

Bruce Ellis - USBR EA on Scorpion Bay Marina

From: "Terry B. Johnson" <teebeej@yahoo.com>
To: <bellis@lc.usbr.gov>
Date: 8/18/2006 8:02:21 AM
Subject: USBR EA on Scorpion Bay Marina

Dear Mr. Ellis:

I am writing to express personal concern about the environmental assessment on the Scorpion Bay Marina at Lake Pleasant. I do not believe adequate notice was given to the public during project scoping. I fish on Lake Pleasant 50 to 80 days each year (in tournaments and in fun-fishing, myself and with family and friends), maintain extensive contact with other anglers (organized and individual), have coordinated 3-5 public Angler Round Tables each year for the past 4-5 years for open discussion with AGFD of various central Arizona fisheries issues, have been watching the huge increase in recreationist pressure on Lake Pleasant over the past decade, monitor closely environmental news in Arizona (especially as it pertains to endangered species issues and warmwater angling), and yet was unaware of the scoping phase.

10-1

Based on my experience and direct observation, I strongly believe that the impacts associated with the proposed Marina will be substantial on recreational boating (not just angling). If the general public were as engaged as it should be in the lack of long-range recreational planning at Lake Pleasant, from both fisheries/angling management and general recreation perspectives, this proposal would be as controversial as any of the recent National Monument decisions. That alone warrants an Environmental Impact Statement, and a full range of public hearing and comment opportunities.

10-2

Even if it did not, I believe the information (data and analysis) presented in the EA is sufficiently flawed that a thorough EIS analysis is warranted. Maricopa County does not, I believe, have adequate data on recreationist use of Lake Pleasant to stand as a solid foundation for proposing a Marina that will have substantial impacts on existing angling opportunities, or on recreational boating safety. The numbers presented for boater use (personal watercraft as well as other watercraft) are clearly inconsistent with personal observation, particularly during the period of April to October. Accidents and near-accidents are a commonplace daily occurrence at Lake Pleasant, due to crowding, speed, boat chop, and boater ignorance. The weekend launch lines are already long, and on holiday weekends in summer they are hours long. The new Marina will exacerbate those problems to an extent far beyond that projected in the EIS. Had I had an opportunity to provide this comment in an open public meeting, thus stimulating the staff writing the EA to reevaluate their data and conclusions to verify or refute my claims, I would have happily done so. But, I was not afforded that opportunity because the EA approach was used, avoiding such public discussion.

10-3

Lake Pleasant is perhaps the smallest "big" solitary public lake serving any large municipality in the United States. As national security issues, foreign unrest, relentless consumption rates, and corporate profit-taking continue to drive gasoline prices up, Phoenix area residents will inevitably try to make more use of Lake Pleasant. The huge westside growth, which is woefully inadequately considered in the EA, ensures that many hundreds of thousands of families, and thousands if not tens of thousands of additional PWCs, pleasure boats, and fishing boats, will reside within 15 minutes to 3 hours (depending on traffic jams) of Lake Pleasant within the next five years. Clearly better lake management is needed to meet that need, and clearly new and better marina facilities must be a part of that management. But I see no evidence in the Scorpion Bay Marina EA that such coordinated long range planning among all Lake stakeholders (e.g. AGFD, the County, the CAWD, and Pleasant Harbor Marina as well as the Scorpion Bay leaseholders) have engaged in such an enterprise.

10-4

It is a credit to the Marina proponents and USBR that bald eagle issues have been addressed as they have been. Financial support for nestwatchers will help mitigate the increase in closure violations that will occur as boater pressure rises. However, I believe that mitigation should also include purchase of two pontoon or deck boats sufficient in size to be stationed at the south and north buoy lines for the closure, so nestwatchers can stay aboard, monitor the buoy lines, provide information (on-board displays as well as printer material) to approaching boaters, and thus enhance the conservation benefits the closure provides.

10-5

I also believe that a responsible marina plan would include a dock and short-term use slips or tie-ups that would provide launching and weigh-in resources for fishing tournaments. A well conceived weigh-in facility in the new marina, enabling anglers to obtain food and drink while registration and weigh-in are underway, would benefit them and produce revenue for the marina and the County. Such a water-side facility would also help reduce mortality in fish brought to weigh-ins, which I believe is a substantial problem on Lake Pleasant, due to temperature issues and fish handling techniques necessitated by off-water weigh-ins.

