

INDIVIDUALS

IN116

Denis Stratford
24 Raspberry Cir.
Durango, CO 81301

3/16/00

Mr. Pat Schumacher
Bureau of Reclamation
835 East second Ave, Suite 300
Durango, CO 81301-5475

It seems like it's all been said before – how asinine ALP is. And yet the Bureau drags it on, heedless of citizens proposed alternatives, heedless of the outdated mentality it represents. Has the Bureau grown to such levels of absurdity that it no longer feels a responsibility to the citizens who feed its uncurbed appetite for irresponsible spending. While we taxpayers attempt to thwart this colossal blunder at our own expense of time, effort, and money, the Bureau continues to allocate national resources to the study of a project that represents an insult to environmental, legal, and economic sensibilities.

ALP seems to be a project conceived in reverse. Here's how it must've been. First, determine to ruin a river by drying it up. When that idea was overruled by environmental issues, the plan was modified to the extent of allowing the minimum flow that was determined sufficient to support certain identified at-risk species. But, ruin the rest by taking all the remainder of the water. An analogy would be to determine the minimum amount of food, water and air that you need and suggest that these be limited to that amount, regardless of variations that might be demanded by changes in your activity, or the outside environment. And regardless of the possibility of error in the analysis. It is clear that, in actuality, you would suffer – you might even succumb to such treatment. In the same way, the river will doubtless suffer from such treatment.

Rivers are a vital part of our connection to this planet, not to merely be considered as a resource for our greedy use (or misused). Some of the past errors engendered in this mentality are being recognized even as we are regaled with ALP. Dams are being decommissioned. Rivers are being returned to their courses. Wetlands and aquatic environments are being restored. Planners and policy makers are saying we should never have built some of these monumental blunders that were once viewed as wonders. So, how in God's name, can we continue to consider ALP as responsible?

The saddest fact of all is the cynical use of Indian interests to justify the project. What started out as just another development project was given a breath of life by tying it to Colorado Ute Indian Water Rights (See Summary 3.0) . As modified, the project offers to toss a bone to other tribes, the Navajo and Jicarilla Apache. These modifications clearly demonstrate a pandering to sentiment

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toward minority cultural-racial-ethnic groups that should not be tolerated in our society.

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The economics of ALP need to be determined by a rigorous cost/benefit analysis. The lack of such an analysis is a major flaw. Taxpayers must not be expected to pick up the tab for a white elephant whose costs outweigh its benefits.

IN116-1 Refer to General Comment No. 1 for a discussion of benefit-cost analysis.

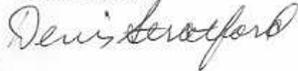
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Also contained in the Summary, 3.0 "Purpose Of And Need For The Project", is the statement..."and to provide for *identified* M&I water needs..." Later, in 4.0, is the statement "...M&I water uses...are not specified..." Indeed, throughout the DSEIS, "Non-Binding Water Uses" are referred to as if this terminology has some meaning. In fact the term amounts to "Speculative Water Uses", which is not allowed by the Upper Colorado River Compact.

IN116-2 Due to the sovereignty of the Colorado Ute Tribes, all potential water uses are non-binding. However, municipal uses by other local entities such as the Animas La Plata Water Conservancy District and the San Juan Water Commission are binding. Please refer to General Comment No. 6 for a discussion of water uses.

The DSEIS shows that ALP has too many adverse environmental, economic, and legal flaws for me to continue. It should never be built.

Denis Stratford



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Mr. John R. Swanson
3400 Edmund Blvd.
Minneapolis, MN 55406

13 March 2000.

Bureau of Reclamation

Attention: Mr. Pat Schemacher

335 East Second Avenue - Suite 300

Durango - Colorado

81301-5475.

Dear Mr. Schemacher:

Please accept my following Comments concerning the
Draft Supplemental Environmental Impact Statement; Animas-Salata Project.

This proposal appears to not settle actual Indian Water issues.

But promotes Resort interests primarily.

Shows the preferred alternative is in valid.

And supports substantial environmental damage.

Including the destruction of important fish and Wildlife habitats.

May I advise that I oppose the Animas-Salata Project!

Sincerely,

John R. Swanson.

IN117-1 Comments noted.

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Mr. John R. Swanson
3400 Edmund Blvd.
Minneapolis, MN 55406

APR 20 2000

17 April 2000.

Bureau of Reclamation
835 East 2nd Street - Suite 300
Durango - Colorado 81301-5475.

Dear Sirs:

Please accept my following Comments concerning the
Animas-La Plata Project Direct Supplemental Environmental Impact Statement.

I oppose this project.

It will destroy environmental and historic resources.
and does not settle Indian water claims.

Sincerely,
John R. Swanson.

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IN118-1 Comment noted.

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From: Ed Talbot <stuff1@earthlink.net>
To: <ALPDSEISComments@uc.usbr.gov>
Date: 3/2/00 10:04PM
Subject: Comment - Animas La Plata

Dear Sir or Madam

I would like to provide comments on the most recent alternative for the Animas La Plata dam project. As a resident of Colorado and a taxpayer, I am firmly opposed to this project.

1 | Items that should be considered in determining the correct alternative
2 | for this must include its cost relative to the expected benefits.
\$300,000,000 worth of taxpayer costs for \$85,000,000 in benefits
immediately should dictate against construction of this project at all.
The only alternative to be considered should be the no build
alternative.

IN119-1 Refer to General Comment No. 2 for a discussion of project costs.

IN119-2 Comment noted.

A project that does not deliver any water to the tribal interests involved is clearly intended to be a development project that does not meet the expressed needs for developing the project. As such, a no build alternative is mandated.

A project that has been found again and again to be an economic loser in terms of benefits versus costs is not practical and should not proceed.

Thank you for your attention and inclusion of these comments.

Edward Talbot
6916 Bretwood Street
Arvada, Co. 80004

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IN120

John J. Taylor
P. O. Box 130
Pagosa Springs, CO 81147
jtaylor@frontier.net

April 11, 2000

VIA E-mail: ALPDSEISComments@uc.usbr.gov
& U. S. Mail

Mr. Pat Schumacher, Manager
Four Corners Division
Bureau of Reclamation
835 East Second Avenue, Suite 300
Durango CO 81301

Re: A/LP Draft Supplemental Environmental Impact Statement

Dear Mr. Schumacher:

I strongly request that the Record of Decision ("ROD") to be issued by the Bureau of Reclamation, after Reclamation's review of comments on the Draft SEIS, continue to include Alternative 4 as the Preferred Alternative so that H.R. 3112, introduced last fall by Congressman Scott McInnis, may implement the ROD. I irrigate about 250 acres and have been a ditch supervisor for the TTC and Bess Girl Ditches for 10 years. I have been on the Board of San Juan Soil Conservation District for over 10 years and I'm on the State Board.

