

ORAL COMMENTS

<u>Letter #</u>	<u>Agency Name</u>	<u>Page #</u>
69	Oral Comments Provided by Mr. Wade Noble	B-305

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The following is a written transcript of oral comments provided by Mr. Wade Noble at the August at August 24, 2000, public hearing held to receive comments on the Colorado River Interim Surplus Criteria Draft Environmental Impact Statement:

MR. WADE NOBLE. My name is Wade Noble. I'm an attorney from Yuma. I represent three irrigation districts in the Yuma area, the principal of which is the Wellton-Mohawk Irrigation & Drainage District.

1 We support the Seven Basin States proposal generally. We don't want to comment or
elaborate more on the well-articulated positions regarding the effects of the proposal on energy
resources, principally Hoover resources. Bob and the Power Authority set those forth pretty well,
but down where we are, at the bottom of the river, it's pretty clear to us that it's not just the flows
2 that you have coming out to generate the power but it's the head loss. So we are concerned that
you're going to have a natural decrease in head loss due to reduce inflows into Hoover so much
that they're predicting, as the Power Authority noted and we have noted as well, as much as a 35
percent decrease in capacity just over the next year or so because the levels of the lake will be
lowering.

We are somewhat concerned about the Seven Basin States proposal with regards to the steps
that California must take and the interim periods and the criteria for meeting those goals and what
happens if they do not meet those goals. As Mr. Dishlip explained this evening, if they don't
meet the goals, it's the understanding of the other Basin States that the agreement falls apart and
the interim surplus criteria go away and that we go back to a more conservative management of
the river under those circumstances. That creates concerns for Wellton-Mohawk.

3 One of the items in the Seven Basin States proposal is for a 15-year extension of the interim
period on the savings for the Coachella Valley ditch lining canal lining. And if that interim
surplus criteria is terminated because the surplus no longer exists on the river, then Reclamation
has to deal with the issue of 138,000 acre-feet that they've got to come up with that they don't
have to come up with now or during any period in which the interim period is in effect. And so
we wonder what happens under the Seven Basin States proposal if it falls apart because
California doesn't meet the goal. Does that mean that there will be an immediate declaration of
nonsurplus, so to speak, on the river, which will cause a problem particularly for Reclamation
and, since it's directly related to Wellton-Mohawk, the bypass flows that occur as a result that are
being credited now.

4 And we would further like to comment that among considerations that are being given has to
do with the beneficial use and return flows into the river, and we're concerned that any water that
would return to the river that would be beneficially used if it were not otherwise consumed by
such things as phreatophytes ought to be considered regardless of where it is returned to the river.

1: A new alternative, the Basin States Alternative, has been included in the FEIS. This alternative was derived from the Seven States proposal, and has been selected by Reclamation as the preferred alternative.

2: Comment noted. Section 3.10 of the FEIS discusses potential reductions in Hoover Dam powerplant capacity under baseline conditions and each of the alternatives.

3: Comment noted. For the analysis in the FEIS, it was assumed that the Yuma Desalting Plant would become operational in 2022 under baseline conditions as well as under interim surplus criteria (See Section 3.3.3.3, General Modeling Assumptions). The suspension of the tiered interim surplus criteria prior to the end of the 15-year period is discussed in Section 1.4.1. Attachment I to the FEIS includes draft guidelines for the administration of the interim surplus criteria under the Basin States Alternative which address standards for progress by California.

4: Evaluation of the method of accounting for return flow and the definition of beneficial use are not within the purpose and need for the proposed action and are therefore not addressed in the FEIS.

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