

XII. Transcripts

Introduction

Comments in this section were presented in public hearings held October 1 and 2, 2002, at Farmington, New Mexico, and Durango, Colorado, respectively. Except for general expressions of support or nonsupport for the project, comments are summarized in the areas cited below.

Issues Raised

- Approximately one-third of the issues touched on impacts to the trout fishery and related economic effects, Indian uses or projects, authorized purposes and the planning process in general, limitations of proposed endangered species measures, and the reservoir fishery and recreation.
- Other areas of concern were rafting and rafting-related impacts, cumulative issues and effects, agricultural impacts, concerns about public input and review, and methods of analysis.
- Cited less frequently were issues centering on impacts to other resources, NEPA compliance, alternatives formulation, perceived limitations of the Summer Low Flow Test and DEIS in general, decommissioning dams, Indian sacred sites, air quality, and others.

Individuals Providing Written or Oral Comment (by Surname)

| | | |
|-----------|----------|------------|
| Barr | Fuson | Pollack |
| Boretsky | Harris | Richmond |
| Branch | Hebbard | Rogers |
| Brossia | Horner | Sheppard |
| Burnham | Jesmer | Sidlow |
| Cone | Jimerson | Stevens |
| Corithers | Johnson | Tavener |
| Dickinson | Knopick | Wall |
| Doe | Lammers | Wall |
| Dzina | Lonie | Wall |
| Eaves | Lujan | Wanner |
| Fate | Martin | Weisheit |
| Ford | Oxford | Wethington |

2 MR. DAVE BARR: I thank you. I would like
3 to first say that this EIS is flawed from the word go.
4 There's a very bad communication gap between the Corps
5 of Engineers and the Bureau of Reclamation within the
6 Bureau of Reclamation, along with the Fish and
7 Wildlife. It seems that most of our water that is in
8 the San Juan Basin, because of political pressure, is
9 trying to flow east down the San Juan Chama.

10 Now, we experienced a low water flow in the
11 Animas River, which affects the operation of Navajo
12 Dam. Because of the lack of water in the Animas, they
13 have to release more from the dam. We all know that
14 the 250 is not acceptable by any way, shape, or form.
15 We also know that the 5000 in case of a high water
16 emergency is acceptable because it's going to cause
17 damage to a lot of the utilities downstream. In a case
18 of emergency, we understand this.

19 In case of shortage of water, we expect the
20 Colorado squawfish to accept low water. Now, if they
21 do not get the water down the Animas River, like they
22 said, they would have to increase it from the dam.

23 While they are talking about an EIS in New
24 Mexico, they are issuing permits in Colorado. The
25 Corps of Engineers is issuing permits in the Colorado.

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1 And if they take these additional permits that are
2 going in, such as Purgatory, that we all know about
3 above Durango, they didn't have enough water last year
4 in their water permits to make artificial snow, and yet
5 they're going to build 1600 brand new homes up there,
6 make artificial snow and over 4,000 feet of commercial
7 buildings.

8 Tamarron is in the same situation of
9 expansion. La Plata Airfield south of Durango, which
10 is on the Florida River, has been hauling water all
11 summer long, like a lot of other people have. They
12 gave them a special permit to build two reservoirs
13 better than football field size 20 foot deep to furnish
14 them water, along with industrial, and over 2000 homes
15 that is predicted for that area.

16 The Mercy Hospital is moving from the center
17 of town to the south end of town, with an additional of
18 approximately 2000 homes to be built down there that
19 have a very poor area for wells. It's got to be
20 commercial water. The City of Durango states that they
21 can furnish this water under their historic water
22 rights. I question this.

23 Durango is expanding. They've got 2000 more
24 homes going in the upper valley. I question the amount
25 -- they right now are suffering with water loss the

1 same as below Durango is. They want to put in wells in
2 the upper valley to take care of the additional people
3 coming in. So I think their historical water rights is
4 in question. How much water are they going to get?

5 They just put in over a million dollars into
6 a pipeline from Blocofield to Antec. This should have
7 been done years ago, only not from the San Juan River
8 per se, but Navajo Lake.

9 For some 20-some years, we have fought the
10 project going in Animas-La Plata. Everybody thinks
11 this is going to make a lot more water. This is going
12 to take water from you, folks. This water that is
13 stored 800 feet above Durango, or the river, is going

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FT1-1 The issuance of water permits in the State of Colorado is a function of the Colorado State Engineer's office.

14 to go elsewhere. If you don't think so, why did the
15 Water Commission in Durango just come up with pumping
16 -- funds to pump it over to the La Plata River Basin.
17 And one of the state Colorado politicians have applied
18 for a permit for a lake over at Long Hollow, which is
19 on the La Plata River, if there won't be any water in
20 it.

21 Folks, we did not have a drought per se this
22 last summer that will be any worse than what's coming
23 down the pike in the future. The more straws we put in
24 that river across the state line is going to make less
25 water in the river for everybody below.

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FT1-2 Comment noted.



8 MR. BARR: Dave Barr. I'd like to respond
 9 to some of the comments that were made earlier.
 10 Number One, Navajo Dam. I came out here
 11 originally to work on Navajo Dam. I was working out
 12 there before they had the dam even started. I would
 13 like to tell you that in 1911 there was a flood that
 14 went down through the San Juan River that wiped out the
 15 bridges. It was a record hundred-year flood. I seen
 16 what the rivers can do in high water. I've seen the
 17 San Juan running at 10,000 cfs. I've seen the San Juan
 18 where you could walk across it without getting your
 19 feet wet in many places.

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FT1-3 Comment noted.

20 Navajo Dam was a big benefit for this area.
 21 It will be a big benefit in the future, but it needs to
 22 be controlled and set up and used for the people in the
 23 basin. We have a New Mexico State and Interstate
 24 Stream Commission that has a representative locally
 25 here that works for us, supposedly.

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1 I hate to differ with these people, but they
 2 have signed off all our excess water to California for
 3 the next 15 years. In a letter to all our local
 4 representatives, who are state representatives, they
 5 made the statement that the San Juan River Basin and
 6 for 600,000 acre-feet from existing deletions in the
 7 Colorado and New Mexico, including the Animas-La Plata
 8 Project and the San Juan-Chama Project that provides
 9 water to Indian tribes and municipalities, industries,
 10 and agriculture in the Rio Grande Valley. Not a thing
 11 about the agriculture in the San Juan Valley.

12 These are the oldest water right holders in
 13 the valley, the Navajo Tribe -- the Southern Ute Tribe

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FT1-4 Comment noted.

14 is questionable -- and the local farmers who started
15 their ditches in 1877. I made the statement at one
16 of the meetings that while the farmers in 1877 were
17 digging their ditches, the Indians sat across the river
18 throwing stones in the river.

19 In 1997, they decided to have the taxpayers
20 put their donation in, and we've been doing it.
21 Pumping down the river, we've been doing it. The
22 taxpayers pay a hundred percent. They're still doing
23 it, they will do it in the future.

24 But these local farmers that started farming
25 in 1877 with orchards in the basin, which a lot of our

1 history comes from, today put in over \$50,000 -- or
2 \$50 million into the San Juan Basin through crops.
3 And that is not included in the NAPI project. That is
4 the private individual farmers in the San Juan Basin
5 growing alfalfa, apples, pears, peaches -- just about
6 anything that you can think of -- organic, sprayer, I
7 don't care what it is. Some of them have got little
8 farms right here inside the city limits.

9 The farms in the city limits were not even
10 considered in this last regional water plan situation.
11 They only took farms outside the city limits. But
12 there's thousands of people irrigating inside the city
13 limits for their gardens in the backyard. It may only
14 be an acre, but they're contributing to the economy of
15 this basin, and they've got to be considered.

16 And unless we stand up and holler and tell
17 these people that their EIS is not any good from the
18 word get-go, we're not going to get it done. The water
19 is going to flow elsewhere. Thank you.

4 cont.

4 MR. JOHN BORETEKY: I'm John Boretsky. I'm
5 the Executive Director of the New Mexico Council of
6 Outfitters and Guides. We represent 500 outfitter
7 guides and sportsmen across the state.

8 I'd like to say that my comments are based
9 on a careful review of the EIS, but I can't say that
10 because I'm still waiting for my copy. I intend to
11 give it a careful review before it comes, or after it
12 comes, and I hope that is before the 4th of November,
13 which is my first comment. This is an unconscionable
14 short time to try to respond to a 600-page EIS.

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FT2-1 Please see the response to General Comment 34 which explains the DEIS review process and timeframe.

15 I will again repeat the question that I've
16 heard several times this evening. We'd like to have
17 a six-month extension on the deadline for written
18 requests so that we have time to adequately review the
19 information in the EIS.

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FT2-2 Please see the response to General Comment 34 which explains the DEIS review process and timeframe.

20 For example, we do not feel that the
21 information is credible as far as the economic impact
22 to the guiding industry. There are people who make
23 their entire living off of the fishery here, and that
24 has grown, and it has come because the fishery is here.
25 If you take away any portion, you're going to be

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FT2-3 Please see responses to General Comments 29 and 31b.

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1 damaging what is now a viable industry. So that's the
2 impact to the guides on the river.

3 What would be the impact to the community?
4 You have to look at the amount of money that is spent
5 by the people who come in to fish. You have to realize
6 that the money that the guides and outfitters make is
7 spent inside the community. That dollar returns itself
8 many times inside the community. How are you going to
9 make up the loss of gross receipts tax? This should be

10 a concern to the City of Farmington and to the City of
11 Bloomfield and to the city of Aztec.

12 It seems to me that there's not enough
13 thought and depth about what will happen to the area
14 when a major industry in the area is for all intents
15 and purposes destroyed.

16 There's an old saying that when you take
17 something of value away from a people, you must replace
18 it with something of value. I see nothing indicated
19 that there is anything of value to replace the valuable
20 industry that we stand to lose.

21 Thank you.

1 MR. JAY BURNHAM: Thank you.
 2 Ladies and gentlemen, the City of Farmington
 3 has been involved in the process of preparing this
 4 environmental impact statement from the very beginning.
 5 Particularly the most input the City of Farmington has
 6 had is in reference to the effect that the low flow
 7 alternative will have on the hydroelectric facility at
 8 Navajo Dam owned and operated by the City of Farmington
 9 Electric Utility System. However, the City is also
 10 very interested in some of the other effects of the
 11 low flow alternative and is reviewing the draft
 12 environmental impact statement in preparation for
 13 submitting -- preparing and submitting some written
 14 comments during the comment period.

15 And I guess the primary reason for me
 16 speaking tonight is just to assure the Bureau and those
 17 who are interested in this process that the City of
 18 Farmington is participating and is going to submit
 19 written comments. Some of the chapters or areas,
 20 sections in the draft EIS that the City of Farmington
 21 is interested in reviewing and commenting on, although
 22 there may be others in the future, that I will mention
 23 tonight is the hydropower section.

24 One of the impacts that we feel is
 25 understated in the draft EIS is the effect on the air
 26 quality of the region should the City of Farmington
 27 have to replace the hydroelectric power by the purchase
 28 of power, electric power, that is derived from sources
 29 which are fossil burning alternative sources of power.
 30 And that the report does recognize that this will have
 31 some negative impact on the air quality in the

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FT3-1 Comment noted.

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FT3-2 Please see response to General Comment 25.

7 hydropower section.

|| 2 cont.

8 That same comment is not repeated in the
9 section on air quality, and probably needs to be
10 included in that section, and we believe it should be
11 further emphasized and explored.

12 One of the other areas that we are very
13 concerned about is the water quality, which is
14 mentioned by one of the other prior speakers, and we
15 believe that the low flow alternative will have a
16 negative impact on water quality in the San Juan.

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FT3-3 Please see responses to General Comments 20f and 23.

17 We also believe that we need to further
18 investigate the effect the low flow alternative will
19 have on reducing the ability of Navajo Dam to store
20 water in times of high runoff and provide flood
21 protection. So I think we may also have some comments
22 on the flood control section of the report.

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FT3-4 The reservoir release regime should not adversely affect the flood control capability of Navajo Dam. Reclamation follows the flood control diagrams as prepared by the Corps of Engineers, which show time of year, elevation, projected runoff and reservoir volume dependent.

23 As the previous two or three speakers
24 mentioned, we're also very interested in the negative
25 economic impacts of the reduction of the trout habitat

1 in the quality water section of the river and the
2 negative economic impact that will result from a
3 reduction of that habitat and the reduction in the
4 recreational uses of the river.

5 I haven't studied this in any detail, but we
6 also want to look at the possibility that the City of
7 Farmington does participate in some of the operation
8 and maintenance costs of the dam, and there may be some
9 negative effect or increased operation and maintenance
10 expenses due to the operation of the dam in compliance
11 with the low flow alternative. There may be additional
12 costs associated with that, and I don't know whether

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FT3-5 Please see response to General Comment 26.

13 those costs would be passed on to the City of
14 Farmington to participate in some of those costs
15 because of the operation of the hydro facility at the
16 dam.

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5 cont.

17 These are just some of the areas that we're
18 looking at, and we are going to be submitting written
19 comments during the comment period, which will amplify
20 on some of these areas and may include some of the
21 areas that I did not mention tonight.

22 Thank you, ladies and gentlemen.

1 MR. STEVE CONE: You're claiming that your
2 250/5000 preferred alternative is a reasonable
3 solution, based on best available data, political
4 consensus, and just plain common sense. Far from it.
5 Reclamation's 250/5000 preferred alternative
6 is, rather, the vulgar product of misapplied science,
7 systemic corruption, prejudice, speculation, and
8 unrestrained greed.
9 The preferred alternative is but one part of
10 a massive basinwide government-sponsored water grab, a
11 water grab based on failed policy and twisted law, and
12 I expect to spend at least the next month preparing
13 detailed written comments on what appears to be an
14 exceptionably inadequate draft EIS.

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FT4-1 Comment noted.

9 MR. PHILLIP DOE: I'm going to speak tomorrow
 10 in Durango, so I'll be brief. My name is Phillip Doe.
 11 I chair the Citizen's Progressive Alliance. And we
 12 oppose the Animas-La Plata Project. And I'd just like
 13 to make a few comments about the nexus between this
 14 project and the reoperation of the Navajo Dam.

