this decision.
33061-4	One of my other questions was we had heard officially that there may be some consideration of bringing that pipeline up into Antelope Valley, which is right up against the reservation.	At this time there are no plans to construct pipeline or groundwater infrastructure any further north than Spring Valley. If other plans were to be considered they would be analyzed in future NEPA.
33061-5	I asked the question about whether the BLM has some kind of trust responsibility to the tribe. I feel that if they do, they haven't been exercising it, not really contacted us. They worked with us at the beginning, now they aren't.	Tribal consultation and communication is summarized in section 3.17 and a matrix of all important tribal communication/consultation is contained in Appendix F3.17. Tribal consultation is ongoing and will continue throughout the life of the project, if it is approved.
33061-6	The transcription you're doing, where are they going? Who's going to have it? And basically what purpose is it going to serve, if any purpose at all?	The transcripts are separated into individual comments and presented in the FEIS with a corresponding response, if appropriate. The information also is retained in the BLM's Administrative Record for the project.
33061-7	The EIS is like over 4,000 pages, yet only maybe two or more pages are devoted to Native American issues and concerns, nothing else really. So I don't think, you know, a very good job was done to get Native American input. You know, they might have been in contact with two or three people but, you know, there's a lot more people too that need to be talked to and interviewed to get their input and yet it was never done. You just get a sampling and use that as Native American concerns. There's a lot more people here concerned about it.	Section 3.17 is a comprehensive analysis of impacts of the project on Native American concerns. Detailed information was not published in the EIS due to confidentiality requirements. In addition to the information in the EIS, a thorough ethnographic assessment was prepared to inform the EIS. This was prepared by collecting information and data from tribal members, a literature search and site visits. Additional information will be developed via ongoing government-to-government consultation .
33061-8	The EIS agreement states that the BLM state director has the final say regardless of what the opposition there is and he can overrule that, and I don't think that's right.	The BLM is mandated by law to make the decision on whether to grant a right-of-way to SNWA for the purpose of building a groundwater conveyance pipeline and related infrastructure. BLM's State Director is currently designated as the decision maker for this project. NEPA, FLPMA and other relevant statutes require that the decision-maker weigh all appropriate information when making the decision.
33061-9	They've extended the EIS comment period an additional 30 days. You know what, we've got to have at least 90 days minimum. The 30 days is not really going to give us time to look at it, digest it, fully understand it and discuss it among ourselves what each thing means. So I think in all fairness to everybody involved, the tribes and the ranchers and the general public, that EIS comment period should be extended another 60 days from the 30 days that they already allowed.	Thank you for expressing your concerns related to the Draft EIS. A 120-day comment period was established for the DEIS. Your suggestions have been carefully considered by the BLM, but have not resulted in additional changes to the comment period for this document.
33061-10	When all these agency under the Department of Interior in 2006 signed that stipulated agreement, there was no consultation made with the tribes, it was a decision that was made over the weekend or maybe months. They just never shared it with us. They never gave us the chance. And the executive order that President Clinton signed states that they must consult with the tribe, and they violated that executive order by not consulting with the tribes, and that's all these federal agencies, when they signed that stipulated agreement without contacting the tribes. And so I think if nothing else, if the tribe has any stand that they need to be consulted with and follow Obama's new executive order requiring consultation.	BLM does not rely solely on the DOI stipulation measures to mitigate impacts of proposed groundwater development. Monitoring, management, and mitigation commitments under the DOI stipulations were negotiated to resolve DOI agencies' protests of SNWA's water rights applications before the State Engineer and are incorporated into the proposed action as design features. In addition, in its independent role as federal land manager, throughout the EIS BLM considers potential conditions of approval on the right-of-way grant to mitigate impacts to federal environmental resource values. The COM Plan outlined in Chapter 3.20 has been revised to more comprehensively address these issues at this programmatic stage. BLM has been engaged in the government-to-government consultation with the tribes since 2007 on this project. This tribal consultation is ongoing and will be included in subsequent tiers and associated NEPA review.
33061-11	And before any kind of further decision to close that comment period, they should consult with the tribes again. I think we may be able to use that executive order to have that comment period extended.	Tribal Consultation is ongoing and will continue throughout the life of the project, if it is approved. The public comment period was extended to 120 days.
33061-12	even to this day they're still trying to profit off of the resources that American Indians need to survive, and that's water.	Updated sections 3.17 (Native American concerns) and 3.18 (socioeconomics and environmental justice) provides a detailed discussion of the potential affects on Native Americans and their livelihood.
33061-13	What we were talking about is that the big concerns that we have is that if, you know, because water does flow downhill, and if they draw the water, the gallons per acre feet of water, I know some of that, but anyways, how many acre foot of water they're going to give us, so it will be a water right.	Comment noted.
33061-14	Anyways, the impact it's going to have like on the wildlife it's going to have, because they should be required to plant over their pipeline. I know that there's power going to go in there, the animals will come back and stuff like that, but that's the biggest impact right then while they're putting that pipeline in, the wildlife coming back.	Wildlife disturbance will be minimized during construction by adhering to BLM Best Management Practices and applicant committed measures. Restoration plans for ground disturbance will be defined in the Record of Decision.
33061-15	So if they pump out that water, then we lose up here off the top.	Comment noted.
33061-16	My comment, my concern is that what the impact will be after I would say like 10 to 20, 30 years, somewhere around there, because of our weather, some years we have a good snowfall and other years we don't. Then what I have noticed this year is that from last year our water pressure went low, like it was about three or four times during the summer of last year. This year I think the water level went low once. So we don't know how much snowfall we're going to get. That's what I think was affecting it is our weather, I mean the snowfall and how much water we get every year.	The potential implications of climate change, combined with the incremental effects of the proposed project, are addressed in the cumulative effects discussion in each resource section in chapter 3.