10-6

Suffice to say, I do not believe the EA approach has been sufficient to surface and address the concerns attendant to construction of a new marina in an area that is one of the better year-round jigging (shallow-water) angling spots on Lake Pleasant. Anglers know from ongoing experience on Lake Pleasant that marina staff will always do their best to convince the angling public that they cannot fish in marina waters that are legally open to fishing. The Scorpion Bay Marina will increase these problems, not alleviate them.

10-7

For these reasons, and many others, I ask that the USBR, which has an exemplary record in conducting meaningful environmental evaluations of the impacts of its projects, require its staff and consultants to go back to the drawing board with this one. Conduct an EIS, a full range of public hearings, and do it right. The long-range consequences of doing it wrong are simply too great. Phoenix will never have the benefit of any new reservoirs to complement Lake Pleasant. So, it is incumbent on us all to make the best possible use of this one. Please help us do that.

10-8

Terry B. Johnson @ 6021 West Donald Drive, Glendale, Arizona 85310-4205

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RESPONSE TO COMMENT LETTER NO. 10
TERRY B. JOHNSON

10-1. In late January 2006, Reclamation made an effort to locate boating and fishing organizations within the central Arizona vicinity via the internet and sent out an electronic mail request to several addresses indicating that anyone interested in receiving a scoping memorandum should request that their name and address be added to the mailing list. We also encouraged them to forward our request to anyone else they felt might be interested. We received several requests through our efforts. A scoping memorandum was then sent to a mailing list of about 70 agencies, organizations, and individuals on March 1, 2006, including the Arizona Bass Federation, and the Arizona Game and Fish Department.

Additionally, the Arizona Republic published an article on July 1, 2006, indicating an EA would shortly be issued by Reclamation on the proposed marina. It also provided information regarding how to receive a copy of the document. Another article on the proposed marina and the findings of the draft EA was published in the Arizona Republic shortly after the draft EA was issued for public review on July 28, 2006. The comment period for the draft EA ended August 18, 2006. A third article was published in the Arizona Republic on November 3, 2006, indicating Reclamation had issued the revised draft EA for a second public review and comment period.

10-2. The EA has twice been made available for public review, and its availability was widely publicized. Users of the Lake and the general public have had ample opportunity to provide comments regarding potential impacts to the recreational experience at Lake Pleasant. As noted in Reclamation's response to Comment 10-1, ample notification was provided to the public regarding the availability of the EA for public review and comment. We will carefully consider any controversy regarding environmental effects and other pertinent factors when determining if an EIS should be prepared. See 40 CFR §§ 1508.9, 1508.27.

10-3. In preparing responses to comments, we discovered errors had been made in the initial computations to estimate the annual daily average number of boats on the lake, as well as the average number of boats out on the lake on a holiday weekend (see Preface to the October 2006 revised draft EA). The EA has been revised to correct these errors.

We believe lengthy launch lines would actually be improved by the proposed project. Although we did not take this into consideration in our own estimates (in order to come up with a maximum increase in watercraft), we anticipate some boats that currently use the public boat ramps would rent slips at the new marina, thus relieving some of the wait time. In addition, the proposed project would include another boat ramp with an additional parking area.

With continued urban development, especially in the northern portion of Maricopa County, use of Lake Pleasant will increase into the future, with or without a second marina. It is anticipated the revenues generated by the marina concessionaire would help to provide the resources necessary to improve the conditions and overall operation of LPRP, especially in light of the anticipated recreational demands into the future.

- 10-4. See responses to Comments 4-2 and 4-3.
- 10-5. The funding to be provided to the AGFD by the concessionaire would support the bald eagle nestwatch program at the breeding area. AGFD would be able to minimize boater violation of the closure area and potential disturbance to the eagles. The use of the funding would be at AGFD's discretion to accomplish this.
- 10-6. The concessionaire has expressed strong interest in hosting and/or sponsoring fishing tournaments, including working with various fishing clubs on how to best manage the event for the benefit of the participants and the fish. The concessionaire may be contacted through MCPRD.
- 10-7: While fishing would be prohibited within the marina proper due to safety and privacy concerns, the concessionaire has committed to constructing an underwater rock reef and adding fish structures under the floating wave attenuator. Fishing would be allowed in these areas, which would only be available by boat. Contingent upon receiving grant assistance through MCPRD, the concessionaire would also construct an ADA accessible public fishing pier.
- 10-8. Your support for preparing an environmental impact statement is noted.