15 They are inexplicable. But the Bureau of
 16 Reclamation has taken upon itself to defy federal law,
 17 which requires interrelated federal actions to be
 18 treated simultaneously under the National Environmental
 19 Policy Act and under good management practices.

20 The reason they can't do this, and the reason
 21 they refuse to do it is the cost would go out of sight
 22 if they were forced to admit the true cost of the
 23 Animas-La Plata project with the loss of storage in the
 24 Navajo Reservoir.

25 From my brief glimpse of EIS, and we'll make
 45
 1 detailed comments, trust me, it looks to me like the
 2 upper basin states are losing three times -- over three
 3 times the storage that they're getting in Ridges Basin
 4 Reservoir. Now, this is unconscionable. And the very
 5 least they must do is measure the cost of that loss.
 6 And there are two ways of doing it, as I think the
 7 Bureau may remember.

8 One is the replacement cost of this lost
 9 storage, at least three times the cost of the Animas-
 10 La Plata project, because that's what you're losing.
 11 So that puts the cost of the completion of the Navajo
 12 Reservoir at well over one billion dollars, and pretty
 13 close to one and a half billion dollars, added to the
 14 half billion for Animas-La Plata. This is an

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FT5-1 Please see the response to General Comment 1a.

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FT5-2 Comment noted.

15 unconscionable use of taxpayers' money, which nobody
16 will pay back. No-one, absolutely no-one except the
17 taxpayers.

2 cont.

18 The other thing is the feds' own policy, the
19 Department of Interior's own policy, requires that with
20 Indian settlement issues on the table that those be
21 treated in a large way, in a grand way, and integrated.
22 The Bureau of Reclamation refuses to do that. Even
23 though they haven't settled the Navajo claims on the
24 San Juan River, they're about the business of divvying
25 all this stuff up. And they don't know the outcome.

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FT5-3 Comment noted.

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1 And they very well could face the unintended effect of
2 having to build more dams at more public cost than do
3 the things they've just done.

4 This project isn't right, A-LP isn't right.
5 Nobody wants the water out of A-LP unless it's free,
6 unless you and I have to pay for it all. So just keep
7 this in mind as they try and separate these two issues.
8 They're inseparable. They're absolutely related, as
9 the EIS tries to gloss over, but it can't. A-LP is the
10 reason that Navajo is being reoperated, and it's the
11 only reason. Thank you.

4

FT5-4 Please see the response to General Comment 1b.

6 MS. NANCY EAVES: I have a couple of
7 questions. My main -- I was reading the report, and I
8 didn't understand how long the 250 minimum would be,
9 for what length of time. Do you guys know? Is there
10 any way that we know how long that would be?

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11 MR. WARNER: The 250 cfs minimum --

12 MS. NANCY EAVES: Is a minimum?

13 MR. WARNER: -- is a minimum that can occur
14 throughout the year, all dependent upon the flows.

15 (Off the record; Mr. Warner handed
16 microphone.)

17 MR. WARNER: She has a question about when
18 the 250 cfs occurs. And the 250 cfs is a minimum
19 flow released from Navajo Dam that can occur any time
20 throughout the year, summer or winter. And it is all
21 dependent upon the flows in the Animas River.

22 So depending on what the flows of the Animas
23 River are, you could be at 250 cfs. And the hydrology
24 here will dictate whether it's going to be two weeks or
25 a day or two. So I really can't answer. It can occur

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1 throughout the year and at different frequencies,
2 depending hydrology.

3 MS. EAVES: Okay. So we really don't know.
4 Okay. I am one of the owners of the Sportsman, I run a
5 business there. And we have a lot of fishermen come in
6 here and fish on the San Juan River. And my livelihood
7 depends on those fishermen. And if you were a part of
8 that low flow setting, you will remember that we all
9 got together and went and helped the BOR and helped out
10 the people. And we spotted fish that were stressed and
11 we took them from one pool and put them in another

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FT6-1

Under the Preferred Alternative, the minimum allowable release from Navajo Reservoir would be 250 cfs. This could occur any time a spring release is not being made and whenever downstream senior rights or the minimum target base flow in the recovery area are being met by intervening flows between Navajo Dam and the critical habitat area below Farmington. The 65-year operation study modeled Navajo Reservoir monthly operations. During that time, the minimum release of 250 cfs occurred 28 percent of the time. Please refer to General Comment 11 which discusses flexibility in reservoir releases under the Preferred Alternative.

FT6-2

For purposes of the DEIS, it was assumed that flow reductions below the current minimum flow of 500 cfs would be implemented immediately after the FEIS is released and the Record of Decision is executed. The 250 cfs minimum release below Navajo Dam, proposed under the Preferred Alternative, could occur at any time of the year. Please see the response to General Comment 11 which discusses flexibility in reservoir releases under the Preferred Alternative.

12 pool. And we're very concerned about our fish. We
13 name our fish. These are our fish. And it's catch and
14 release. And we're very concerned about that and their
15 habitat. That's my main worry is about how long the
16 250 would be, for what length of time.
17 Thank you.

2 cont.

13 MR. BOB FATE: I haven't had a chance to
14 really read the report, but I do think that -- I'm an
15 avid fly fisherman, and we need to be concerned about
16 the economic impact of the damage to the fishery. We
17 need to understand the economic impacts of the low
18 quality water area that will be impacted by the low
19 flow, especially certain times of the year when people
20 do factor.

21 I believe that the fly fishing brings tens of
22 millions of dollars to our economy, and I think we are
23 putting the livelihood of a lot of people in jeopardy.

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FT7-1 Comment noted.

3 MR. GARY HORNER: I'm Gary Horner, I'm a
4 local attorney. I'm not representing anybody here
5 tonight, but I've been following this up.

6 I have a real big problem with the whole
7 concept of the reoperation of the Navajo Dam. It
8 appears to be primarily designed -- it was based on the
9 flow recommendations for the fish, which is something
10 on the order of 5000 cfs released during the spring,
11 and a minimum of 250 cfs for the rest of the year.

12 It looks to me like the concept really more
13 for the fish is to move the water by the people of New
14 Mexico so that they can't use it. If you look at the
15 bigger picture, the Colorado River doesn't flow to the
16 Gulf of California any more, all the water gets used.

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FT8-1 Comment noted.
through 6

17 The water is divided into the upper basin and
18 the lower basin. It's supposed to be divided equally,
19 7-1/2 million acre-feet each. But the lower basin is
20 using somewhere between 11 and 14 million acre-feet a
21 year, and the upper basin, which is -- we're part of --
22 is 3 to 4 million acre-feet a year.

23 So the lower basin needs more water. And if
24 they're going to be able to get more water, we have to
25 use less. And so that appears to me to be what this

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17

1 concept is all about.

2 (Off the record; microphone connected.)

3 Anyway, so they talk about trying to protect
4 water development interests, but, in fact, what's going
5 on is the only water development interests they're
6 trying to protect is the NIIP diversions above Navajo
7 Dam. So it may be a little bit of Animas-La Plata, but
8 that's about all they've got as far as water

9 development interests.

10 So the rest of us, then, are all on the short
11 end of the stick. There is no room in this concept for
12 any additional water use by anybody else. And so I
13 have a real problem with that.

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14 In order to go where they're going here,
15 they've completely decimated New Mexico law. The
16 Constitution talks about the doctrine of prior
17 appropriation, senior water rights. There is no
18 provision in the New Mexico law for in-stream flows for
19 the protection of the fish, and that becomes the
20 primary basis upon which they're going to operate the
21 Navajo Dam. There is no basis in the law for it.

22 When you look at what's going on, currently
23 there's only about 400,000 acre-feet being used in New
24 Mexico. New Mexico's share of the Colorado River
25 system should be 838,000 acre-feet. Our own state 18

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1 engineer is preventing anybody from using any
2 additional water. They say that the water is allocated
3 to people like the Navajos.

4 When you look at the total picture for water,
5 you have the Navajos, who are now negotiating for their
6 water interests. They currently have a contract for
7 508,000 acre-feet. There's 100,000 acre-feet flowing
8 down the San Juan Chama project, there's 32-, 33,000
9 acre-feet have been adjudicated to the Jicarillas.

10 We're having to provide 58,000 acre-feet for
11 evaporation in Lake Powell. You start adding all these
12 up, you get about 690,000 acre-feet. The Bureau says
13 we can't have 838,000 acre-feet, we can only have
14 670,000 acre-feet.

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15 In this picture, all private water rights get
16 lost, okay? That's all the irrigators, that's all the
17 municipalities, that's all the industrial users.
18 Everybody gets lost except for these entities. And
19 again, in order to do this, New Mexico law has to be
20 thrown right out of the window.

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21 But this is a big part of it. When you go to
22 250 cfs flows out of Navajo Dam, between Navajo Dam and
23 the confluence, there's probably -- well, there's
24 pushing about 250 cfs worth of uses. So there's no
25 room whatsoever for any additional flow, and to me

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1 that's what this is all about -- decreasing uses of
2 water in New Mexico so that water can flow to Arizona
3 and California. So I have a real big problem with
4 this. And you can put me down for objecting to the
5 whole concept.

20 MR. T.J. JIMERSON: My name is Tim Jimeron,
21 and I represent the San Juan Fly Fishing Federation and
22 Four Corners Guide Service at the Navajo Dam.

23 I've got -- I don't know if objection is the
24 right word, but I've got an objection to the way this
25 whole thing is set up right now. It took seven years

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1 to study the fish, it took about three years to compile
2 the information. Some of the people haven't even
3 received their EIS report or draft, and I've had it for
4 about a week and a half, and I'm totally bumfuzzled by
5 it, and you've got a public hearing now. And I don't
6 know how many people are smart enough to put all those
7 so-called educated people who compiled it and can come
8 up with some kind of sense out of this thing in this
9 short a period.

10 Anyway, the next thing I've got a problem
11 with was the low flow model -- or I should say the low
12 flow test, which turns out to be a model. There were
13 statistics taken during the low flow. A few fish were
14 stressed and a few of this, this, and this.

15 First of all, it was done supposedly -- I
16 first heard 10 days, and now it's 7 days, but when it
17 started on Monday, you don't feel the effects of it
18 down lower in the river. And when I said that I needed
19 to have the water kept up on Saturday because we have
20 professional -- I should say a former BCR biologist
21 come in to check insects, you saved it one more day up
22 and raised it back up Sunday at noon, which tells me
23 that the study is definitely not a 7-day test. And
24 then when you finally did explain to us, or I should
25 say our club, what this deal is, it's a model.

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FT9-1 Please see the response to General Comment 34 which discusses distribution of the DEIS and time frame allowed for public comment.

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FT9-2 Please see the response to Comment 167-30.

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1 And the model says we can do it. It's not
 2 going to hurt the fish, it's not going to hurt the
 3 insects unless you throw in other standards like heat,
 4 wind -- anything else -- vegetations, things like this
 5 is going to definitely decrease the population of the
 6 habitat in the river. But yet you still say you're
 7 going to go ahead with the low flow at 250, contrary to
 8 what I think I understood when we went to court.

9 The judge said he wants to look into saving
 10 this fishery, and at 250 in the summertime you're going
 11 to lose -- go down from anywhere from 18 to 21 miles of
 12 good trout fishing, world-class trout fishing, you're
 13 going to go down to maybe 6 because of the heat
 14 factors, loss of habitat, things like this.

3

15 So like I say, I've got a big objection to
 16 the low flow model and your low flows, like the other
 17 gentlemen were talking about. Down low, you're going
 18 to have a whole bunch of contrary things, such as --
 19 hadn't been mentioned until now, is the low flow test
 20 you did in '96-'97 for four months, pollution factors
 21 went up way high. And I'm talking in the APG area.

22 And I have -- some of these figures that are
 23 going to be presented to me pretty soon, and I will get
 24 those to you. And I was also told at our meeting the
 25 other night that pollution is not BCR's problem. That

24

1 is up to the farmers, that's up to everybody else --
 2 you know, flooding your fields, stop using fertilizers,
 3 or at least certain types, I guess.

4 And low flow in my opinion is -- you know,
 5 500 has already decimated our trout fishery, I would

FT9-3 Summertime chronic reductions in flow from Navajo Dam would result in reducing the extent of the trout fishery in the San Juan River, elevated river temperatures being the primary cause. Although it is not known how far downstream a viable trout fishery could be maintained associated with a 250 cfs dam release, based on water quality monitoring during the Summer Low Flow Test the river would support trout to at least the Citizens Ditch Diversion located about 1/2 mile below Archuleta. This stretch of river is where the vast majority of angler use occurs, so Reclamation believes all but a small percentage of the trout fishery will remain intact at releases below 500 cfs, albeit at a somewhat lower quality due to physical habitat losses.

6 say probably 50 percent of a world-class fishery that's
7 in the top five in the nation.

8 The high flows, you're also talking about
9 people has moved onto this river with the flows the way
10 they've been since the dam was constructed. And now
11 that they have been living on this banks, 5000 is
12 destroying a lot of their property.

13 The high flows, I still don't agree because
14 -- well, when you started this thing back in '91, you
15 guys made the statement that you would try various high
16 flows, various low flows to come up with what you can.
17 And I know I was explained your version of it now, but
18 when it started, it started out that this was going to
19 be out of the dam. This is not downstream flows, but
20 out of the dam. And that hasn't been done yet.

21 The economic study, I still don't understand
22 it. I mean, I looked at that thing, and according to
23 what some professionals also did in the State of New
24 Mexico in fisheries, hunting and this and that, they
25 come up with from what I understand a whole bunch of

25

1 difference from what you're saying and what we came up
2 with. And after talking with Russ, when he came down
3 here and stuff, I think somewhere the figures have been
4 jimmied a little bit.

5 And like I say, for the last statement, the
6 judge when we went to court in '96 made the statement
7 this is a world-class fishery, and we better look into
8 saving it. And I don't think 250 is going to do a
9 thing to save this river. 5000 won't hurt our fishery,
10 but the 250 will decimate it.