Comments and Responses - Tribal Workshop Transcripts

ID	Comment	Response
33061-17	So for the future of our kids, I mean, what's going to happen to them when the water level goes low? They won't have anything. And it will affect our tribe in the future.	Thank you for your comment. The BLM appreciates the importance of land and water to Native Americans. The analysis conducted for the EIS does not indicate that water resources on any Reservation or any Indian Trust Lands would be affected.
33061-18	That document, the EIS, is 4,000 pages. The holy Bible is just a little bit more than a thousand pages and it takes about a year to read the holy Bible. They expect us to read this document in 60 days?	Thank you for your comments on the Draft EIS.
33061-19	My comment or concern is that I feel that if this approval of the wells and the pipeline go through, that we will turn into an Owens Valley out here. And I know that firsthand because I did grow up for a few years in Los Angeles County where I would see large dust clouds come over the San Gabriel Mountains when there was a good Santa Ana wind, and I believe that that can definitely occur out here. I never had allergies in my life, I mean I had allergies, but I never had asthma until I came out here, and that's just because there's large sand and dust devils would blow out here. So I can definitely see something like that occurring out here if these wells were to go through.	Please see common responses Air-3 and Air-10.

Moapa Tribal Mtg Transcript

32869-1	And also, just looking at the maps and trying to understand the information that was given here, that it could potentially dry up the wells and the springs of the surrounding direct line of that -- what do you call that?	Comment noted.
32869-2	I was shocked to hear just a little bit of information that I got. And this has been going on since 2004, I'm not sure, and we -- I guess I would include as a whole, for the people are probably in the same situation as I am, not fully understand and not given all the information of how and the way we should probably be reacting to something that is very alarming when it involves this water.	Chapter 5 of the FEIS provides a detailed discussion of the consultation and coordination that has occurred related to the BLM management of the project.
32869-3	Especially with the cultural aspect of the plants and the sites that are to be impacted also by this. We believe that we're true native people. Those are part of who we are. Those are things that are -- it is our responsibility. Because they have to -- they are invincible until we say, Identify these things through people that need to have information so that we can have, I guess, the support of those things that are there that are important, plants, animals and cultural places that are important, today, tomorrow and forever.	Impacts to water resources, plants, animals, and Native American traditional values are discussed in sections 3.3, 3.5, 3.6, 3.7, and 3.17 of the DEIS. Mitigation measures for all resources are discussed in sections 2.3, 2.4 and 2.5.

Te-Moak Tribal Mtg Transcript

33192-1	I do not understand why the water is being removed from northeastern Nevada to water the Las Vegas area. We live here. We need the water to survive. We're on water restrictions. We have animals that need water.	Comment noted.
33192-2	I see no feasibility in this. I feel very strongly that they not remove water from this area to take care of another area. That area needs to -- it irritates me that they feel that they can just come in and do this. They can't. I totally oppose it. We need to survive.	Thank you for expressing your concerns. While statements of opinion do not require specific responses or text revisions under the NEPA regulations, they will be considered by the BLM and documented in the administrative record associated with this EIS.
33192-3	We may have to find a way to take from the ocean or anything or we may have to refer back to that movie Dune.	This was bracketed in error and should not have been considered as a comment on the Draft EIS. Additional information on desalinity was added to the EIS at the end of Appendix A.

Utah Paiute Tribal Mtg Transcript

33537-1	My concern is taking water out of one basin and depositing it in another. It has taken millions of years for the basins to stabilize their water levels. And if you remove water from a basin, it cannot help but dry up springs and natural wet areas, and that is destroying wetlands. Any time you destroy wetlands, you're going against the Wetland Protection Act.	Your comments on the Draft EIS have been considered. We believe the Wetland Protection Act is in reference to either Executive Order 11990 or the Clean Water Act, specifically section 404. The Executive Order references disclosure of impacts through the NEPA process and development of mitigation measures to avoid impacts when possible. Section 404 of the Clean Water Act requires permitting of activities when an activity will result in the dredging or filling of a navigable waters including connected waters. Section 404 of the Clean Water Act is under the jurisdiction of the Army Corps of Engineers, who are a cooperating agency on this EIS. The ACOE has prepared a jurisdictional delineation of waters of the U.S. for this project and will be issuing a permit for this project, please see Chapter 1 of the FEIS.
33537-2	Native vegetation that wildlife is dependent upon for survival will slowly disappear, and that will make a serious change in the overall environment of that basin.	Updated sections 3.5 (vegetation) and 3.6 (wildlife) provide detailed discussion of the impacts to vegetation and the wildlife dependent upon the vegetation communities.
33537-3	Evapotranspiration from the Snake River Valley is part of the rainfall supply that is again redeposited in the adjacent mountains and valleys, and the effect of removing the amount of water that is proposed out of the Snake River basin will have a far-reaching rainfall deprivation. This is of great concern to the Indian Peaks Band of the Paiute Indian Tribe of Utah which owns water rights in the Indian Peaks Mountain Range, and we feel like this will continue to dry up springs and natural stream flows on our land.	Please see common response Air-23.