H.R. 3112 amends the 1988 Colorado Ute Indian Water Rights Settlement Act and authorizes the Secretary of the Interior to move forward with the final settlement of the Colorado Ute Tribes' reserved water rights, although water allocations in H.R. 3112 differ from those called for in the 1988 Act. Without such authorization in place soon after the ROD is issued, further unfortunate delays to resolve the long-standing Colorado Ute Tribe's reserved water rights claims of the Animas and La Plata Rivers could occur. A final settlement of the claims of the Southern Ute Indian and Ute Mountain Ute Tribes is long overdue.

I request Reclamation's continued support of Alternative 4 with the changes suggested in the DSEIS comment letter from Fred V. Kroeger, President of the Board of Directors of the Southwestern Water Conservation District. The federal government needs to live up to its promises to settle the Tribes' reserved water rights claims with storage. We have waited too long already.

Sincerely,

John J. Taylor

IN120-1 Comments noted.

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IN121

From: Louise P Teal <loteal@juno.com>
To: <alpdseisComments@uc.usbr.gov>
Date: 1/26/00 3:09PM
Subject: ALP scoping comments

1/26/00

Re: Animas La Plata scoping comments

Pat Schumacher,

Please consider further alternatives for the Animas La Plata Project. I have felt for years that the pumping station and reservoir would be very negative to this area. Outside of being a local eyesore, these are my objections:

- | | | | |
|---|--|---------|---|
| 1 | 1. The cost is too much. There are cheaper ways to settle the Ute Indian water rights question. For instance, Alternative #6. Over 300 million construction costs and several million per year in operating costs is too much for US citizens and Colorado citizens to pay if there are cheaper and better alternatives. | IN121-1 | Refer to General Comment No. 2 for a discussion of project cost. |
| 2 | 2. Riparian habitat is rare in the southwest. The documented biological danger to fish from lower water levels in both the Animas and San Juan Rivers should not be ignored. Nor should we ignore the danger of heavy metals in the bald eagle's food chain. | IN121-2 | The potential impacts of lower water levels on fish habitat and the potential impacts of heavy metals on eagles are addressed in Chapter 3, and mitigation commitments are included in Chapter 5. Also, Reclamation has committed to a monitoring program on the Animas River to assess the potential impacts to aquatic resources. If the impacts to these resources exceed what is predicted, Reclamation would attempt to either modify project operations to reduce the downstream impact or apply additional off-site mitigation to benefit similar aquatic resources in other nearby river ecosystems. These are described and committed to in Chapter 5. |
| 3 | 3. The seasonal migration routes of approximately 2000 elk and 1500 deer would be blocked by the reservoir, forcing them to cross highways and fenced land. | IN121-3 | Refer to General Comment No. 11 for a discussion of potential impacts to elk and deer at Ridges Basin. |
| 4 | 4. The Animas and San Juan Rivers offer the unique experience of river running, something tourists and locals of all ages and skills can enjoy. Over 4,000 kayak and rafter user days can be lost by lower flows. The self respect, challenge and beauty that river sports offer our young people is not something that should be thrown away. | IN121-4 | Refer to General Comment No. 8 for a discussion of potential impacts on recreation on the Animas River. |
| 5 | 5. There appears to be no current need for this water. I hear about proposals for development of power plants, golf courses, casino-resorts. These are no replacement for what the river offers us now. Nor should the taxpayers of this country have to pay for them. | IN121-5 | Water projects are planned for the long-term future. Therefore, the full utilization of the water developed by the ALP Project will take place over a lengthy period of time. In order to address environmental impacts, it was necessary to develop potential uses of the water such as power plants and golf courses. These uses are considered to be non-binding on the two Colorado Ute Tribes. This FSEIS recognizes the sovereignty of the two tribes and their lawful right to self-direct the use of tribal waters at a future date. See also General Comment No. 6 for a discussion of potential future water uses. |

Louise Teal P.O. Box 3481, Durango, CO

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JOHN E. TONER
P. O. Box 479
PAGOSA SPRINGS, CO 81147

April 11, 2000

Mr. Pat Schumacher, Manager
Four Corners Division
Bureau of Reclamation
835 East Second Avenue, Suite 300
Durango CO 81301

Re: Comments on the Draft Supplemental Environmental Impact Statement for
the Animas-La Plata Project

Dear Mr. Schumacher:

I thank the Bureau of Reclamation for preparing the draft SEIS for the Animas-La Plata Project in accordance with Reclamation's announced schedule. I strongly support Reclamation's selection of Alternative 4(4) as the Preferred Alternative. I also support HR 3112, the Colorado Ute Settlement Act Amendments of 1999 (the "Amendments"). The Amendments are intended to finally settle the reserved water rights claims of the Southern Ute Indian and Ute Mountain Ute Tribes I thought were previously settled in the Colorado Ute Indian Water Rights Settlement Act of 1988. The Act was based on the construction of the Animas-La Plata Project ("ALP") to provide substantial water supplies to the two Ute Tribes and the adjacent non-Indian communities, both for irrigation uses in the La Plata basin and for municipal and industrial purposes in Colorado and New Mexico.

IN122-1 Comments noted.

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The long struggle of the two Ute Tribes and their non-Indian neighbors, together with the States of New Mexico and Colorado, to provide the Tribes with a reliable water supply that could be used well into the future without taking away long-held water rights from the communities, farmers and ranchers needs to be understood as background for the Amendments. From the outset of the reserved water rights negotiations in 1985, the State of Colorado, the two Ute Tribes and the local water users all recognized that storage was the key to obtaining their goals and that the ALP Project could provide the Tribes with the water to which they were entitled while also providing much needed water to local municipalities, as well as irrigation water for farmers in the La Plata basin. At the time of the settlement, I made numerous trips to Washington, D.C. lobbying in support of the settlement. I have served as Secretary/Treasurer of the Southwestern Water Conservation District and President of the Colorado Water Congress. I am now on the Board of the Bess Gir and TTC Ditch Corporations and

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Mr. Pat Schumaker
April 10, 2000
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irrigate over 100 acres. I personally know of the need to resolve the Tribes' reserved water rights claims once and for all.