11 Thank you.

4

FT9-4 Please see responses to General Comments 29 and 31.



19 MR. JIMERSON: I'm still Tim Jimeron, and I
 20 wanted to make a couple comments.

21 First of all, I want to clarify a little for
 22 the fishermen or the nonfishermen. On the EIS draft it
 23 says we lose 34 percent of habitat. Their definition
 24 of habitat is don't put a fish in there, don't put any
 25 kind of insects in there, no vegetation. We're talking
 47

1 about loss of habitat that way. But what in reality it
 2 means, the upper section from the dam down to the Texas
 3 Hole, for example, when this went down, there was rocks
 4 sticking out that had never seen the air since the dam
 5 was put in and starting flowing and stuff.

6 If you throw one thing into it, such as heat,
 7 that's going to change, you're going to lose more
 8 habitat. You put it in cold, you're going to have
 9 frozen areas, you're losing habitat again. You're
 10 losing more. So we're talking about that much more.
 11 And the fishing industry has declined since they've
 12 gone to 500, and it's going to decline even more if it
 13 goes into 50.

14 Another little item that I have is I've got
 15 13 schools that I volunteer with. I don't take them to
 16 quality water except one school. All the other schools
 17 we're talking about from the 4th grade through middle
 18 school, I don't take 125 kids up there at one time, but
 19 I do split them up. Out of one class, we had 125 kids
 20 over three days. We go to the Cottonwood Campgrounds,
 21 bait water. I also make sure that the parents go with
 22 them. You get rid of that fishery, there's a whole
 23 bunch of kids you're going to be depleting their
 24 ability to learn in a way that they can that most

5

FT9-5 Reclamation has acknowledged in the EIS that an average loss of 34 percent usable habitat would occur at a 250 cfs release as compared to a 500 cfs release. Also, an increase in river temperatures associated with reduced summertime releases would limit the extent of usable habitat. (See response to Comment 176-3). Lower releases in the winter would not have nearly as much impact on the trout fishery, although growth rates could decline to some degree in lower reaches of the trout fishery area due to colder river temperatures.

25 families can't afford. Some families can't afford 48

1 me. I can't afford me most of the time. But this
2 is the way it is.

3 One last comment is I think I can venture to
4 bet there's not one person on the EIS committee that's
5 ever worked on this EIS other than Marc that lives
6 here. So you're not going to feel the impact of lack
7 of water.

8 The idea of even thinking about getting rid
9 of the dams, I mean, things like this, we're talking
10 ridiculous things that's going to happen, but the
11 people that are on the -- anybody live in the area here
12 on the EIS? Well, I've tried to get them to fish with
13 me before. Bribing didn't help.

14 MS. DeANGELIS: We can't afford you, either.

15 MR. JIMERSON: Oh, I do have one more little
16 item. You asked us the other night, our club, to see
17 if we would go ahead and give back some of the water
18 instead of making it stay at 500 this year. The Bureau
19 of Reclamation came to the San Juan Fly Fishing
20 Federation and asked us if we would give up some of
21 this water this winter. We have no problem dropping
22 the flow of the river this winter, knowing it's a
23 drought.

24 And all we ask is hey, a little consideration
25 for everybody else that lives on the river, and I don't 49

1 think I ever got a comment on that. But again, I guess
2 we're not here to answer questions tonight, so -- but
3 we will take to you.

6

FT9-6 Approximately half of the DEIS team members live within the San Juan River Basin, in particular in and around Durango, Colorado. These individuals, though maybe not directly, will also experience the effects of a change in operations at Navajo Dam.

7

FT9-7 Reclamation appreciates the cooperation received from the San Juan Fly Fishing Federation and all water users along the San Juan River during the drought contingency operations of 2002 and early 2003. During this time period, minimum releases from Navajo Dam had to be reduced below 500 cfs because of severe drought conditions.

25 MR. LAWRENCE JOHNSON: Good evening. My name
29

1 is Larry Johnson, I'm the owner and president of the
2 Soaring Eagle Lodge, which is located approximately
3 seven miles down from the Navajo Dam. This is a copy
4 of my notes to the BOR, why I do not support the
5 position of the draft EIS on the flows coming out of
6 Navajo Dam that would be below 500 cfs. This is not my
7 official written response. That will be sent later
8 after I receive a copy of the EIS draft.

9 To Mr. Jimerson's note, I would ask formally
10 that BOR delay the written response for at least six
11 months until we have the proper time to study this and
12 our experts review the documents.

13 I would also like to see further public
14 hearings that the populations of the Four Corners area,
15 especially Farmington, Astec, and Bloomsfield could be
16 properly informed.

17 The positive effect of the recovery of
18 the two endangered species using the draft EIS
19 recommendations is inconclusive and hence does not
20 warrant the possible negative effects of implementing
21 the 250/5000 flow. The difference between the
22 possibility of a yearly 250 minimum flow to 500 is not
23 significantly sound, and the draft only addresses its
24 recommendation and not the other alternatives, which
25 does not meet NEPA or legal mandates.

30

1 The premise of the EIS is to recover two
2 endangered species between Navajo Dam and Lake Powell.
3 It is equivalent to raising rabbits between two
4 freeways. If the one species goes upstream, it's
5 frozen in the cold waters of Navajo Dam. If it goes

1

FT10-1 Please see the response to General Comment 34 which discusses the DEIS distribution and public review period.

2

FT10-2 Please see the response to General Comment 7.

3

FT10-3 The relatively short distance between Lake Powell and the cold releases from Navajo Dam are a limiting factor on the endangered fish. The SJRBRIP and associated Flow Recommendations are designed to address limiting factors and recover the endangered fish in the San Juan River.

6 downstream through the high flows, it's eaten by the
 7 suckers. We have approximately 135 miles of river and
 8 ecosystem for these two species to survive. By
 9 lowering the flows to 250, you're going to eliminate
 10 approximately 35 miles of a 135-mile ecosystem, which
 11 is approximately 26 percent. And again, I don't see
 12 the logic in that type of recovery.

3 cont.

13 The draft EIS therefore only addresses the
 14 future water development, which means socioeconomic
 15 winners or losers. Trout fishing below the dam and all
 16 the river property owners, ranchers and citizens of the
 17 Four Corners area, specifically Farmington and
 18 Bloomfield, will be the losers. This will cause major
 19 economic hardship for an area in the west, and New
 20 Mexico specifically that has a meager economic base to
 21 start with. This will cause undue hardship to all of
 22 those who benefit from the fishing industry here in the
 23 Four Corners. There will be some businesses like
 24 myself that will be completely put under.

4

FT10-4 Please see the response to General Comment 27 which discusses adverse impacts to the trout fishery and associated recreation economies.

25 The San Juan River is one of the nation's
 31
 1 premier trout fisheries. That is known world-wide, and
 2 it would be irresponsible to jeopardize that resource,
 3 should there be any alternative to meet the water needs
 4 of the future users.

5 I would like to make public notice that
 6 should the draft EIS recommendations be implemented,
 7 the flows were lowered below 500, there would be an
 8 immediate habitat loss of 34 percent, which is written
 9 in the EIS. The devastation to our fishery below the
 10 Archuleta or Citizens Ditch would be a hundred percent
 11 of elimination of the trout, and that was verified by a

5

FT10-5 Please refer to General Comments 27 and 28.

12 BOR biologist. This would deny my employees and myself
13 our right to make a living, and we would hold the BOR
14 responsible.

5 cont.

15 Again, it would be my request that we all
16 work together to ensure citizens have a fair and
17 equitable solution where and how the water is used.

18 In fact, the fishery does not want to dispose
19 of one drop of the water. We just need it to flow
20 through our fishery. And we're hoping that's not
21 asking too much. If not, and they do implement this,
22 we'll have to do what we need to do to keep that
23 fishery intact.

24 And again, thank you very much.

11 MR. OWEN LAMMERS: Kind regards to
12 representatives of the Bureau of Reclamation and the
13 people here in the audience.

14 I may be a razorback sucker, I may not have
15 gone to your schools, but I can read. And I'm quite
16 disappointed that the Bureau of Reclamation, the
17 federal government, is pretending, is masquerading the
18 concept of the recovery of the habitat for my species
19 when really all they are doing is trying to reinforce
20 the continued exploitation of the San Juan River
21 watershed.

22 Item: My spawning habitat is inundated by
23 Navajo Dam. If I try and spawn any closer to the
24 confluence with Lake Powell, my offspring will be
25 carried to Lake Powell and consumed by nonnative fish,
12
1 period.

2 There is no way 250 cfs, 500 cfs, 5,000 cfs
3 -- it does not matter. The only way my species can
4 reproduce is if I can get high enough in the watershed
5 such that when I have hatchlings, they will be able to
6 become stronger prior to being carried into Lake Powell
7 and consumed by nonnative fish.

8 So this whole issue of pretending that you
9 care about the fish, that you're going to do something
10 about their habitat, it's a complete charade. And I
11 think this is something consistent that the Bureau of
12 Reclamation is practicing on the Green River, on the
13 Colorado River, on the Columbia River, on the San
14 Joaquin River. This is a consistent practice that the
15 public is allowing the Bureau of Reclamation to pretend
16 that it is going to do something about endangered fish

1

FT11-1 As indicated in the EIS, the goal of the Preferred Alternative is to help both recovery of the endangered fish and to facilitate existing and future water development.

2

FT11-2 Please see General Comment No. 20c. There are many factors that may limit populations of the endangered fish in the San Juan River and, as pointed out in the biological assessment, the shortening of the riverine system by Navajo Dam and Lake Powell is one of them. The SJRBRIP and the Flow Recommendations have been developed as a program to overcome the limiting factors and recover the fish. Success is not guaranteed; monitoring will determine the degree of success.

17 when it can't in any single instance demonstrate that
18 they have recovered a single species, a single habitat
19 in any river.

2 cont.

FT11-2 (cont.)

20 So we might as well admit why we're here.
21 We're here to watch the continued extinction of
22 the species. It cannot reproduce, as my friend
23 Mr. Pike-minnow, has explained to you. The only way
24 fish are surviving is by dumping hatchery fish into
25 the river, and then they die prior to reproduction.

13

1 They can't be reproduced.

2 We do not accept the classic fish programs.
3 Recovery means recovery of habitat. The experi-
4 mentation that theoretically has been done does not
5 demonstrate any results for recovery from which these
6 flows are based, so those flows are just mythical ideas
7 about recovery, again to preserve the consumption of
8 water by the water users, who as again my friend
9 Mr. Pike-minnow has indicated, are actually historically
10 last in line.

3

FT11-3 Please see the responses to General Comments 20c and 12.

11 We can indeed conserve water, leave water in
12 the river, decommission Navajo Dam, if it's the only
13 way, if the agency is serious about reproduction, about
14 recovery for the native species.

15 Therefore, I strongly demand that the Bureau
16 of Reclamation much more seriously address the
17 decommissioning alternative, not only for Navajo Dam
18 but also Glen Canyon Dam. Because the second critical
19 habitat for nursery and maturation is actually near the
20 confluence of the San Juan River and the Colorado
21 River. Thank you.



3 MR. LAMMERS: Owen Lammers.
4 I'm pleased to hear the remarks from our
5 non-Indian representative, particularly since if any
6 water gets to the reservation through the projects he's
7 talking about, they're not going to be going to those
8 homes. They're going to be going to industry and the
9 same corrupt puppet government that has been operated
10 on the reservation for a number of years. And that's
11 why the movement in the Navajo Reservation does not
12 support much of what Mr. Pollack's talking about.
13 You must not forget the one and a half
14 million dollars a year that we -- excuse me, out of
15 character -- that the taxpayers pump in to the abysmal
16 Navajo Irrigation Project. It's a failure, and it will
17 continue to be so. We can actually save money by
18 decommissioning that facility.
19 But let's get back to the issue at hand.
20 Speaking of habitat, you're not talking -- with the
21 exception of my colleague, the pikeminnow, every
22 referenced habitat is an artificial habitat. It's not
23 natural habitat.
24 The lovely lady who spoke about her
25 experience on the reservoir, again, it's not a lake, it
53
1 is artificial. This is why we are experiencing, quote,
2 "problems" because we are attempting to manipulate a
3 natural system, and we are getting increasing signals
4 from nature that we are failing.
5 But that's an issue at hand. It's about,
6 indeed, what Mr. Pollack said, jeopardy. Have you all
7 played jeopardy? Well, the answer is decommissioning.
8 Because regardless of the implementation of any of the

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5

6

FT11-4 Comment noted.

FT11-5 Navajo Reservoir is the principal water storage facility for the Navajo Indian Irrigation Project (NIIP). Public Law 87-483, enacted in 1962, authorized the Secretary of the Interior to construct, operate, and maintain the NIIP for the purpose of furnishing irrigation water to approximately 110,630 acres. The NIIP includes a water storage and delivery system, lands, roads, utilities, and other facilities for irrigation of lands located south of Farmington, New Mexico. The Navajo Agricultural Products Industry (NAPI) is a Tribal business enterprise formed in 1970 to develop, farm, operate, and manage the NIIP lands. Both NIIP and NAPI were established to provide benefits to the Navajo people. NAPI currently provides approximately 250 permanent jobs and 800 seasonal jobs.

FT11-6 Please see the response to General Comment 12 which discusses decommissioning Navajo Dam and the response to General Comment 20 which discusses the recovery of endangered fish.

9 alternatives, contrary to what Mr. Pollack said, the
10 Bureau will be in jeopardy because the fish will be in
11 jeopardy.

6 cont.

12 If they implement that alternative, there
13 will be no change, there will be no recovery of
14 pikeminnow or razorback suckers. We will be back at
15 the table, and the issue at hand, indeed, will be
16 decommissioning.

17 So with all due respect of the folks, the
18 very wonderful folks that are deriving the best
19 livelihood possible out of the artificial habitat,
20 we've already heard that next year it's going to be
21 such, such worse.

22 Because even if the snow started today,
23 the reservoir is going to be even lower. And 250,
24 if we're lucky -- 250 if we're lucky, nature is not
25 pleased with what we are doing. It's time to respect
54

1 it a little bit.

