

COMMENT LETTER

RESPONSES



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
NAVAJO REGION
P. O. Box 1060
Gallup, New Mexico 87305-1060



RRES/520

SEP 21 2000

Ms. Jayne Harkins
Bureau of Reclamation
Attention: BCC00-4601
P. O. Box 61470
Boulder City, Nevada 89006-1470

9/25 Harkins 4600

Dear Ms. Harkins:

On behalf of the Navajo Nation, the Bureau of Indian Affairs, Navajo Region, is providing comments on the *Colorado River Interim Surplus Criteria Draft Environmental Impact Statement* (DEIS). We have reviewed the DEIS relating especially to water quantity and water quality and are providing several comments as included below.

1

1. The DEIS does not consider the unquantified water rights of the Navajo Nation and the other Arizona Mainstream Tribes above Lake Mead. If tribes are allocated Colorado River water, the amount of water available to the Central Arizona Project would be diminished, affecting all the surplus criteria. Because the DEIS does not analyze the impacts attributable to the various surplus criteria on the ability of the Arizona Mainstream Tribes above Lake Mead to obtain Colorado River allocations, the Indian Trust Asset analysis is deficient for these tribes.

1: See response to Comment 53-5.

2

2. Although the DEIS states that interim surplus criteria would be implemented for 15 years, it assesses effects of the criteria for 50 years. After the 15-year period, all alternatives revert to baseline conditions, which is only one of the alternatives. Why do you assess effects for only one of the alternatives for 50 years? It is more appropriate if the final environmental impact statement (FEIS) provided some analysis of the effect of continuing the various alternatives throughout the 50-year period.

2: See response to Comment 59-2.

3

The DEIS provides information on the effects of water level changes on recreation facilities (marinas) in Lake Powell and Lake Mead caused by interim surplus criteria by quantifying the costs associated with facility adjustment and capital acquisition both incrementally and over the 15-year period. Total costs for the entire 15-year period for the 10, 50 and 90 percent hydrologic inflow projections should be quantified in the FEIS.

3: It is recognized that different percentiles could be used for presenting the information in Section 3.9.6, however, Reclamation believes that using median elevations appropriately presents the differences between the alternatives and baseline conditions. It should be noted that using 90th percentile elevations would show no discernable differences between the alternatives and baseline conditions for Lake Powell or Lake Mead, and use of the 10th percentile elevations would indicate differences similar to those identified using the median elevations (see FEIS Figures 3.9.1 and 3.9.4).

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- 4 | While the DEIS suggests that one or more marina sites could become inoperable at certain unspecified water levels, no analysis of these critical levels is provided. The effects of the marina closures could have broad economic consequences to the local and regional economy including that of the Navajo Nation. The effect of the closures of marinas on the ability of the concessionaire to make a profit should be analyzed. The Navajo Nation plans on opening a new facility at Antelope Point on Lake Powell. The ability of the Navajo Nation to open and operate a new facility at Antelope Point on Lake Powell should be analyzed and discussed in the FEIS.
- 5 |
- 6 |
- 7 | 3. Water quality is an issue in the DEIS since lake water levels and related lake volume are critical factors in predicting overall water quality. Existing contaminants in the lake will be more diluted if there is more volume in the lake. A general summary of the chemical and pollutant characteristics of the lake is provided in the DEIS, but no specific projections are given on how these concentrations would change with various lake levels. Because the limnology and water quality of Lake Mead are generally known, predictions about changes could be developed and appropriately included in the FEIS.

We appreciate the opportunity to comment on the draft EIS. If you have any questions or comments, please contact Jane Farris, Supervisory Hydrologist, at 505-863-8214.

Sincerely,

ACTING Regional Director, Navajo

- cc: Stanley Pollack, Navajo Nation Department of Justice – Window Rock, Arizona
- John Leeper, Navajo Nation Water Management Branch – Ft. Defiance, Arizona
- Leonard Robbins, Navajo Region – Environmental
- Tom Hemstreet, Navajo Region – Tribal Services

4: The discussion of threshold elevations, particularly for Antelope Point Marina, has been expanded. See Section 3.9.2.2.2 for a description of the elevations and Section 3.9.2.3.1 for an analysis of threshold elevations.

5: Potential costs incurred from relocating marina facilities are addressed in Section 3.9.6. Section 3.2 states that the scope of the analysis at Lake Powell is limited to the maximum water surface elevation; regional economic effects are not analyzed. As shown in Figure 3.9-6, the probabilities of Lake Powell elevation falling below 3626 feet msl (the approximate bottom elevation of future boat ramp useability under baseline conditions and the preferred (Basin States) alternative) are typically within 5 percent of each other.

6: Due to the small difference in probabilities (discussed above) between the baseline conditions and preferred alternative, interim surplus criteria would not have a significant effect on the feasibility of a marina at Antelope Point. Reclamation is providing information to the Navajo Nation as requested, regarding results of analyses significant to Antelope Point.

7: The water quality analysis in the EIS appropriately identifies the potential effects of interim surplus criteria. Potential effects are discussed in terms of the general effects of changing reservoir elevations because specific elevations and periods that such elevations would occur are unknown and cannot be predicted.