Because of Endangered Species and Clean Water Act constraints, the Amendments and Alternative 4 reflect a much smaller project than was anticipated in the original settlement. The reduced project under H.R. 3112 would provide already negotiated amounts of municipal and industrial water to the two Tribes, the Navajo Nation and to the local cities and water districts but would not deliver any irrigation water to the La Plata Basin as it includes no irrigation facilities nor is the reservoir sized to provide water for agricultural uses, despite the need - a major sacrifice by non-Indian water users of their long-held dream of irrigation water.

Accordingly, I support Alternative 4 to resolve the Tribes' reserved rights claims, with the changes set forth in letters from representatives of the Animas-La Plata Water Conservancy District and the Southwestern Water Conservation District.

Sincerely,



John E. Toner

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IN123

From: "Kathy Turner" <kjturner@frontier.net>
To: <ALPDSEISComments@uc.usbr.gov>
Date: 1/28/00 1:50PM
Subject: ALP alternatives

To Whom It May Concern,

As a resident of Durango, Colorado for the past 25 years, I encourage you to consider the alternatives available to the structural reservoir at Ridge Basin. I implore you to further study alternative #6, the Animas River Citizen's Conceptual Alternative which addresses a broad range of issues and offers a win-win solution for people and the environment.

Thank you for your consideration in this important matter.

Kathy Turner

IN123-1 Alternative 6, a non-structural approach to the ALP Project, has been evaluated and discussed in detail in Chapters 2, 3, and 5 of the FSEIS. Alternative 6 was modified to reduce environmental impacts and allow it to better meet the project purpose and need. This Refined Alternative 6 is also evaluated in the FSEIS. It was determined that both the original Alternative 6 and Refined Alternative 6 presented significant risks on the ability of the project to provide an assured water supply commensurate with the water rights established in the Settlement Agreement. Alternative 6 would seriously impact Indian trust water rights by using the remaining capacity of the Navajo Reservoir, thus creating a likely conflict with the Navajo Nation and Jicarilla Apache Tribe. Both Alternative 6 and Refined Alternative 6 would also cause more impacts to the environment than Refined Alternative 4 in terms of wetland impacts.

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From: Aniam - La Plata Project <swcbd@sw-center.org>
To: <gis@SW-Center.ORG>, <ALPDSEISComments@uc.usbr.gov>
Date: 1/29/00 1:55PM
Subject: Comments: Animas - La Plata Project.

Name: Gary Schiffmiller
Address: 924 Osage Avenue
City: Santa Fe
State: NM
Zip: 87505
Phone: 505-995-1125
Subject: Comments: Animas - La Plata Project
Comments: Pat Schumacher
Bureau of Reclamation
835 E. 2nd Ave.
Durango, CO 81301

Dear Mr. Schumacher:

I urge you to consider the following observations and recommendations when preparing the FSEIS for the Animas La Plata Project:

1) The Bureau has not adequately assessed the practicability of non-structural alternatives to its Preferred Structural Alternative. Adequate water can be made available through a combination of improvements in the efficiency of irrigation and delivery systems, the coordinated operation of existing reservoirs, and land-water rights purchases.

2) Negative impacts on wildlife and endangered species preclude the implementation of the Preferred Alternative. Especially worrisome are the detrimental impacts to the endangered Colorado pikeminnow and razorback sucker. In addition, significant concerns of bioaccumulation exist for the bald eagle and other fish eating raptors. The reservoir will also eliminate a major elk migration corridor and large wintering range for resident elk.

3) Impacts on rafters, kayakers, fishermen and other river users are downplayed and underestimated in the Bureau's evaluation.

4) Regional municipal and industrial needs are vastly overestimated in the DSEIS. The Preferred Alternative would supply enough water for another 200,000 people in the Project area. This amount of growth is not likely or desirable for the region. Clearly no current or near-term demand exists to justify this huge quantity of M&I water.

In preparing a FSEIS the Bureau must revise the

IN124-1 Several non-structural alternatives were evaluated in detail in Sections 2.4.1 and 3.1.2. Reclamation considered the practicability, potential environmental impacts, feasibility and risk of each alternative, as well as the ability to meet the project purpose and need. Reclamation's findings for each of these alternatives are described in the FSEIS. Reclamation found, for example, that a firm water yield could not be made available to meet the water needs of the Colorado Ute Tribes through implementation of some of the alternatives. The varying ability of each to supply the necessary water with adequate reliability, as well as minimizing the potential environmental impacts, were key determining factors in making recommendations. Results from improvements in irrigation system efficiency shows that this is not a viable solution. Refer to Section 2.4.1 of the FSEIS for a discussion of irrigation systems improvements. The coordinated operation of existing reservoirs and land-water right purchases have been incorporated into Refined Alternative 6, a non-structural alternative, with a description of the results provided in Section 2.5.2 of the FSEIS.

IN124-2 Refer to General Comments No. 5 for a discussion of bioaccumulation, and No. 11 for a discussion of elk migration issues and mitigation.

IN124-3 Refer to General Comment No. 7 for a discussion of potential impacts to recreation on the Animas River, and mitigation thereof.

IN124-4 Refer to General Comment No. 12 for a discussion of growth in the project region and projected future water needs and uses.

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Project scope and limit it to the settlement of Ute Indian water rights claims, as quantified in the 1986 Settlement Agreement. These water rights can be met without the structural component of a dam in Ridges Basin reservoir and without large depletions from the Animas river. Regional municipalities should be responsible for independent development of area water resources.

IN124-5 As suggested, an alternative (Alternative 8) was developed and evaluated. This evaluation is discussed in Section 2.3.2 of the FSEIS. While the primary purpose of the ALP Project is to satisfy the water right claims of the two Colorado Ute Tribes, it has as a purpose the development of M&I water for local communities. Water allocations for the Navajo Nation, ALPWCD, and SJWC have been a part of the ALP Project since its inception.