2 Fish for trout where the trout belong,
3 please, in the head waters, you know. It's just as fun
4 out there. Guide services can work out there. Let's
5 work on a transition. But it's about native habitat,
6 not artificial habitat. And regardless of the flows
7 that the Bureau tries to implement, they will fail.
8 Jeopardy will occur and we will be back here at this
9 specialty commission. Thank you.

7

FT11-7 Comment noted.

24 MS. MONICA LUJAN: My name is Monica Lujan,
25 and I represent Sandhill Anglers. I'm vice president

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1 of my husband's dream job. Fishing the San Juan is
2 just the most awesome job that he would ever want.
3 And I have supported his desire to come to the San Juan
4 River and the beautiful Four Corners to catch that
5 dream.

6 I am opposed to the draft EIS as it stands,
7 Number One, because we have had inadequate time to
8 comment. We have been given a 600-page document.
9 And, I mean, that's a lot for any layperson to look
10 at, review carefully, and really have any comments
11 regarding. It's all in scientific information terms,
12 jargon. We need more time. So I'm asking that we have
13 the six-month extension for public comment to ensure
14 that the draft EIS gets the public participation it
15 deserves.

||
|| 1

FT12-1 Please see the response to General Comment 34
which explains the DEIS review process and
timeframe.

16 Secondly, I believe that there is
17 insufficient data regarding the economic impact of the
18 fly fishing industry. Please take note that the money
19 that is flowing into this fly fishing industry is not
20 coming from Albuquerque, it is not coming from
21 Farmington. It is coming from major cities -- from
22 Denver, from L.A. People fly here to come here. So
23 it's not -- it's additional revenue that this area
24 would never get. So I'm also asking that they
25 reconsider the economic impact of the fly fishing

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FT12-2 Please see response to General Comment 29.

1 industry.
2 And also, I believe that we were not given
3 adequate alternatives and would ask that we have
4 alternatives that are comparing apples to apples.

5

Thank you.

10 MR. BOB OXFORD: My name is Bob Oxford, and
11 I represent myself. My comments will be mainly on
12 the one-week test. I don't think that it was
13 representative. It rained during that week, and to me
14 that doesn't show that all diversions are going to be
15 satisfied with a 250 flow during the summer months.
16 There is a statement in this report that
17 on page -- Chapter 3, Page 16 that says Reclamation
18 will follow New Mexico's state water law regarding
19 downstream water rights users. I'm not sure what that
20 means. I don't think it's really been established what
21 the state engineer has allowed to administer the river
22 with. It's my opinion that reservoirs built on the
23 river store all water that comes in to it as public
24 water. State law allows storage rights for subusers to
25 store water in the reservoir, but it doesn't follow

1 that the state engineer protect that water as private
2 water flowing down a public water course to some
3 particular user.

4 The state engineer is not supposed to be a
5 party to private agreements, such as contracts by the
6 Bureau of Reclamation or the Indians. As an example,
7 if ten water right users on the San Juan River made a
8 private agreement to share their water during the year,
9 and the downstream user wanted to use all that water
10 for one month, would the state engineer then be
11 required to protect the other users from taking that
12 water ahead of that last user down there in order to
13 satisfy that private contract? The state engineer
14 can't be bound by all these private agreements that
15 the Bureau seems to think protects their water.

16 The other comment I'd like to make is the
17 report doesn't seem to show that there's 58,000 acre-
18 feet of San Juan Basin river water rights set aside to
19 be used in Lake Powell for the evaporation, and I think
20 that should be shown in the report. Thank you.

1

FT13-1 Navajo Reservoir evaporation is accounted for in the permits held by Reclamation for Navajo Dam; likewise, water rights for Lake Powell take into account evaporative losses.

8 MR. STANLEY POLLACK: Good evening. My name
9 is Stanley Pollack. I live and work in Window Rock,
10 Arizona. I thought I'd make myself a very popular
11 person here by speaking in favor of the preferred
12 alternative identified in the draft EIS.

13 And before you tar and feather me or throw
14 rocks or fishhooks, as it will, there's a good reason
15 I support the preferred alternative.

16 The preferred alternative is the only
17 alternative that is consistent with the flow
18 recommendations that have been developed by the Biology
19 Committee and adopted by the San Juan River Recovery
20 and Implementation Program.

21 Now, the reason that this is important is
22 that we have a system on the San Juan River that if
23 Navajo Reservoir operations are not modified, we will
24 run the risk of jeopardy to the endangered species.
25 So under federal law, all of the interests that we've

50
1 heard from today are going to be impaired. All the
2 water users, all the water uses, Navajo Dam itself.

3 The viability of Navajo Dam upon which
4 the boating and recreation community on Navajo Lake
5 depends, the fish and guide service below the dam
6 depends and all these interests depend on, require that
7 the dam be operated in a manner that protects the
8 endangered species.

9 If you lose that, you lose Navajo Dam, which
10 provides the basis upon which all of these activities
11 are predicated. And it's not A-LP that --

12 AUDIENCE MEMBER: Yes, it is.

13 MR. POLLACK: Excuse me, sir. I did not

1

FT14-1 Comment noted.
through 4

2

14 interrupt you while you were speaking. Thank you.

15 It's not A-LP that forces the reoperation
16 of the Navajo Dam. If one looks at the original
17 biological opinion for A-LP, it concludes that
18 irrespective of A-LP, that fish will be extricated with
19 or without that project. And that reoperation of the
20 dam is required in order to protect the endangered
21 species.

3

22 Not only that, reoperation of the Navajo Dam
23 is what allows further water development to occur in
24 this basin. If you don't have that reoperation, you
25 will not have further development of water. And I

4

51
1 happen to live in an area where water development
2 is scarce. I live on the Navajo Reservation where
3 50 percent of the people haul their water.

4 Yes, I understand the hardship that we're
5 talking about here in terms of the impacts and the
6 economic impacts on the fishing industries and
7 recreational industries, but you also need to take into
8 account the really severe economic impacts that exist
9 throughout the San Juan Basin in the larger community.
10 And we're talking about people that don't enjoy a lot
11 of the basic benefits of the developed water that most
12 of the folks in the San Juan River Basin enjoy, and
13 that's the Native American population. I think we need
14 to be sensitive to those needs as well.

5

15 So in conclusion, the preferred alternative
16 is the alternative that allows Navajo Dam to exist.
17 It's the alternative that has the best chance of
18 recovering the fish. It is the alternative that
19 secures water development in the San Juan River Basin.

FT14-5 Please see response to General Comment 19.

20 it is the alternative that allows the Native American
21 communities to begin to enjoy some of the same benefits
22 that other Americans share in this basin. So I support
23 the preferred alternative in the EIS.

25 MR. JAMES ROGERS: My name is Jim Rogers, 14

1 James Rogers. I represent the Jewett Valley Water
2 Users Association. It's an agricultural user of San
3 Juan River water just prior to the Hogback area.

4 Just a couple of things. First of all,
5 farmers are kind of naive, I guess. You know, we've
6 been told for 120 years that we were putting water
7 to beneficial use. Our structures, our diversion
8 structures, are ones that have been built by the users
9 and maintained by the users.

10 And one of the concerns we have is that the
11 high flows threaten our conversion structures. The
12 5000 cfs puts us right on the brink of being washed out
13 along the river.

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FT15-1 Please see response to General Comment 24.

14 And also, I'd like to kind of second what
15 Mr. Oxford said, that 250 cfs low flow, even down where
16 we're at, which is supposedly all the drainage back
17 into the river, I don't feel like was long enough and
18 really showed anything about the time that we began to
19 experience some problems being able to divert enough
20 water. I think it was only for five days, so it really
21 didn't give us enough time to really evaluate it.

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FT15-2 Please see response to General Comment 22.

22 I guess the thing that most agricultural
23 users are worried about is how -- exactly how the flows
24 are going to be implemented. You know, you can't grow
25 crops in the wintertime, and we're concerned that we 15

1 won't be able to have the water when we need it, and
2 therefore not do us any good.

3 That's my comments. Thank you.

7 MR. MARC SIDLOW: Hi. I'm Marc Sidlow, and
8 I represent the Corps of Engineers, Albuquerque
9 District. I just have a short comment.

10 In December, 2001, we commented on the
11 preliminary draft EIS for Navajo reservoir operations.
12 In a letter that we had sent to Reclamation -- another
13 one also dated December 5th, 2001, we stated that the
14 Corps will be revising the safe channel capacity below
15 Navajo Dam from 16,000 cfs to 5,000 cfs, as we
16 described in our 1993 Draft Navajo Dam Reservoir Water
17 Control Manual. We were not able to finalize the Water
18 Control Manual at that time due to the seven-year
19 fishery research study and the Navajo Reservoir
20 Operation EIS process.

21 We intend to finalize the Water Control
22 Manual upon the completion of this EIS and any NEPA
23 documents that the Corps needs to prepare.

24 But we feel that the Navajo EIS needs to
25 convey that the same channel capacity of 5000 cfs is
1 preliminary at this time until we can complete the
2 Water Control Manual and it is finalized. We will
3 follow up these comments with written comments on
4 specific items throughout the EIS.

1

FT16-1 Reclamation acknowledges receipt of the December 5, 2001, letter from the Corps of Engineers and has referenced that letter and the channel capacity limitation of 5,000 cfs in this EIS.

2

FT16-2 Reclamation acknowledges receipt of the Corps of Engineers written comments on the DEIS. Reclamation has agreed to the changes submitted by the Corps, and the EIS will be modified accordingly.

8 MS. KAREN STEVENS: Good evening.
9 I'm Karen Stevens, New Mexico State Game
10 Commissioner, representing the northwest part of the
11 state. As a commissioner representing the state, I
12 receive numerous calls, e-mails, letters from concerned
13 citizens. None of these citizens have felt positive
14 about the 250 flow. All of them are negative input,
15 and I want to pass that information on to you.
16 In addition to that, as a commission, as a
17 matter of public record, the New Mexico State Game
18 Commission is very concerned about the slow flow in
19 regards to the effect that it will have on the habitat
20 and how it is going to affect our fisheries.
21 Thank you.

1

FT17-1 Please see the response to General Comment 11 which discusses flexibility and Reclamation's belief that flexibility exists to reduce adverse impacts to the trout fishery.

3 MR. JOHN TAVENNER: Hi. My name is John
 4 Tavenner. I'm president of the San Juan Guide
 5 Association. I'm also a guide and outfitter on the San
 6 Juan River, I have a business out there.

7 And I just basically wanted to say that first
 8 off, we haven't had enough time to actually have a good
 9 look at the draft EIS. It's only been out there for a
 10 short while. We'd like to ask that we get a little
 11 more time to review this and take a little closer look
 12 at it.

13 Also, if it does come down to the fact that
 14 we are to have 250 cfs flows, there is to be a lot of
 15 jobs, a lot of businesses, that are going to be pretty
 16 much out in -- just won't be able to make a living out
 17 there. We're talking about a 24 percent reduction in
 18 habitat and a 20 to 30 percent reduction in fish
 19 population, and probably at least a 20 to 30 percent
 20 reduction in business. And a lot of people like myself
 21 are just barely making a living out there. So this is
 22 -- we'd like to say as an organization we'd like to get
 23 a little closer look. And I'd like to extend the
 24 public hearings and also possibly get a little more
 25 time on the written evaluation.

36

1 Thank you.

1

FT18-1 Please see the response to General Comment 34 which explains the DEIS public review process and timeframe.

2

FT18-2 Please see responses to General Comments 29 and 31b.

5 MR. RANDY WALL: I'm Randy wall, and I
6 represent myself as a citizen. And I have not read
7 the impact statement, but I just have some questions.
8 I have a place out at Navajo Dam, and the lake is
9 extremely low. And it's quite alarming how low it is.
10 And we let out 900 all summer. And I felt that we
11 should not have let so much out and try to store some.

12 And again, the 5000 in the spring, we don't
13 know how much snow pack we're going to have. This is
14 my concern in the valley.

15 I'm from Farmington and have lived here for
16 20 years, and this water level, this water situation,
17 is very concerning to me. And so that's why I came.
18 I seen it in the paper and I wanted to voice -- those
19 are my questions, and my concern is the high flow and
20 letting it out. And I think we need to save our water
21 for the farmers and ranchers and for the people
22 downstream.

23 And I just feel it's our responsibility to
24 have this dam and to use the water wisely.

25 But thank you very much.

1

FT19-1 Please see response to General Comment 13.

17 MS. JOY WALL: Hello, everybody. My name is
18 Joy Wall, and I'm a concerned citizen. I've been here
19 in the Farmington-Navajo Lake area for 20 years. I
20 fished the lake, I'm a boat owner, and I'm a land
21 owner. And I believe that -- I do think this needs
22 further study. I mean, I've also worked at the Marina
23 for the past three years, and I see how it is impacting
24 the businesses on the lake and the people coming.

25 I hear what people say. I hear what's going
41
1 on. And I think we have a beautiful, beautiful area
2 here that I really think that people really need to
3 take stock and study this further and see really what
4 true impact we are having on the -- not only the
5 fishing habitat, you know, but on what's going on with
6 our people, what's going to happen to our people and
7 our beautiful lake and further downstream. You know,
8 not only New Mexico, but, you know -- I don't
9 understand the whole thing. I don't understand
10 everything that's going on. That's why I'm here today,
11 to understand and learn more about what's going on.

12 But I know it's not positive. I see the lake
13 going down, down, down. It's not healthy for the fish.
14 I fished in this lake forever, and the places that I've
15 fished, there's no fish there now. Something is going
16 on, and it's not good. And I just -- you know, I don't
17 know what the answer is, but I know I think there's
18 something going on that's not appropriate, and I just
19 want to put my little input.

20 I'm nobody, I'm just a person, I'm just a
21 consumer and a fisherwoman and a boat owner and I love
22 this area. And I hope this gets resolved somehow, and I

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FT20-1 Please see response to General Comment 5.

23 do think it needs further study.

24 Thank you.

|| 1 cont.

19 MR. EVERETT WALL: My name is Everett Wall,
 20 and you've heard from other members of my family
 21 tonight. However, I don't live here, I live in
 22 Ruidoso, and I think I represent the out-of-town
 23 fishermen on the lake. We've heard from the stream
 24 fishermen. And I come to Farmington a couple months
 25 out of each year. I own three boats up on the lake.

43

1 There are hundreds of boats up there, and each one of
 2 those boats are paying fishermen's license, they're
 3 paying boat rent, they're paying all sorts of things to
 4 stay on that lake and be able to enjoy the fish.

5 I'm extremely concerned about the level of
 6 the lake. At this point in time, I'm sure we've lost
 7 our complete bass hatch, because the lake has gone down
 8 from where the bass normally lay their eggs. And the
 9 other fish have more or less gathered in certain areas
 10 because the lake is so low, and I'm concerned about it.

11 The Simms Marina has had to move out each
 12 week -- there we go again. The Simms Marina has had to
 13 move its facilities out into the lake each week that
 14 this lake has gone down. And as the lake goes down, we
 15 lose more and more of our out-of-town fishermen,
 16 because there are other places to go fish.

17 Many of us have an investment on that lake,
 18 and it's hard to pick up a big houseboat and move it to
 19 Lake Powell or move it to some other location.

20 But I'd like to just ask one question about
 21 the squawfish and the minnow. What did they do when
 22 the Anasazi had to move out? If those fish have been
 23 around here for a million or a half a million years,
 24 they've certainly been able to survive when men had to

1
 2

FT21-1 Reclamation has acknowledged that reservoir stage fluctuations in Navajo Reservoir could have an adverse effect on game fish populations by impacting spawning success. It must be remembered, however, that the majority of the reservoir's drawdown in 2001 was related to the drought conditions present, not by dam operations.

FT21-2 Many of the impacts on reservoir recreation in 2002 were related to continuing drought conditions. Although the EIS indicates differences in reservoir elevations among the alternatives, in drought conditions these differences are exacerbated.

23 MR. JOHN WEISHEIT: Yes. I'm a member of the
24 Habitat Security Force of Indian Rivers based in Moab,
25 Utah. And I'm here because this is, after all, what

9

1 the EIS is about -- endangered fish and the failure of
2 the San Juan River Basin Recovery and Implementation
3 Program to find and restore habitat for the razorback
4 sucker and the Colorado River pikeminnow.

5 And unfortunately, because of the
6 development, the placement of Navajo Dam, and various
7 kinds of diversions upstream of Shiprock, for example,
8 and also the fact that I'm -- as an endangered fish, am
9 also between this impoundment known as -- in Glen
10 Canyon by Glen Canyon Dam.

11 What I have here is a serious habitat
12 degradation and loss. In 1992 when the fish biologists
13 hit the river, they were not able to find any of my
14 relatives, the razorback sucker. But they were able to
15 find about a hundred Colorado pikeminnow. During the
16 last of the surveys, they couldn't even find Colorado
17 pikeminnow in their electrofishing practices.

18 There's very little evidence, if any, that
19 there's a healthy recruitment of my species, and I'm
20 here to acknowledge that we are endangered and we are
21 suffering seriously from habitat extinction problems,
22 as well as things like chemicals to the point where we
23 no longer can successfully reproduce, and we are in
24 jeopardy of being extinct in the Colorado River.

25 I'd like to remind everybody that we've been

10

1 here for millions of years. We're the first people
2 that had the water rights on the Colorado River, and we

3 are the first to be denied. And I think it's time that
 4 we think seriously about restoring our habitat, which
 5 means decommissioning these dams, to start thinking
 6 seriously about how we use our water, to start thinking
 7 about conservation, to start minimizing our usage in a
 8 more productive way to allow for instream flows for the
 9 protection of my species.

10 I also think we need to reform our
 11 agriculture, and we need to get away from water-
 12 intensive crops like alfalfa and start using our water
 13 to grow more productive crops.

14 I think it's also -- there's another
 15 indigenous people called Native Americans who have lost
 16 sacred sites due to the inundation of Navajo Dam and
 17 Glen Canyon Dam, and these need to be restored to
 18 preserve the culture heritage of the other people that
 19 were here next in line historically, users of the
 20 Colorado River.

21 It's interesting that those who were here
 22 first are the least representative, this meaning
 23 they're the least to be heard for beneficial
 24 improvement in our river habitat and in our cultural
 25 way of life. So I hope that the Bureau of Reclamation

1 will look serious not only at the habitat problems and
 2 water quality problems and make sure that we have
 3 viable reproductive endangered species.

4 We want to elicit these species. We don't
 5 want to do this by hatchery fish, we want these to be
 6 self-producing on their own in a habitat that is
 7 conducive to their enjoyment of future generations.

8 I thank you very much.

1

FT22-1 Please see the response to General Comment 12
 which discusses decommissioning Navajo Dam.



12 MR. WEISHEIT: Colorado pikeminnow, a/k/a
 13 John Weisheit.
 14 There are a few holes in tonight's meeting
 15 that I've like to cover on.
 16 First, as far as dams are concerned, it's not
 17 "if," it's "when" dams are decommissioned. We have
 18 some natural problems that need to be discussed, and
 19 all NEPA documents that concerns sediment fill and how
 20 that sediment fill compromises dam safety.
 21 It should be noted that Navajo Dam has had a
 22 history of failure in the form of leakage of concrete.
 23 Skirts have been included postconstruction to solve
 24 some of these problems; however, there is a history
 25 that needs to be identified here. 55

1 As there are people who are living within the
 2 close proximity of the San Juan River, it would be of
 3 interest to the people who live here to know whether
 4 their homes and businesses would be intact should the
 5 dam fail, that being the Navajo Dam upstream.

6 There's another thing that needs to be
 7 considered, is when will sediment fill the dams where
 8 it is no longer safe. That information needs to be
 9 known so that people can adequately evaluate the
 10 economy of, or benefits of these projects, not only
 11 just the Navajo Dam but the entire basin. The Colorado
 12 plateau is historically a very sediment rich area.

13 There's another problem. The San Juan-Chama
 14 project, some of that water is being used for
 15 endangered fish recovery of a brother of mine, the
 16 silvery minnow. Unfortunately, I have already lost two
 17 species of fish that are now extinct in the Rio Grande.

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- FT22-2 The concrete diaphragm wall which was constructed in 1988-89 in the left abutment area was part of a successful seepage remediation program.
- FT22-3 Inundation studies and associated maps have been completed as part of Reclamation's Safety of Dams program. Inundation maps show the upper limits of the potential flood areas and have been distributed to applicable emergency preparedness organizations.
- FT22-4 Comment noted.

18 I do not want this to happen at all in the Colorado
19 River. It has not happened yet, but people in the
20 basin need to take care of their own water problems,
21 they need to solve their own problems without taking
22 water from other basins that have similar problems.

4 cont.

23 There needs to be obviously a scope that
24 includes the other watersheds outside just the San Juan
25 River. In other words, what we're doing right now is

5

FT22-5 Please see responses to General Comments 1a, 1b, 1c,
and 1d.

1 robbing Peter to pay Paul.

2 These are some of the other things that we
3 need to be looking at as a society for our future.

4 Thank you.

1 MR. MARC WETHINGTON: Yes. My name is Marc
2 Wethington. I'm speaking for the New Mexico Department
3 of Game and Fish this evening.

4 The New Mexico Department of Game and Fish
5 does not accept -- does not want flows to under 500 cfs
6 out of Navajo Reservoir. A reduction in trout fishery
7 of 20 percent we find unacceptable.

8 We also have major concerns of the native
9 fishery downstream of Blanco during extended low flow
10 periods during the summer months. Blanco, to the
11 confluence of the Animas-San Juan, is primary to the
12 native fishery, and we expect impacts in that segment
13 of the fishing community also. And in general, flows
14 of less than 500 cfs we do not find acceptable.

15 Thank you.

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FT23-1 The EIS recognizes that a 500 cfs minimum would be better for trout habitat than the 250 cfs minimum under the Preferred Alternative. The Preferred Alternative is designed to help recover the endangered fish while allowing existing and future water development to proceed. Flexibility as discussed in General Comment 11 may reduce impacts to the trout fishery.

FT23-2 Reclamation acknowledges that there will be a loss in native fish habitat in the area cited. It is difficult to predict the effect to native fishes within this reach because they are far more resilient than are trout to poorer water quality conditions and losses in physical habitat.

13 MR. BUE BRANCH: I'm Buz Branch, and I
14 represent the San Juan Sailing Club, one of the --
15 I think the only organization that uses Navajo Lake
16 at this time.

17 We are concerned about the water levels. The
18 north end marina is getting -- is basically dried out
19 and unusable pretty much. It makes sense to keep the
20 reservoir as full as possible, especially in the light
21 of the droughts, because the capacity of the reservoir
22 is optimal when it's full, due to the shape of the
23 reservoir. And as originally purposed, flood control,
24 agriculture, and recreational use has been a primary
25 use of that reservoir. I'd like to see it continue.

1

DT-1 Comment noted.

1 I think that the fish have been getting along
2 without us -- probably got along better without us. I
3 know for years they were poisoned and tried to wipe out
4 because they were considered a trash fish, and I think
5 that they survived quite well through droughts and low
6 waters and no river flow, and I think they would
7 continue to. That's it. I'm in favor of keeping as
8 much water in the lake as possible.

9 Maybe this isn't the right place, but why are
10 there so many compressors on the edge of the lake
11 making all that noise? Is that a different meeting?

12 MR. BEZDEK: I think so.

13 MR. BRANCH: Okay. Well, they keep coming.
14 Thank you.

19 MR. TOM BROSSIA: Thank you. I apologize
 20 for coming that late, but I was in another meeting I
 21 couldn't get out of. There are some things that I want
 22 to bring up, and I apologize if they've already been
 23 brought up. But if they haven't, I feel they're vital
 24 enough that I'm going to bring them up anyhow.

25 So what they are is -- I believe that this
 35
 1 dam should be managed for all wild species, and I don't
 2 care if I'm talking animals, amphibians and fish and
 3 fowl, whatever. I have a great concern, and I think
 4 the general public quite candidly has a very great
 5 concern that we get too focused on some myopia on
 6 something that may or may not really happen anyway.

7 Species have come and species have gone long
 8 before man came along. In Utah, in the 50-year-cycle,
 9 has been dry several times before the dam was built,
 10 which means if we're going to mimic nature, maybe
 11 nature wouldn't have put any water down there. So this
 12 gets into the species arriving and species leaving and
 13 so forth is a natural phenomena. I really think it's a
 14 great disservice to all the other creatures out there
 15 by getting too carried away on one specific or a couple
 16 specific so-called endangered things.

17 And what do I mean by that? In this plan,
 18 and I frankly haven't studied it but I've got some good
 19 friends who have studied it very, very closely, and in
 20 the flow rates and so forth, what they are suggesting
 22 scenarios. If this were to happen in the summer hot
 23 weather, we will lose half of the trout above the
 24 bridge in the quality water on the San Juan River.
 25 And we will lose all the trout from the bridge on down,

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DT2-1 Comment noted.

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DT2-2 Please see the response to General Comment 27.

36

1 because it will be too hot, they cannot survive.

2 Some of you have seen what's happened in our
3 river here this year, and if you caught any trout, they
4 gave up before you ever hooked them. I mean, they just
5 were out of oxygen in that hot weather.

6 Not only do we have those fish to be
7 concerned with, but it's an incredible resource for
8 people. And I frankly get damned tired of leaving
9 homo sapiens erectus out of one of the species we need to
10 look out for. I couldn't begin to quantify the number
11 of people whose total livelihood depends on that
12 fishery at the bottom end of the dam. I wouldn't even
13 begin to count. I know there are people up here
14 looking for some numbers, and I could get that
15 information and would be glad to do so if anyone would
16 need it. That's one thing I think is real important.

17 The second thing that I think is equally
18 important is what's happened to Navajo Dam this year in
19 terms of the water level. And gentlemen, I don't know
20 -- how low are they right now?

21 AUDIENCE MEMBER: Seventy feet.

22 MR. BROSSIA: Seventy feet low. If you
23 haven't been down there and looked around, and if
24 you've got anything to do with managing this project,
25 the first thing you ought to do in the morning is drive

37

1 down there and let John show you what I'm talking
2 about. It is a disaster.

3 And it's a disaster not just for all the fish
4 and other critters that depend on that, but it's a
5 disaster for people. And I had no idea how many park

3

DT2-3 Please see the response to General Comment 27.

6 visits we get down there, but an awful lot of people
7 depend on that park as their recreation, an affordable
8 recreation that they can get to. And I think it's
9 vital. And so those are the two issues I have.

10 Now, why did I say that? Because in that
11 same plan it says that they're going to let the water
12 out of the dam this year and not let it fill up. And
13 I'm not going to say that I know all the exact facts of
14 that, but the person I've talked to who has studied all
15 this stuff says you get into all the print and you do
16 code all the mumbo-jumbo, that's the net effect.

17 So that would be a disaster to not let this
18 lake refill, particularly this year with the drought we
19 have.

20 There are many scenarios that say this
21 drought's going to go for quite a few more years, and
22 if that's the case, there will be no water to go
23 anywhere anyhow if we let it all out of the lake.
24 So these are some things I feel very passionately
25 about. I think if you look into them, you'll

|| 4

1 understand some of the wisdom of the person who told me
2 this, and he spent hours and weeks studying and working
3 with the New Mexico people in charge of the biology
4 side.

5 So anyway, thank you.

DT2-4 Please refer to the response to General Comment 13 which discusses drought conditions. The management of Navajo Reservoir requires protection of endangered fish and the delivery of water to NIIP and others. Under the present extreme drought conditions, Reclamation is working with water users of Navajo Reservoir storage water to share in the available water supplies.

21 MR. DAVID DICKINSON: Good evening, ladies
22 and gentlemen. I also am with the San Juan Sailing
23 Club. I think the Sailing Club has always recognized
24 that recreational use of the lake surface itself
25 probably was lowest in priority. And I think we all

10

1 understand that for the purposes for which the
2 reservoir was constructed.