Similar letters were received by the following people and are included as part of Form Letter B:

Pattie Adler, Durango, CO
Nancy Alpert, Phoenix, AZ
Scott P. Anderson, Boise, ID
Julie Arfsten, Petaluma, CA
Suzanne Artemieff, Harvard, MA
Joseph Bail, Clearwater, FL
Steve Baranick, Tuscon, AZ
Ethan Beasley, Charlotte, MI
Teresa Behm, Flagstaff, AZ
Edward Bennett, Green Valley, AZ
Don & Linda Bentley, Phoenix, AZ
Christie Berven, Durango, CO
Jessie Bhango, Tuscon, AZ
Mark Boyce, Massillon, OH
Bob Brister, Oakhurst, CA
Mark Brown, Tuscon, AZ
Betty H. Buckley, Wheat Ridge, CO
Nicole Chaika, Lancaster, NY
Colin Chellman, New York, NY
Donna Chesner, Bisbee, AZ
Joseph Ciaramitaro, Tuscon, AZ
David Coblenz, El Paso, TX
Shan Collins, La Crescenta, CA
Sue Conklin, Socorro, NM
Kevin Cook, Farmington, NM
Linda Corbin, Blue Diamond, NV
Davy Davidson, San Francisco, CA
Robert Dean, Tuscon, AZ
Marilyn Dinger, Kaysville, UT
Ed Eaton, Carbondale, CO
Constantina Economou, Berkeley, CA
Bill Ellett, Tuscon, AZ
Ann Marie Falknor, El Paso, TX

Holly Finstrom, Tuscon, AZ
Jessica Flagg, New York, NY
John Furrow, Tempe, AZ
Gauri Gadgil, Tempe, AZ
Racheli Gai, Tuscon, AZ
Mark Garland, Santa Fe, NM
Ted Gartner, Chandler, AZ
Jean Goetinck, Tuscon, AZ
Candace Gossen, Portland, OR
Julie Greenberg, Chevy Chase, MD
Alan & Monica Gregory, Conyngham, PA
Doug Harvey, Del Mar, CA
Ann Henry, Albuquerque, NM
Catherine Hinman, , Other
Karen Hirsch, Sacramento, CA
Jeff Hoffman, San Francisco, CA
Larry Hughes, Las Cruces, NM
Lorenz Hughes, Las Cruces, NM
Rachel Kondor, Tuscon, AZ
Tamara Kramer, Syracuse, NY
Jason Laird, Scottsdale, AZ
Linda Leblang, Scottsdale, AZ
Michael Lucid, Sanda Clara, NM
Robert Lyday, Oakhurst, CA
Ashli Magill, Littleton, CO
Robert Magill, Littleton, CO
John Paul Marchand, Tuscon, AZ
Carl Marcus, Telluride, CO
Peter Mattisson, Westminster, CO
Michael Mayer, Washington, DC
Thomas Metcalf, Albuquerque, NM
Eric Meyer, Paradise Valley, AZ
L. Vista Michael, Sonita, AZ

Peter Miller, Tuscon, AZ
Angela Mo , Alhambra, CA
Brad Monsma, Sunland, CA
Brenda Monsma, Sunland, CA
Rick Moody, Fishers Island, NY
Gian Andrea Moresi, Fairfield, CT
Connie Morse, Durango, CO
Cyndi Nelson, Longmont, CO
Lori Nitzel, Albuquerque, NM
Mark Noethan, Tuscon, AZ
Liudyte Novickis, Tuscon, AZ
Robert Ohmart, Chandler, AZ
Andrew Orahoske, Evergreen, CO
Madonna & Pablo Ortega, Kings Beach, CA
Jean C. Ossorio, Las Cruces, NM
Jim Otterstrom, Big Bear City, CA
Peggy Otterstrom, Big Bear City, CA
Donna Palladino, Phoenix, AZ
Kevin Parkey, Mesa, AZ
Nick Patel, Dover, NH
J.J. Petruska, Tuscon, AZ
K.M. Pierce, Albuquerque, NM
Richard & Gail Potts, Overgaard, AZ
Lisa Pritchard, Shenandoah, TX
Virginia Ravndal, Sanda Fe, NM
Diana Rempe-Cetas, Tuscon, AZ
Tom Ribe, Santa Fe, NM
Thomas Riesing, Hesperus, CO
Melissa Roberts, Seattle, WA
Roger Robison, Prescott, AZ
Ed Scates, Phoenix, AZ
Vince Scheidt, San Diego, CA
Kris Schmidt, Granada Hills, CA

Andrew Schneller, Tuscon, AZ
John Schroeder, Burbank, CA
John E. Schweitzer, Lakewood, CO
Sharon Sessions, Eugene, OR
Greg Shuett, Julian, CA
Dan Silver, MD, Los Angeles, CA
Dave Sime, Durango, CO
Kathryn Sky, Durango, CO
Irene Slater, Cave Creek, AZ
Gregory Smith, Grand Junction, CO
Jill J. Smith, Corrales, NM
Erykaa Snyder, Weston, MA
Georgia Stablein, , Other
Amy Stevenson, Logan, UT
Larry Stewart, Albuquerque, NM
J.G. Sugg, Par Valley, AZ
Brian Sybert, Austin, TX
Matteo Taffa, Albuquerque, NM
Peter Tallman, Edgewood, NM
Jerry Sue Thompson, Albuquerque, NM
Scott Triplett, Thoreau, NM
Oiiivia Tsosie, Santa Fe, NM
Don Valdez, Tuscon, AZ
Hannes Vogel, Bellaire, TX
Barbara Warner, Lebanon, KY
Amanda Webb, Durango, CO
Eric Whiteman, Tempe, AZ
Carol A. Wiley, Victorville, CA
Paul Williams, Atlantic City, NJ
Don Wilson, Tuscon, AZ
Bill & Diane Yanneck, Tuscon, AZ
Peter Zadis, Jamaica, NY
Cory Zimbelman, Tuscon, AZ

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April 17, 2000
Aztec NM

Pat Schumacher
Colorado Area Office
835 East 2nd Avenue
Suite 300 Durango CO 81301

Dear Mr. Schumacher

Please consider this document as my written comments on the draft Environmental Impact Statement on the current version of the AHP Project.

I am disappointed that the process was hurried through without doing a more detailed study of reservoir sites. I simply don't believe the Ridges Basin site is at all the best site available for storing the reduced amount of water described in the DEIS.

I feel a more detailed study would show that New Mexico entities would be much better off storing New Mexico water in New Mexico. I believe there is reason to question the validity of the contract that the BOR has with the San Juan Water Commission because there are so many assumptions being made that are not in writing to

IN125-1 Comments noted. An extensive study of alternative reservoir sites was conducted, including reservoirs in New Mexico at Aztec and Cedar Hill. The Aztec Reservoir was included in further evaluation as part of Alternative 8. These are discussed in Section 2.3.2. The apportionment of water to Indian and non-Indian entities is addressed in the Settlement Act, and current federal legislation would address amendments to the Settlement Act.