3 Preservation of the endangered species was
4 not one of those purposes. It may be that that is
5 beyond -- to quote Abraham Lincoln, "our power to add
6 or detract at this point in time." We are -- and we
7 must say that while lip service is given to the idea
8 that fish, recreation, irrigation, business,
9 agriculture, and flood control are to be given equal
10 priority, the sad fact is that the fish are running the
11 dam and will for the foreseeable future.

1

DT3-1 Please see the responses to General Comments 5, 6,
and 18k.

12 Assuming that there is nothing that can be
13 done about that, we would agree that if the 250/5000
14 alternative is selected, the recommended alternative
15 is the least objectionable of any of the preferred
16 alternatives.

17 We also support the elimination of the four
18 alternatives which were considered and rejected,
19 particularly the one that calls for breaching of the
20 dam, which in our view would be sheer insanity.

21 I do have one comment concerning Footnote 8
22 in the draft EIS, which also appears in the summary as
23 Footnote 10, I believe. In that footnote, the Bureau
24 comments that the San Juan River biology recovery
25 implementation project -- now, there's an acronym that

11

1 flows trippingly off the tongue -- suggests that
 2 instead of using the average of two of four gauges to
 3 determine if 500 cfs is consistent with the flow
 4 recommendation, it is proposed to use the lesser of the
 5 average of Bluff, Four Corners and Shiprock and the
 6 average of the Farmington, Shiprock, and Four Corners.
 7 Had that been done this year -- and Lord knows I'm not
 8 a water engineer, so I'm not qualified to run the
 9 calculations, but -- and I'd like to hear if there's
 10 someone who can, but my guess would have been that the
 11 release required from Navajo this year would have been
 12 50 percent to 100 percent greater in order to meet
 13 those flow recommendations.

14 That is a real zinger, folks. I would
 15 strongly urge the Bureau not to adopt the
 16 recommendation of the SJ -- whatever, SJERIP committee
 17 and to retain the present method of calculating base
 18 flows.

19 And again, we do support -- assuming that we
 20 have to have anything at all, the 250/5000 alternative.

21 Thank you very much for your time.

2

DT3-2 The response to General Comment 15 addresses monitoring of base flows and the EIS has been modified accordingly. Reclamation's intent is to meet the base flows in areas of critical habitat for the endangered fish. There are also provisions in the EIS (page II-11) "to share shortages" during severe drought periods such as 2002.

22 MR. PHIL DOE: How much time do I get, Ken?
 23 Do I get extra time since I'm older? I have a lot to
 24 say. My name is Phil. John gets an opportunity to
 25 listen to me for two nights in a row.

29

1 I chair the Citizens Progressive Alliance.
 2 I'm retired from the Bureau of Reclamation by mutual
 3 consent. I just want to say that for people, this EIS
 4 and the reoperation of the Navajo Reservoir is not for
 5 the purpose of preserving endangered species. It has
 6 nothing to do with that. It has how can you deliver
 7 the most water to the most people? And that's what
 8 this EIS is all about. And let me point out some of
 9 the inconsistencies.

10 What they're doing here, and what I object to
 11 -- I certainly don't object to satisfying the Indians'
 12 water rights. I'd like to know what they are and what
 13 they're based on. We can't get that answer because the
 14 government won't give it to us, but we support the
 15 settlement of Indian water rights. What we'd like to
 16 know is why does the settlement of Indian water rights
 17 the Bureau of Reclamation and a lifetime funding
 18 program for the Fish and Wildlife Service? That's what
 19 we object to. We just object -- what we'd like to see
 20 is a little honesty.

22 If you've got your little primers here -- I
 23 used to teach English -- turn to Page 335. This way we
 24 get the benefits. There are no cost in this exercise,
 25 there are only benefits. That's when you should start
 30

1 wondering, when there are only benefits. 336 in
 2 particular, one of the benefits of doing this, of

1

DT4-1 Comment noted.

2

DT4-2 Please refer to the "Water Uses and Water Resources" and the "Indian Trust Assets and Environmental Justice" sections in Chapter III of the EIS for information on Indian water rights.

3 reoperating Navajo, is it allows the Navajo tribe to
4 irrigate an additional 56,000 acres of land. Now,
5 that's what we need in this country is a lot more
6 irrigation.

7 If you didn't notice, we just passed a
8 \$190 billion farm subsidy program the other day.
9 Our two senators in Colorado are asking for another
10 \$6 billion in debt relief because of the drought, and
11 they just got \$800 million because some cattlemen had
12 to sell their cattle early. So we're going to compound
13 this problem by adding another 56,000 acres on it. And
14 what is the benefit? According to this EIS, which is
15 totally inadequate, it's \$40 million in gross farm
16 product.

17 What they don't tell you and what needs to be
18 added -- and that's why we have the P&G, and that's why
20 get out in the public -- the Indians, the Navajos, lose
21 money on the Navajo project. They -- of all the people
22 that get federal subsidies, they get the largest
23 federal subsidy of anyone.

24 They get \$7 million -- they got \$7 million
25 between 1996 and 2001, and they're still losing money.
31

1 I mean, these are the poorest of the poor and they had
2 \$10 million just to cover their own deficit. And these
3 people want to give them 56,000 acres more so they can
4 lose more money? But that's what they're telling us.
5 They count that a benefit.

6 What we need to show in this EIS is how much
7 this operation, in my opinion, is costing not only the
8 public but the Navajo. And it will be astronomical,
9 but they want to do more of it. That's what they're

3

DT4-3 Please see the response to General Comment 31.

4

DT4-4 To address and analyze whether an agricultural enterprise is profitable or not and the provision of federal assistance to agriculture is beyond the scope of this document. Also, please refer to the response to General Comment 31.

10 proposing.
 11 And don't think for a moment that the 250 cfs
 12 is a minimum required for endangered species. It
 13 isn't. It's required so that the Indians can get
 14 gravity feed to their canal. If it were 500, they
 15 couldn't do it and it would diminish the amount of
 16 water they could divert to irrigate 56,000 acre-feet,
 17 or 56,000 acres. That's the only reason for the
 18 minimum.

4 cont.

19 And it doesn't -- it doesn't -- you know
 20 there's a lot of talk about, you know, the preproject
 21 hydrograph. It doesn't even come close. The peaks
 22 will wash away all the outhouses, so they can't do
 23 that. They'd have to limit to 5,000 and the 250 so
 24 that they can divert water.

5

DT4-5 The 250 cfs minimum "saves" water for future development and for spring peaks for the endangered fish. Also, see the responses to General Comments 10 and 20c.

25 But what is this water worth to the Indians?
 32

1 Downstream, California and Las Vegas are screaming for
 2 water. It's worth 2,000 at least an acre, acre-foot.
 3 Compare that with this 40 million. I mean, they'd be
 4 gazillionaires.

5 And the same is true if you look at the
 6 use. On the preceding page, they said the benefit is
 7 \$36 million because they'll be able to sell the water
 8 stored in the A-LP. Well, what decade of the 22nd
 9 century is that going to happen? Because there's no
 10 use for this water, as everyone knows, but it gives the
 11 Bureau of Reclamation a license.

6

DT4-6 Comment noted. After the ALP Project construction is completed, then the water will be available for Indian use. Project benefits were based on non-binding uses as a means of addressing the Colorado Ute Tribe water rights settlement.

12 I'm really tired of, you know, this pretense
 13 that we're benefiting the Indians, and what we're doing
 14 is benefiting bureaucracies that really don't have any
 15 reason to exist any more.

16 We'll give you real comments -- and I hope
17 you do extend, because I talked to a lot of people down
18 in Farmington, and they haven't gotten a copy of this
19 thing, they don't understand it. I think what you
20 really need to do is go out and have public hearings.

21 I'm out of time, but remember one thing.
22 When they had these hearings on A-LP, those opposed
23 were the vast majority. They still started
24 construction. There was only one person that spoke for
25 this last night in Farmington, and I haven't heard

33

1 anybody yet speak for it here, but they're going to do
2 the 250/5000 unless you people stand up for your
3 constitutional rights. Thanks.

6 cont.

DT4-6 (cont.) Please see the response to General Comment 34 which addresses distribution of the DEIS and the public comment period.

18 MS. NANCY DEINA: Hello. I loathe doing
19 things like this, so I'm just going to briefly say
20 something, and the rest you'll receive in writing at a
21 future date.

22 My name is Nancy Dzina, and I'm here as a
23 part of the fish-loving fishing and boating public.
24 I'm opposed to the Bureau's recommendation of flows
25 of 250/5000 cfs. Furthermore, that the Bureau's

17

1 recommendation attempts to exist under all species of
2 commitment to endangered species recovery seems
3 laughable at best, and at least an insult to any
4 thinking and/or reading person.

5 When it comes to flows and species recovery,
6 I turn to what we learned on the Green River below
7 Flaming Gorge Dam. Here, where endangered species
8 include the Colorado Pikeminnow and razorback sucker,
9 biologists credit regulated flows whose range was
10 limited from 1100 to 2400 cubic feet per second for
11 playing an integral role in population recovery.

12 I have heard it said by some respectable
13 local fish character that attempting to manipulate
14 nature will always fail. I urge the Bureau to make a
15 better attempt to imitate nature than the current
16 so-called preferred alternatives. Thank you.

||
||
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DT5-1 The Flow Recommendations are an attempt to imitate the natural hydrograph via replicating certain flow values and duration statistics. It is not Reclamation's job to "imitate nature", but to describe the impact of re-operating Navajo Reservoir in a manner that will meet the Flow Recommendations.

10 MR. KENT FORD: Hello. My name is Kent Ford.
 11 I live here in Durango, Colorado. I'm a part owner of
 12 Four Corners River Sports, so I'm on the other end of
 13 the dam equation. And not surprisingly, we as river
 14 users, have a different view of some of the impacts of
 15 the dams on our businesses, and we're quite concerned
 16 about how our businesses proceed into the future as
 17 well.

18 First off, with the EIS preliminary, I'm
 19 delighted to see the endangered species addressed. I
 20 think the basis for the document and the provoker for
 21 the document and having the flows studied, I credit you
 22 all with evaluating that.

23 But I'm quite suspicious of how we arrived at
 24 conclusions with them. Frankly, with every water
 25 project we see, the rafting and boating communities are
 27

1 told that oh, there's going to be very little impact on
 2 the boating, don't worry about it. And then a little
 3 bit further down the line, we come to find that there
 4 are severe impacts in the case of the Dolores River --
 5 no flows, no business, no industry for us at all over
 6 the last few years. And so we're suspicious of any
 7 EIS that describe that there's going to be minimal
 8 impacts on boating. I think the tendency is to ratchet
 9 our industry into nonexistence before -- in lieu of
 10 future water development, as this EIS says.

11 I have a couple specific comments from the
 12 EIS, draft EIS. First, I don't believe that the
 13 State of New Mexico has sufficient water monitoring
 14 capabilities to measure the flows downstream. I'd like
 15 to see that addressed to help ensure that regardless of

1

DT6-1 Please see the response to General Comment 32.

2

DT6-2 Please see the responses to General Comments 15, 18a, and 20d.

16 what flows -- the precious flows that are released from
17 Navajo, to make sure that they're used appropriately.

2 cont.

18 Secondly, as a gentleman earlier on had
19 comments about the Footnote Number 9, I, too, have
20 comments about Footnote Number 9. Because it seems to
21 me that right now having the flows determined by an
22 average of four gauges but maybe with -- and according
23 to -- it's a little bit loose. And since our
24 endangered species and sort of the third step down the
25 line, our industry, is at the bottom of the totem pole,
28

3

DT6-3 Please see General Comment 15 concerning monitoring of base flows and General Comment 32 concerning rafting impacts.

1 we need something to be able to sue about. And I
2 frankly don't see that this average of eight gauges
3 is going to be accurate enough to help ensure the
4 endangered species nor the viability of our industry.

5 Third, there's a sentence or two about the
6 clay hills takeout for river recreation, and that's a
7 very major issue because of sedimentation on the
8 gooseneck section, the clay hills takeout for boating
9 is in jeopardy of being lost completely. And I'd like
10 to see the EIS address that more specifically, which of
11 the alternatives is going to enhance the possibilities
12 for recreation completely the best.

4

DT6-4 Please see the response to General Comment 32.

13 Number Four, the qualitative values are
14 barely addressed for the various flow regimes. The low
15 flow levels, lowest flow levels, are very detrimental
16 to boating in terms of quality. We end up with a mud
17 basin river rather than a real river for recreation
18 in our businesses. So I'd sure like to see those
19 addressed in the final EIS. Thank you.

17 MR. STEVE HARRIS: I'm Steve Harris, a
18 consulting engineer here in Durango representing the
19 Southwestern Water Conservation District.

20 We'll be submitting written comments by the
21 November 4th deadline, and tonight I have just one
22 comment. I'm sure everybody is happy with that. And
23 it shows up on two locations -- on page -- Summary 12
24 and on Chapter 2, Page 23 and 24.

25 And just to -- this statement says, "Some
1 flexibility in reservoir releases already exists,
2 because water committed for present or future
3 development is not currently used." And my comment is
4 the way I understand the flow recommendations, all
5 water in the reservoir and flowing into the reservoir
6 must be released, according to the San Juan Operating
7 Model Rule C entry, which is part of the flow
8 recommendations.

9 Later in this statement it says, "The
10 regulation of this water would be determined to the
11 Navajo unit operation meetings and discussions with the
12 service." I don't believe that's true. I think in
13 order to release that water in a manner other than what
14 is in this decision treaty, you have to change the flow
15 recommendations. And what I'm suggesting is the
16 statements be changed to reflect the need to change
17 those flow recommendations in order to use that water
18 for the purpose here. Thanks.

1

DT7-1 Please see the response to General Comment 11. Reclamation will utilize the Navajo Operations meetings to determine where flexibility occurs and use this flexibility to reduce short-term impacts. Until full development occurs, some flexibility will exist.

8 MR. FRANK JESMER: Hi. As you said, I'm
9 Frank Jesmer, and I represent the San Juan Marina.

10 A few comments just recently have been made
11 about financial results of different operations. If we
12 don't have more water next year than we did this year,
13 there won't be a San Juan Marina in '04. I had hoped
14 Mr. Page would be here. I had some questions for him.
15 Possibly I can ask you the questions, and I can also
16 tell you his answers. I spoke with him about it.

17 But what Dave had trouble with SJRIP,
18 squawfish program, that's been operating for over ten
19 years. I was going to ask Pat approxisately how much
20 water has been dumped for the recovery over this
21 period? And he said well, you know, 300 cubic foot per
22 second, 600 acre-feet a day. We don't have calculators
23 with us to figure out how many gallons that is, but
24 it's a lot of acre feet.

25 Also, I was going to ask him what would the
26 lake level probably be if that water had not been
27 dumped? Well, since we were full in -- what was it,
28 '91? Can't evaluate that far back, but since '91 or
29 '92 when the lake was near full, by the end of this
30 year it will be somewhere between 90,000 and a hundred
31 acre-feet of water has been -- I can't say wasted, has
32 been dumped for the squawfish. That would have left
33 our lake level approximately nine foot higher now than
34 it is. It's not a lot, but it's enough to notice.

35 I wanted to ask someone from the SJRIP -- I
36 guess there's no-one here, but I would like to ask them
37 in the ten years they've been operating, what positive
38 results can they show? Do they have real squawfish

1
2

DT8-1 Navajo Reservoir serves many uses and needs. Releases are made to meet target elevations for winter carryover and to keep the reservoir at a safe operating level. Releases are also made to meet minimum target base flows other times of the year. The EIS recognizes that the reservoir would operate an average of 10 feet lower under the Preferred Alternative.

DT8-2 Recovery efforts are long term and their success will be determined by monitoring. There have been some positive actions under the program--reproduction of endangered fish has been noted and stocking programs are proceeding. Long-term success cannot be determined at this time.

14 floating around somewhere now? I don't believe they
15 do. As of last year, when I did ask that at a meeting,
16 the man hummed around it but could not show any
17 positive results. However, he had been receiving his
18 paycheck every month for ten years.

2 cont.

19 And it was mentioned earlier -- I'd like to
20 go back to the purpose for building these dams. Was it
21 for irrigation, water storage, flood protection? Or
22 was it for fish?

3

23 I don't think I have much more to say, but
24 I'd like to mention to anybody out here that we are
25 voters. Our representatives have the power to change.
26

1 The SJRIP, I think it is, he told me at the meeting,
2 several of you were there. they're federally mandated.
3 That makes them next to God, but our federal government
4 -- put the sign down. If I cared about it, I wouldn't
5 worry about it. Thank you. Our representatives have
6 the authority to change whatever mandates are written,
7 because they can all be rewritten. Write your
8 Congressman, your Senator. Thank you.

DT8-2 (cont.) Also, see the response to General Comment 20c.

DT8-3 Please see the response to General Comment 18k.

2 MR. TOM KNOPICK: Thank you. My name is Tom
3 Knopick, and I am co-owner of Durangler's, Inc., a fly
4 fishing company based out of Durango, Colorado, also
5 having a store and a guide service on the San Juan
6 River.

7 I guess for starters -- you know, where
8 should I start? We've all seen it, at least here
9 at this meeting, you know, all this paperwork. Many
10 people have tried to get a hold of this draft EIS and
11 were very frustrated in their attempts, too. I know
12 people even as of last week that did not have a copy of
13 this that asked for it. My point is something that
14 took many, many years for the Bureau of Reclamation to
15 produce and given less than a week for some people to
16 make public comment on just seems ridiculous. And we
17 have another month, maybe five weeks, for written
18 comments. I think it is inappropriate for the Bureau
19 of Reclamation to ask the public to respond publicly as
20 well as written comments in this short period of time,
21 and I would request the Bureau of Reclamation to extend
22 the comment period.

23 As I mentioned, you know, we are intimately
24 involved on the San Juan river. Our economic lives
25 depend upon it. I am absolutely one hundred percent
22
1 totally opposed to the 250/5000 proposed preferred
2 alternative. I have not even had a chance to go
3 through this thing, I'm trying to make a living at the
4 same time. And I don't know everything that's in here
5 by any means, but I would have to say that there's no
6 question in my mind that a very strong economic
7 contributor to the Four Corners region is going to be

1

DT9-1 Please see the response to General Comment 34 which explains the DEIS review process and timeframes.

8 devastated, absolutely devastated.

9 I don't think that the analysis of the

10 studies of cold water fishery are adequate. I don't

11 think that there's any way that the Bureau of

12 Reclamation can say this is what's going to happen to

13 that fishery. You know, we had a very short period of

14 250 test flows in the summer. There are -- 34 percent

15 reduction of habitat, I think, is one of the statements

16 in here, but I don't think that anybody knows how badly

17 that fishery will be hurt. I know that I won't be able

18 to float it, which is going to keep a lot of people

19 that otherwise can't fish the river from fishing it.

20 I think that our business on the San Juan,

21 our store there, will be gone in a short period of time

22 after implementation of 250 flows. I don't think that

23 the Bureau of Reclamation has really looked hard enough

24 at the effects, especially further down river below

25 Navajo Dam, still within the lower reaches of the cold ²³

1 water trout fishery. That would be downstream of the

2 Archuleta diversion. Those flows will be critical,

3 especially in summertime.

4 So -- I also don't know if we have an

5 accurate economic study of the fishery industry in this

6 area. I could be wrong, but I believe that only San

7 Juan County, New Mexico, was used in the information

8 that's in the DEIS. Has anything been looked at in

9 Colorado, especially La Plata County? I don't know,

10 but I don't think so. If it has not, La Plata County

11 probably impacts economically from that fishery,

12 possible equally as much as San Juan County in New

13 Mexico. So I think that that is a fault of the current

2

DT9-2 Please see the responses to General Comments 22 and 28 which discuss the low flow test and the trout fishery impact analysis.

3

DT9-3 Please see the responses to General Comments 29 and 31b.

4

DT9-4 Please see the response to General Comment 28.

5

DT9-5 Please see the response to General Comment 29.

14 draft, and that I am in favor for a variety of reasons
15 that some other people have already brought up that the
16 draft needs to be redone and relooked. And I think
17 we're lacking on the economic side of the fishery
18 industry, you know, in this assessment.

5 cont

19 To me, to reiterate some of the comments
20 already made, you know, it seems to me to implement an
21 EIS that is going to choose a 250 minisum flow, it
22 seems premature. I don't think that currently we need
23 to do that, you know, until we see exactly what happens
24 with future water development. Who knows what
25 exactly's going to happen with A-LP? Who knows what's

6

going to happen with the water law in the next year,
2 five years, ten years? And I think for us just to jump
3 without really thinking extremely hard is the wrong
4 thing to do.

5 Thank you very much.

DT9-6 Please see the response to General Comment 11 concerning flexibility that exists prior to completion of NIIP and the ALP Project.

24 MR. PAUL SHEPPARD: I'm Paul Sheppard, and
25 I live here in Durango. I recently moved here to take
12

1 advantage of the fly fishing of the San Juan river.
2 So you kind of know where I'm coming from.

3 I just returned from six weeks and found out
4 about this meeting today, and went and picked up this
5 environmental study and kind of perused it, and there's
6 some things that concern me, both as a recreational
7 fisherman and as a citizen.

8 And it's my understanding that the Bureau of
9 Reclamation is an agency of our federal government
10 appointed, selected, however that happens, to carry out
11 the wishes of our elected representatives who are
12 elected to carry out the wishes of we, the people. Is
13 that correct? Okay.

14 So I looked at the initial criteria in 1962,
15 and he reiterated that. And the primary focus -- I
16 never heard anything about future water developments,
17 and that puzzles me as to what future water
18 developments means. Does that mean that we're making
19 decisions on water flow so that in the future -- that
20 are potentially going to adversely -- it looked to me
21 like no matter which way you go, there's going to be
22 some bad things happen to somebody. That's the way I
23 read all the alternatives is none of them are great for
24 everybody.

25 So if we're going to change things from the
1 way they are for future water development, and we don't
2 know what that is, I've got a real problem with that as
3 a voting citizen. I think we the people should be
4 making changes based on facts, not what we think may be

1

DT10-1 Some future water development is assumed to occur under the Preferred Alternative with the largest uses the completion of NIIP and the ALP Project. The EIS also addresses how water use in the future will be addressed under the ESA. In general terms, future water use means development of compact-allotted waters by the States of New Mexico and Colorado. One of the Congressionally authorized purposes of the Navajo Unit is to assist the states in developing their compact water. Also see the response to General Comment 11 which discusses flexibility.

5 or unfortunately in the political climate and the
6 business climate today, unfortunately us little
7 citizens are starting to think that these decisions are
8 made on back room decisions that we don't know anything
9 about until we get -- you know, get stuck with it.

10 A couple other concerns I have are obviously
11 it says in there that your 250/5000 alternative would
12 have a significant adverse impact on the trout habitat
13 and the trout population and the quality of waters.
14 And that concerns me, because that's one of the reasons
15 I moved up here was to fish that area.

2

DT10-2 Please see the response to General Comment 27 which acknowledges the impact to the trout fishery under the Preferred Alternative. Also, the response to General Comment 11 discusses flexibility which exists to reduce adverse impacts to the trout fishery.

16 Another thing that concerns me is that as a
17 citizen, we the people, when we do eminent domain, take
18 over a piece of property to build a highway, we
19 compensate the folks who are inconvenienced and
20 displaced. And I'm wondering if there's any -- and
21 maybe you can answer this for me tonight, I don't know
22 if you're allowed to answer questions. But my concern
23 is that when you deal with the potential impact on the
24 rafting communities and the fishing communities, the
25 statement is, "These losses, when considered in small

14

1 communities such as Navajo Dam and the larger city of
2 Farmington would be considered significant. In the
3 rafting, the small community of Bluff is economically
4 tied to the tourist and somewhat dependent. Mexican
5 Hat is economically dependent. Any changes to these
6 industries would have a significant direct impact on
7 these small communities."

3

DT10-3 Comment noted.

8 My concern would be, then, are we, the
9 people, going to buy these folks out? I mean,
10 obviously if they're going to lose their jobs, they're

4

DT10-4 Please see the response to General Comment 2 which discusses mitigation.

11 going to have to relocate somewhere else to keep
 12 working to support their families. That means there's
 13 going to be empty houses sitting around. Nobody's
 14 going to move into the community because there's no
 15 economic opportunity there. So the property values are
 16 going to be decreased. Are we, the people, going to
 17 compensate these folks? Okay.

4 cont.

18 And I guess my last comment is that I
 19 would like to see that decisions are based on sound
 20 scientific information when we talk about flows. And
 21 one of the things that concern me is in Volume 2, way
 22 at the back. There's a letter from R.A. Valdes and
 23 Associates dated January 24, 2002, and he's run the
 24 program to -- well, talks about water flows and effects
 25 on fish and all that kind of stuff.

15

1 The first page, of course, contains the
 2 heading, and so there's four paragraphs. The second
 3 page, however, has six paragraphs that explain why, in
 4 his own words, I quote: "The data in their present
 5 form were difficult to run because of the following
 6 characteristics of the data sets." And he lists in
 7 six paragraphs problems with data that was submitted
 8 to him that was asked then to run a test and make
 9 recommendations on it.

5

10 So how good is our data? If we're submitting
 11 data to people that are testers, professional testers,
 12 that write back and give a report and then also report
 13 that by the way, we have problems with running your
 14 data because it doesn't conform to the scientific
 15 standards, how valid is the recommendations that we're
 16 making?

DT10-5 The Physical Habitat Simulation (PHABSIM) that was conducted for the San Juan River trout fishery had both a hydraulic and a biotic component. Within the Quality Waters Section of the trout fishery, data was collected relating to the river's depth, velocity and substrate compared to changes in flow. From this information it is possible to predict physical changes related to a variety of flows. Second, preferences of trout were identified that show the probability of trout using portions of the river based on their preferences for specific velocities, depths and substrates. The problems that occurred running the model were computer-related, not data-related. The output that was generated, that of predicting an overall 34 percent loss in trout habitat within the Quality Waters Section, constitutes Reclamation's best efforts at assessing the effect of reducing dam releases to 250 cfs.

17 So based on that, I have some concerns about
18 how it's going to affect the people in the rafting
19 communities if your 25/5000 alternative is, in fact,
20 implemented? And I'm concerned that you may have
21 flawed data that you're going to make a decision on.

22 So based on that, if you're not sure about
23 the data, and you're doing it for future water
24 development, and we don't know what that is, then we
25 wait for that and then make our decision.

16

1 So my recommendation would be first no
2 action. We leave things as they are until we can
3 define things better. If we've come to this great
4 decision that we have to change something, then the
5 500/5000 is my recommendation of the three that you
6 guys are considering.

6

7 It seems like it would have the least impact
8 on those areas and would satisfy many of the other
9 criteria that you're looking at, understanding that no
10 decision, even to leave things the way they are, is
11 perfect for everybody.

12 So if you got to change things that are going
13 to inconvenience other people let's do it on good
14 scientific data. Let's do it on hard facts, not on
15 what we think the future things may be.

16 Thank you very much.

DT10-6 The EIS recognizes that a 500 cfs minimum release reduces impacts on the trout fishery and other resources. Please see the responses to General Comments 3 and 10 concerning the No Action and the Preferred Alternatives.

19 MR. CHUCK WARNER: Warner, yeah. Good
 20 evening. Second round of a three-round fight, folks.
 21 I'm speaking here tonight on behalf of the San Juan
 22 Citizen's Alliance and the Sierra Club.

23 Our view is that given the information in the
 24 draft, the 500/5000 flow regime better meets the full
 25 range of uses of the resource and produces the most
 1 benefits for the full range of users.

|| 1

DT11-1 Please see the response to General Comment 6.

2 The draft EIS is not sufficient. It does
 3 not adequately assess the environment or the economic
 4 long-term effects of the proposed action on water
 5 quality, non-native fish habitat, the economic effects
 6 on the Navajo Indian Irrigation Project, and the
 7 economic effects on the rafting industry.

8 Our specific concerns are the EIS is
 9 flawed and it does not truly evaluate more than one
 10 alternative.

|| 2

DT11-2 Please see the response to General Comment 5a.