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to operation the reservoir that a new contract needs to be drawn up spelling out all the details that have been "worked out" or "negotiated" after the original contract was signed.

I feel the preferred alternative does not give due consideration as to the vast difference in size of the population of the Navajo Tribe and the two Ute tribes, about 3,200 Ute Indians VS 150,000* for the Navajo Tribe. I feel the needs of the ~~two~~^{three} tribes should be addressed at the same time. I am concerned that the Ute Tribes are proposing "non-binding uses" whereas the Navajo Tribe is proposing "Real Needs." The Navajo people have a much more legitimate claim to Animas Water than do the Ute People. It is important that this discrepancy be clarified before moving forward with any Ute Indian settlement.

Yours truly
Lionel Utson
Asteo, NM

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(con't)

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IN126

From: Bill Vega <garnervega@frontier.net>
To: Pat Schumacher <ALPDSEISComments@uc.usbr.gov>
Date: 2/15/00 3:39PM
Subject: ALP

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The proposal that devotes so much of the ALP water to coal fired power plants and non native American uses is an affront to the community of La Plata County. Why should the taxpayers subsidize development? Why should we be made to pay for power plants which will likely have an adverse effect on our clean air? Scale back the proposal to cover only the minimum justifiable needs of the Native American nation.

J. William Vega
83 Whispering Pines Circle
Durango, CO 81301

IN126-1 Approximately 75% of the water is allocated to the Colorado Ute Tribes and 25% to the Navajo Nation, ALPWCD, and the SJWC, all for meeting M&I needs in the area. This is a significant departure from the original project.

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Mr. Pat Schumacher
Four Corners Division Manager
Bureau of Reclamation
835 East 2nd Ave
Durango CO 81301

April 12, 2000

Mr. Schumacher,

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I oppose the DSEIS's preferred alternative for the ALP Project. The pumping station on the Animas River and the way too large reservoir are too intrusive. The increased pollution from the coal fired plants that would power the pumps must be examined. Native Americans (Navajo) are being poisoned to appease other Native Americans (Southern Utes). This isn't a water issue - it's a treaty issue and the water is merely a bargaining chip. Now is the time to plan for the future and resolve this matter in a more environmentally friendly way. Less pollution and no impact on the waterways of the Southwestern Rivers.

IN127-1 Comments noted.

I encourage you to examine non structural alternatives.

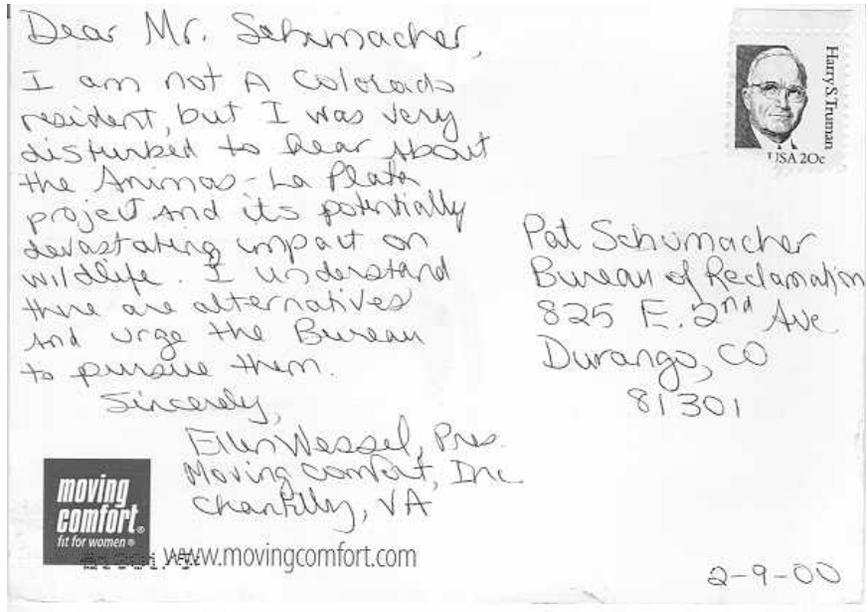
Thanks,


Chuck Wales
PO Box 488
733 Grand
Mancos CO 81328

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IN128-1 Alternatives were considered, and Reclamation considers the Preferred Alternative to be the overall least environmentally impactful.

Carl Weston
 3905 Hiway 550
 Durango, CO 81301
 E-Mail: crweston@windospring.com
 970-247-9594
 Apr. 14, 2000

Pat Schunacher Project Director
 Four Corners Division Manager
 Bureau of Reclamation
 835 East 2nd Street, Suite 300
 Durango, CO 81301-5475 Charles A. Calhoun, Regional Director

Upper Colorado Region
 Bureau of Reclamation
 125 South State Street

Salt Lake City, Utah 84138-1102

Eluid Martinez, Commissioner
 Bureau of Reclamation
 18th & C Streets, NW

Washington, DC 20240

The Honorable Bruce Babbitt
 Department of Interior

1849 C St., NW
 Washington, D.C. 20240

Gentlemen:

I have previously submitted comments at public meetings at Farmington, N.M. and Durango, CO.. I now understand that was a futile effort, since they have been censored from the only parties, i.e., the public, who would objectively consider them. Your biases have been amply demonstrated with pre-scoping exclusive meetings with the proponents. NEPA guidelines for the public scoping process are useless since you don't follow them. What a pity you are encumbered with so many regulations and laws that must be circumvented to arrive at your predetermined conclusions. What a bigger pity that you have plagiarized those conclusions from the proponents. One would hope that public employees would somehow serve the public at large. Please add these remarks to the public comment file wherever it is. Someday you may be forced to follow rules and produce it.

The (anti)-environmental sophistry about wetlands loss that was contrived to discredit non-structural A-LP alternatives is disingenuous. Irrigation ditch supported wetlands are not natural

IN129-1 Comments received by the public and other interested parties on the DSEIS were made available for public viewing after the close of the public comment period. In addition, copies of all comment letters and Reclamation's responses to those letters are included in Volume 3 of the FSEIS.

IN129-2 The origins of wetlands within Ridges Basin, and for example, the Pine River Basin, are both natural and man-induced. These include: (1) natural wetlands associated with water channels and topographic depressions on naturally occurring sediments or within the hydrologic influence of water channels, streams, and creeks; and (2) those created by and maintained by agricultural return flows or the leaking of man-made ditches or canals. They include a range of vegetation cover types from wet meadows consisting of grasses, sedges, and rushes, to emergent cattails, and willow/cottonwood riparian habitats. For example, the wetlands in the Pine River Basin include wet meadows, emergent cattails, and willow/cottonwood riparian cover occurring naturally or through the actions of man (i.e., irrigation canals and ditches, irrigation practices, water spreading, etc.). Regardless of origin, these wetlands have functional, ecosystem values as wildlife habitat, nutrient cycling, and other biological, chemical, and physical values.

1

2

and are hostage to whatever disposition is made of ditch water, whether the water is purchased by the Utes or converted to municipal use, or merely diverted more efficiently (pipeline?) by the owner of the water rights supplying these "discovered" wetlands. The state water courts do not regard any such wetlands as an adjudicated "beneficial use", so there is no recognized "wetlands" to be "lost" in any court approved change in water use, whether by Utes or by ag-land speculators. The present ditch owners could not be compelled to maintain or sustain such wetlands by prohibiting piping, ditch lining or rerouting. They could also simply lose their water (rights) by not using the water or not paying ditch assessments. Speculated wetlands "loss" is not a legitimate excuse for arbitrary rejection of any non-structural A-LP alternative. The water that sustains such wetlands only represents irrigation inefficiency, not a sustainable or assignable or accountable adjudicated environmental feature. The purchase from "willing sellers" provision is further recognition that these wetlands were always for sale to the highest bidder, and were never environmentally protected by law or regulation regardless of any A-LP project alternative. Citing a potential "loss" that can't be prevented and is likely to happen anyway is dishonest and hypocritical. Plagiarism certainly missserved you on this one.

As a junior water right holder on the Anexas River, Earl Stull pipeline # 2, priority date 1957, I am being defrauded of priority value of my water by proesotion of water amounts far above what the project can show as beneficial use for Non-Indian allocation. This water appears to be deliberately parked in limbo beyond beneficial use requirements as excess Ute water that can be reallocated. The reallocation provision in DSEIS at EB-2.2-2, and 1-7 footnote #3 says that Colo Ute Tribes can reallocate 6,010 afy to The State of Colorado and New Mexico "entities". This looks suspiciously like a kick-back to A-LP and SW water districts for supporting Ute allocations far above what practicable irrigatable acreage would justify under the Winters Doctrine in return for a tacit agreement (made in one of the SECRET proponent strategy meetings?) to reallocate water back to them as soon as beneficial use was no longer under scrutiny, and/or if project-driven SPECULATIVE growth materializes sufficiently to validate additional beneficial use). Does this 6010 afy represent water in excess of Winter Doctrine requirements which are NOT quantified anywhere in DSEIS? How was this quantity determined? And by whom? What would be the legal basis for the Utes reallocating it to "entities" that have no established "beneficial use" claims to that specific quantity under Colorado Water Court rules or Colorado River Compact provisions? Ah! But by then you will have given the Non-Indian facilities to the good ole boys in the water districts. They are not elected, you know, they're appointed, subject to approval of sitting members, just like the "blackball" process in the wanniest, most elite of country clubs. Their only resemblance to

IN129-3 Studies referenced in the DSEIS and included in the FSEIS do show a demand for the non-Indian water. The non-Indian water would be used to meet present and projected needs. In order for municipalities to conduct meaningful planning, a dependable water supply is necessary. Fifty to 100 years in the future is not an unreasonable water supply time frame to consider. The analysis of impacts in this FSEIS is considered sufficient to cover the impacts of this reallocation of water.

IN129-4 The 6,010 afy of water is a component of pending legislation, that if enacted, would reduce the amount of water allocated to the two Colorado Ute Tribes by a similar amount.

3

4

INDIVIDUALS

IN129

5

* public government "entity" is their ability to levy property taxes to indulge their agenda. One wonders if privatization will include retirement perks for "supportive" federal employees. Their attorney is also your landlord and also owns the law firm representing the Utes. I don't suppose you're familiar with the classic admonition about Caesar's wife needing to APPEAR to be above reproach. NO? I didn't think so. But then the public will never see these remarks in your files, will they?

IN129-5 Copies of all comments received on the DSEIS and Reclamation's responses to those comments are included in Volume 3 of the FSEIS.

6

The No Action Alternative (N10) is the only course that could, should, and would account for the quantities of water being divided up like robbery loot, or prevent that travesty by the simple act of public exposure. Of course you haven't evaluated the cost of quantification litigation per unit of water. The proponents, like some doomsday cult, have characterized quantification by litigation as the end of the world and for their big lie it probably would be. If somebody forces you to follow NEPA, minus compliance for a no action alternative will require that the potential cost of litigating Winters Doctrine quantification be objectively evaluated. The scope of the cost would be determined in some measure by the legal maneuvering efforts of those who have exploited its exaggeration. But any competent judge could dispel their legal Armageddon, even if it got forced into Ute Court. Litigation of quantification is Armageddon and privatization of the tax financed loot is Nirvana. A little socio-economic evaluation should better define the parameters accorded these fanatics. But you can't effectively evaluate or administer the project in the public's interest, by becoming one of them, regardless of how attractive a Durango "career station" might be.

IN129-6 Comment noted.

7

DSEIS does not clarify for the public why anything has to be reenacted by Congress in the absence of deauthorization of A-LP. What is the NEPA compliance legality of spending millions in federal funds on evaluating a hypothetical project configuration and making hypothetical assumptions about impacts that are entirely contingent on inchoate proposed legislation that may or may not pass in any recognizable form, or on any predictable time schedule? Does Congress not have any prohibitions on such a premeditated use of federal funds to deliberately create a "need" for a specific piece of legislation to justify the funds spent creating that "need"? It is tantamount to using federal funds to "buy" legislation.

IN129-7 The SEIS was prepared to evaluate a revised version of an authorized project. The magnitude of changes from the originally evaluated project necessitated a Supplemental EIS.

8

How much can be changed before it is a different project, requiring a new purpose and needs justification? Is A-LP a sort of open-ended, empty, project title that can be used now and forever to cover whatever schemes local water cartels want to foist on the public and as an excuse to use taxpayers' monies to do so? If the 1986 Ute settlement act is to be "renegotiated" the original elite, select, exclusive list of participants needs to be either reopened or justified. Who represented junior water

IN129-8 See response to Comment IN129-7.