11 The no action and the 500/5000 alternatives,
 12 which are not recommended, are not fully compared to
 13 the preferred alternative.

14 Arbitrary assumptions about the operation
 15 of the Navajo Indian Irrigation Project preclude a
 16 proper comparative economic analysis of the alterna-
 17 tives. The assumption that causes any possible
 18 shortage, no matter how small, to this project to be
 19 considered as prohibiting delivery to 56,128 acres and
 20 at a loss to the economy of over \$40 million per year
 21 does not make sense. An average water year difference
 22 of 456 acre-feet does not make a \$40 million
 23 difference.

|| 3

DT11-3 Reclamation recognizes that Flow Recommendations could be met if water users were shorted, but our assumptions were that senior water rights would remain whole. Please see response to General Comment 18.

24 The short duration of the low flow test that

|| 4

DT11-4 Please see the responses to General Comments 22, 23, and 28.

25 was performed this summer eliminates any scientific 19
 1 analysis of the effects of a long-term flow change on
 2 water quality and habitat for trout fishing. The
 3 listing of additional segments on the New Mexico 303(D)
 4 list, which might be caused by lower flows, are not
 5 considered as they relate to costs that might be
 6 incurred by local water treatment facilities or by
 7 NPODES permit holders.

4 cont.

DT11-4 (cont.) quality, and the trout fishery, respectively.

8 The assumptions made about supply and demand
 9 on the rafting industry eliminate any detailed analysis
 10 of impacts on that sector of the economy.

5

DT11-5 Please see the response to General Comment 32.

11 The San Juan Citizens Alliance and the Sierra
 12 Club support the complete analysis of a range of
 13 alternative releases from 250 to 650 cubic feet per
 14 second of the low end at 100-foot increments and an
 15 economic assessment of the impacts of the various flows
 16 on all sectors of the economy of the region.

6

DT11-6 Please see the response to General Comment 5.

17 A new draft needs to be made available for
 18 public comment which utilizes a sufficient analysis of
 19 both the environmental and economic impacts.

7

DT11-7 Please see the response to General Comment 19.

20 A revised draft should provide true
 21 alternatives and not tie analysis to two arbitrarily
 22 selected release scenarios. The assumption, which
 23 eliminates any option which causes shortage to the
 24 Navajo Indian Irrigation Project as not being worthy of
 25 analysis, prevents a proper comparison of alternative 20

8

DT11-8 Please see the responses to General Comments 5 and 9.

1 costs of various flow rates. Further, flow regimes
 2 that might meet even this criterion, but are between
 3 these two arbitrarily selected numbers, were not
 4 subjected to analysis.

5 If a new analysis considers releases from 250

6 to 650 cubic feet per second on the low end, accepts
7 the biological opinions baseline of 57,100 acre-feet of
8 depletion from the Animas and utilizes the historical
9 hydrologic records available to determine available
10 water quality, a proper economic analysis can be done.

11 A solution that avoids jeopardy under the
12 biological opinion and creates a full range of options
13 for all interests could be found. Full and balanced
14 economic information about the costs of various options
15 would give all stakeholders a basis for making comments
16 on the effects that the reoperation would have on their
17 interests.

18 An adequate draft would serve as a tool that
19 could help all parties work out a suitable resolution
20 in the future.

21 And I would also like to add, because of some
22 of the comments that were made last night, that our
23 comments relate specifically to the EIS, and at this
24 point in time I do not intend to address the woulds,
25 shoulds, and coulds of the way water issues are used.

9

DT11-9 Reclamation believes the Preferred Alternative is the best alternative to meet the two goals of the SJRBRIP (i.e., recovery of endangered fish species and future water development) while maintaining the authorized purposes of the Navajo Unit.

Comment Sheet
Navajo Reservoir Operations - Draft Environmental Impact Statement
Public Hearing-Durango, Colorado
October 2, 2002

Return comments to Bureau of Reclamation by November 4, 2002 (address below).

Name Aaron Canthers 970 385 4665 (Optional)
(Telephone #, in case clarification is needed)

Mailing Address 12895 Hwy 140

City Hesperus State CO Zip 81326

Include my name on future Navajo Reservoir Operations mailings? Yes No

Comments on the Draft Supplemental Environmental Impact Statement:

Ken, The EIS states a 30% loss of trout
habitat and population. This effect of 250ft low
flows will put myself and my friends out of
business. The reclamation of endangered species is
a joke, the dam has been built, the damage to their
habitat has been done. As far as water development,
more water for the Navajos to waste on both irrigating
weeds and unharvested crops. I hope you consider
the loss of wildlife and income of hundreds of good
people if the 5000/250 Management plan is imposed.
Written in disgust, Aaron Canthers, owner Anasazi Angle

DW1-1 Please refer to the responses for General Comments 29 and 30.

DW1-2 Please see the responses to General Comments 18c, d, and e.

Please mail comments to: Bureau of Reclamation
Attention: Ken Beck
835 E. 2nd Ave., Suite 300
Durango, CO 81301-0640
Fax: 970-385-6539
E-Mail comments address: naycomments@uc.usbr.gov
Telephone: 970-385-6558
Navajo Reservoir Operations information located on Web
Site: www.uc.usbr.gov (Environmental Programs)

Comment Sheet
Navajo Reservoir Operations - Draft Environmental Impact Statement
Public Hearing-Durango, Colorado
October 2, 2002

Return comments to Bureau of Reclamation by November 4, 2002 (address below).

Name MARK FUSON (Optional)

(Telephone #, in case clarification is needed)

Mailing Address 383 MIDDLEBROOK DR.

City DAVENPORT State CO Zip 81122

Include my name on future Navajo Reservoir Operations mailings? Yes No

Comments on the Draft Supplemental Environmental Impact Statement:

I OPPOSE THE 250/5000 REGIME ON THE SAN JUAN RIVER.
I CAN'T SEE DESTROYING A 30 MILLION DOLLAR RESOURCE FOR
THE REGION TO BE ABLE TO SUPPLEMENT THE ANTI-NAVAJO ACTION WITH
MORE MONEY THAN THEY ALREADY GET FROM US TAXPAYERS. IT IS
AMAZING TO ME THAT THE GOVERNMENT HAS ABSOLUTELY NOTHING
TO DO WITH THIS, POLITICS IS MONEY AND THE TRUE THREAT. I
SUPPORT THE CONTINUATION OF THE 500/5000 REGIME FOR
THE SAN JUAN RIVER. YOU NEED TO CONSIDER THE GOOD
FOR MANY INSTAD OF THE WANTS OF THE FEW (OR
SPECIAL INTEREST GROUP)

1
2

DW2-1 See response to Comment DW1-2.

DW2-2 Please see the responses to General Comments 3 and 6 which discuss releases at 500 cfs and the Preferred Alternative, respectively.

Please mail comments to:
Bureau of Reclamation
Attention: Ken Beck
835 E. 2nd Ave., Suite 300
Durango, CO 81301-0640

Fax: 970-385-6539 Telephone: 970-385-6558
E-Mail comments address: naycomments@uc.usbr.gov
Navajo Reservoir Operations information located on Web
Site: www.uc.usbr.gov (Environmental Programs)

Comment Sheet
Navajo Reservoir Operations - Draft Environmental Impact Statement
Public Hearing-Durango, Colorado
October 2, 2002

Return comments to Bureau of Reclamation by November 4, 2002 (address below).

Name TIM HERRARD (Optional)

Mailing Address 440 GARDEN RD. (Telephone #, in case clarification is needed)

City DURANGO State CO Zip 81303

Include my name on future Navajo Reservoir Operations mailings? Yes X No ___

Comments on the Draft Supplemental Environmental Impact Statement:

THIS EIS IS INVALID AS FAR AS SCIENTIFIC RESEARCH IS CONCERNED FOR ONE FUNDAMENTAL REASON - IT DOESN'T CONSIDER ANY OPTIONS IN FLOW RELEASE OTHER THAN WHAT THE BUREAU TRULY WANTS. THERE MUST BE RESEARCH DONE TO SEE WHAT OTHER OPTIONS WOULD WORK FOR ALL PARTIES THAT USE - RELY AND OR MAKE A LIVING BASED ON THE WATER FLOWS. HOW WE CAN SPEND CUBIC MILLIONS OF DOLLARS SAVING EFFICIES THAT ARE PROLIFIC IN OTHER WATERS AND HAD MILLIONS SPENT TO ERADICATE AT ONE TIME IN THE SAN JUAN, ONLY TO JEOPARDIZE 10s OF MILLIONS TO THE ECONOMY AND RUN FAMILIES LIVES. THIS ABSOLUTELY DEFIES LOGIC! THERE ALSO WAS A RIDICULOUSLY SHORT PERIOD OF TIME FOR INVOLVED PARTIES TO REVIEW SUCH A DOCUMENT BEFORE PUBLIC COMMENT. THE ECONOMIC IMPACT FIGURES ARE IRRELEVANT TO REALITY AND NEED TO INCLUDE IMPACT TO THE (OVER)

DW3-1 Please see the responses to General Comments 3, 5, 9, and 10.

DW3-2 Please see the response to General Comment 34 which discusses the public review/comment period and subsequent review extension.

DW3-3 Please see the response to General Comment 29a.

Please mail comments to: Bureau of Reclamation Attention: Ken Beck 835 E. 2nd Ave., Suite 300 Durango, CO 81301-0640
Fax: 970-385-6539 Telephone: 970-385-6558 E-Mail comments address: navcomments@uc.usbr.gov
Navajo Reservoir Operations information located on Web Site: www.uc.usbr.gov (Environmental Programs)

WHOLE FOUR CORNERS REGION - NOT JUST NEW MEXICO'S SAN JUAN COUNTY.

AS FAR AS THE AGREEMENT WITH THE NAVAJOS IS CONCERNED - WHEN THEY CAN SHOW THEY CAN DO SOMETHING OTHER THAN LOSING MILLIONS TRYING TO FARM UN-FARMABLE LAND WITH THIS PRECIOUS RESOURCE - THEY REALLY NEED TO CONSIDER WHAT MORE WATER IS GOING TO DO FOR THEM! IT WOULD MAKE MORE SENSE FOR THEM TO SELL IT TO CALIFORNIA. WASTING IT ON MORE UNPROFITABLE AGRICULTURE IS HARD TO JUSTIFY.

PLEASE GET YOUR HEAD OUT OF THE SAND AND HAVE THE GUTS TO DO WHAT'S RIGHT FOR EVERYONE!

DW3-4 Comment noted.

Comment Sheet
Navajo Reservoir Operations - Draft Environmental Impact Statement
Public Hearing-Durango, Colorado
October 2, 2002

Return comments to Bureau of Reclamation by November 4, 2002 (address below).

Name Chris Martin (470) 375-1178 (Optional)
(Telephone #, in case clarification is needed)

Mailing Address 834 E. 4th Ave

City Durango State CO Zip 70118

Include my name on future Navajo Reservoir Operations mailings? Yes No

Comments on the Draft Supplemental Environmental Impact Statement:

I strongly oppose lowering the flow of the river to
250 cfs. I feel that this is not an environmental
issue because either way fish will be lost. The communities
around Navajo depend on this river for economic purposes
and the 250 cfs flow could destroy this. Our people
and their well being are much more important than
a few fish and a fat politician. I feel that
the San Juan River should profit the people who
love to fish, and not a few people trying to get
rich at our expense.

DW4-1 See response to Comment DW1-2.

Please mail comments to:
Bureau of Reclamation
Attention: Ken Beck
835 E. 2nd Ave., Suite 300
Durango, CO 81301-0640
Fax: 970-385-6539 Telephone: 970-385-6558
E-Mail comments address: navcomments@uc.usbr.gov
Navajo Reservoir Operations information located on Web
Site: www.uc.usbr.gov (Environmental Programs)

Comment Sheet
Navajo Reservoir Operations - Draft Environmental Impact Statement
Public Hearing-Bluff, Utah
October 3, 2002

Return comments to Bureau of Reclamation by November 4, 2002 (address below).

Name Steve Lonie 928-526-8200 (Optional)
(Telephone #, in case clarification is needed)

Mailing Address 4050 E. Huntington Dr.

City Flagstaff State AZ Zip 86004

Include my name on future Navajo Reservoir Operations mailings? Yes No

Comments on the Draft Supplemental Environmental Impact Statement:

1 | 1) I believe future release consideration should be given to effects on rafting trips.

2 | 2) Although I understand the present need to release a 250 cfs minimum now, when lake level allow I think you should honor the initial 500 cfs minimum.

BW1-1 Please see the response to General Comment 32.

BW1-2 Please see the response to General Comment 6 for additional information.

Please mail comments to: Bureau of Reclamation
Attention: Ken Beck
835 E. 2nd Ave., Suite 300
Durango, CO 81301-0640
Fax: 970-385-6539
E-Mail comments address: navcomments@uc.usbr.gov
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Navajo Reservoir Operations information located on Web
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Comment Sheet
Navajo Reservoir Operations - Draft Environmental Impact Statement
Public Hearing--Bluff, Utah
October 3, 2002

Return comments to Bureau of Reclamation by November 4, 2002 (address below).

Name LINDA RICHMOND 435-672-2202 (Optional)
Mailing Address BOX 16
City BLUFF State UT Zip 84512
(Telephone #, in case clarification is needed)

Include my name on future Navajo Reservoir Operations mailings? Yes No

Comments on the Draft Supplemental Environmental Impact Statement:

p. III-65
PARAGRAPH 1 - "TRIPS AVERAGE 9.1
USERS PER TRIP AND 6.5 DAYS PER
TRIP BETWEEN SAND ISLAND & CLAY HILLS."
- correct "4.3 DAYS" to "6.5 days"
- "LAUNCH MAXIMUM IS 65 PEOPLE PER DAY OR
6 GROUPS,"

BW2-1 The EIS has been revised to accommodate your concern.

Please mail comments to: Bureau of Reclamation
Attention: Ken Beck
835 E. 2nd Ave., Suite 300
Durango, CO 81301-0640
Fax: 970-385-6539
E-Mail comments address: naycomments@uc.usbr.gov
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