9

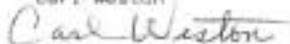
IN129-9 Comment noted.

rights owners then? Who represents them now? Can whoever it is be replaced or sued for malfeasance? What official function or provision in the original A-LP project did the 1986 Ute Settlement Act fulfill? Who decided who could participate in the first place? What factors or criteria were used to determine standing? According to Mr Leshy's opinion, it preempted all previous legal agreements that were derived from tribal actions in the courts. It appears that anyone with standing in Water Court should be eligible to participate and to "renegotiate" if that action takes place. Please clarify this entire situation publicly. (without using the proponents attorneys) Any renegotiation should include a judicial review, not just a solicitor's opinion on exactly how such water can be legally haggled over with the Utes, and by whom. Please define and outline what the legal rights of junior water rights holders are in any "renegotiation" process. Also explain in such a process what the status of the water rights are for those non-Indian agricultural water rights that are no longer included in the project configuration. Are these water shares still being counted to arrive at depletion and diversion figures? Will their owners be allowed to participate in "renegotiation" or have they effectively sold their souls and their rights to the A-LP and SW waterlords and their attorneys?

I have learned in the process of composing these comments that the A-LP SEIS was conducted by the Utes themselves. No wonder the tortured logic of "wetlands" appeared plagiarized. This fact was not made obvious to the public in this "scoping" process. It certainly explains the censorship of the oral public comments, and the numerous other evasions of NEPA requirements. Does the use of ISDA preclude any necessity to legally conform to the public process requirements of NEPA? As a citizen trying to invoke my rights under NEPA it is very confusing to have them interpreted by a "sovereignty" who apparently makes its own rules about public disclosure. The web of self serving conspiracy now has an obvious legal epicenter. Further comment on the shortcomings and inadequacies of A-LP SEIS Preferred Alternative # 4 is clearly futile. If the public is ever to share these comments and observations I shall have to distribute them myself.

Sincerely,

Carl Weston



10

IN129-10 Reclamation is the lead federal agency in preparing the Supplement EIS. The Ute Mountain Ute Tribe, exercising a provision of the 1988 Colorado Ute Indian Water Rights Settlement Act, contracted to Reclamation to provide assistance in many facets of the development and preparation of the SEIS. Further, as noted in the response to comment IN129-1, Reclamation has not censored the oral public comments nor any other comments submitted on the Draft SEIS.

INDIVIDUALS

IN130

From: Tim Wheeler <twheeler@csn.net>
To: <alpdiscomments@uc.usbr.gov>
Date: 2/7/00 12:04PM
Subject: ALP Draft Environmental Impact Statement

To: Bureau of Reclamation
Attn: Mr Pat Schumacher

Re: ALP Draft Supplemental Environmental Impact Statement

I am writing to inform you that I feel your Draft Supplemental Environmental Impact Statement is seriously flawed and, if your preferred alternative is adopted, will result in a financial and environmental boondoggle.

In particular I am opposed to any structural construction which will impede or draw from the Animas River. Pumping water uphill is ludicrous and an enormously inefficient method of delivering water in a semi-arid environment. It is also clear that you have not taken into serious consideration the potential for alternatives to ALP in any form. If in fact the purpose of ALP is to satisfy the Indian Tribes Settlement Agreement, then why the need for "recreational" and municipal facilities. Please scale back your proposal and meet the Ute water claims without the ALP in any of its present incarnations.

If the government were to spend even a portion of the planned \$300-350M for ALP on alternative means to satisfy the Indian Tribes Settlement Agreement then the region as a whole, and especially the environment, would be a winner.

If the Bureau spent even a fraction of the planned expenditures for buying WATER USE EFFICIENCY versus a "new supply" and for purchase of water rights for the tribes, then the tribes would still get wet water and we would pay less, and have a much better environment in our region. I urge you to seriously consider this alternative versus being swayed by the "more supply" interests at work.

Thank you,

Timothy Wheeler
189 Verde Lane
Durango, CO 81301
TEL: 970-247-2131
E-mail: twheeler@csn.net

IN130-1 Refer to General Comment No. 3 for a discussion of the rationale for pumping.

IN130-2 A number of alternatives, including structural and non-structural components, were evaluated in Chapters 2, 3 and 5. Water conservation, use of groundwater, and other water management opportunities were also evaluated in developing the alternatives. A recreational component was added to Ridges Basin Reservoir in response to public requests, as well as to provide for additional water quality enhancement. The purpose and need of the ALP Project is not only to satisfy the water rights claims of the Colorado Ute Tribes but also to supply water to provide M&I water in the project area (see Chapter 1).

IN130-3 Comment noted.

INDIVIDUALS

IN131

April 13, 2000
2916 E 5th Ave
Durango, CO 81301

Pat Schumacher
Bureau of Reclamation
835 East Second Avenue
Durango, CO 81301-5475

Dear Mr. Schumacher:

Please consider the following comments on the Draft Supplemental EIS for the Animas-La Plata Project (ALP).

1. A coal-fired power plant is listed as a future M & I water use by the Southern Ute Tribe. This highly consumptive use of water is not likely to be realized considering clean air act regulations, local opposition and the fact that the vast majority of new generating facilities are gas-fired. The DSEIS does not address the environmental impacts associated with this type of water use.
2. The energy consumed by pumping Animas River water to Ridges Basin would come from the electric power grid. Burning fossil fuels generates most of this electricity. Why doesn't the DSEIS consider environmental impacts caused by increased electricity demand, specifically, the impacts of greenhouse gas production resulting from the project.
3. Project water for the City of Durango would have to be pumped three times to get it to their existing treatment plant. Furthermore, the City can provide its own water storage facility in Horse Gulch for lower cost than by participating in the project.
4. The DSEIS describes water conservation measures as "the most environmentally damaging component" of Alternative 6. This runs counter to the goals of USBR's Water Conservation Field Services Program whereby water conservation is promoted through technical assistance, education and innovative technologies.
5. While Army Corp of Engineers may view man-made wetlands on the mesas as equal to natural bottomland wetlands, common sense tells us otherwise. Natural wetlands have been accumulating and adapting over much longer periods of time and they are not as susceptible to interruptions in their water supply.
6. The DSEIS does not adequately address socio-economic impacts of ALP on Southwest Colorado. Recent population growth and rising housing costs have put strains on numerous families and on local governments' ability to provide essential services.

Thank you for considering my comments. I hope that the USBR continues to evolve consistent with society's changing needs and values.

Respectfully,


Chris Wilbur, PE

- IN131-1 The potential future water uses for the ALP Project water are included in the FSEIS as required under NEPA in an effort to provide information, to the extent possible, of future activities related to the federal action. If and when any of the future water uses are implemented, they would be the subject to their own NEPA compliance review, and would tier off the ALP FSEIS. Refer to General Comment No. 6 for a discussion of future water uses.
- IN131-2 It is beyond the scope of this EIS to assess the potential impacts of regulated pollutants from generation facilities, as it is not feasible to determine the particular generating facilities involved. With respect to greenhouse gas emissions, which are not regulated pollutants, assessment of impacts is also beyond the scope of this document.
- IN131-3 Comment noted. Cost sharing with participants of the project is discussed in Attachment E of the FSEIS.
- IN131-4 Reclamation considered water conservation as a means of providing water from some of the unlined canals by lining canals to prevent seepage losses, or converting to pressure pipeline delivery systems. Although water would indeed be made available, the loss of irrigation-maintained wetland was a significant environmental impact, especially in the Pine River basin. This is discussed in detail in Chapters 2 and 3.
- IN131-5 The origins of wetlands within Ridges Basin, and for example, the Pine River basin, are both natural and man-induced. These include: (1) natural wetlands associated with water channels and topographic depressions on naturally occurring sediments or within the hydrologic influence of water channels, streams, and creeks; and (2) those created by, and maintained by, agricultural return flows or the leaking of man-made ditches or canals. The wetlands of Ridges Basin include eroded drainage channels, formerly irrigated wet meadows, and small pockets of emergent vegetation. Those of the Pine River Basin include wet meadows, emergent cattails, and willow/cottonwood riparian cover occurring naturally or through the actions of man (i.e., irrigation canals and ditches, irrigation practices, water spreading, etc.).
- IN131-6 The FSEIS addresses the socioeconomic impacts of the ALP Project on southwestern Colorado, with the determination these impacts were positive. Refer to Section 3.12 of the FSEIS.

INDIVIDUALS

IN132

From: Nancy Wiley <nwiley@frontier.net>
To: <ALPDSEISComments@uc.usbr.gov>
Date: 3/30/00 1:59PM
Subject: ALP comments

Nancy Wiley
P.O. Box 3666
Durango, CO 81302
nwiley@frontier.net

March 30, 2000

Dear Mr. Schumacher,

Please record the following comments as I strongly urge the Bureau of Reclamation to consider the non-structural alternatives to the Preferred

Structural Alternative for the proposed Animas LaPlata Project.

1 If the ALP is truly an Indian Water project, as the proponents say it is, then why are we not pursuing the most reasonable, fiscally responsible alternative that will meet the needs of the Indians. The current Preferred Structural Alternative of the Bureau of Reclamation calls for providing 2/3's of the total project water to municipalities -

not to Indian users.

2 40% of the project water is designated for NM Municipalities. Does this water really need to be pumped up 500 feet into a storage reservoir (allowing some of it to evaporate away), before it flows back into the natural delivery system of the Animas River and is delivered to NM? It doesn't make sense.

3 Durango currently uses about 3000-4000 acre feet of water per year. The Project calls for 15,000 acre feet to be delivered to the City of Durango alone. Is this quantity of water really necessary for responsible, controlled growth in Durango City limits?

4 How should we expect the federal government to subsidize a water project

that will provide 62% of the project water to area Municipalities? These

Municipalities should be responsible for and pay for their own water sources.

5 Through reading the Draft SEIS it appears as though the major use for the project water by the Southern Ute Indian tribe is for a Coal Fired Power Plant which will consume 75% of all the Indian allocated water. This seems to be a speculative use of the water, as a Coal Fire Power Plant has not been approved by the EPA (and very likely never would because of it's close proximity to Mesa Verde National Park and to the City of Durango), and adding a coal fire power plant in this day and age is not feasible as a source for power .

IN132-1 Nearly 75% of the water provided by the Preferred Alternative is allocated to the Colorado Ute Tribes. Several potential uses of this water have been identified, however, the Tribes will make the final determination as to the use of their water.

IN132-2 Refer to General Comment No. 3 for a discussion concerning pumping water from the Animas River.

IN132-3 The City of Durango, as a subcontractor to the ALPWCD, is to receive 2,500 af of water under the Preferred Alternative.

IN132-4 Attachment E of the FSEIS contains details on the cost sharing expectations for the project.

IN132-5 Refer to General Comment No. 6.

INDIVIDUALS

IN132

6

Speculation in water usage violates state law and violates the Upper Colorado River Compact. Too much of the ALP Project water is for speculative uses, therefore, I strongly believe that other solutions to

the Indian Water Rights issue should be pursued without any non-Indian components complicating the issue.

In preparing the FSEIS I encourage the Bureau of Reclamation to revise the scope of the Project and to limit it to the settlement of Ute Indian

water rights claims, as quantified in the 1986 Settlement Agreement. These water rights can be met without the structural component of a dam and without large depletions of water from the Animas River. Regional municipalities should be responsible for their own water needs and should not rely on or receive subsidized water from the federal government.

Thank you for considering these thoughts.

Sincerely,

Nancy L. Wiley

IN132-6 Refer to General Comment No. 7.

INDIVIDUALS

IN133

From: John Wolgamott <happy@frontier.net>
To: <ALPDSEISComments@uc.usbr.gov>
Date: 2/12/00 8:48AM
Subject: Animas La Plata Project

Please let long term care for our environment win out over short term politics and self interest groups.

The ALP solution as proposed is not a good plan for several reasons.

- 1 | 1. It puts stored water meant for Indians on non Indian land, without the means for delivering it.
- 2 | 2. It will increase salinity problems downstream in the
- 3 | Colorado River.
- 4 | 3. It is economically wasteful to use electric power to pump
- 5 | water uphill.
- 6 | 4. There is no identified delivery plan, time schedule, or
- 7 | specific use for the stored water.
- 8 | 5. It does not create water, in fact it will waste water
- 9 | through evaporation.
- 10 | 6. It adds nothing in terms of recreation, because there are
- 11 | already many uncrowded lakes in the area.
- 12 | 7. It puts a pumping plant right in the middle of Durango's
- 13 | most heavily used part of the river.

There are dams being taken down in some areas of the country. There offers hope that we as a country can improve our ability to make technological decisions based on logic instead of politics. I am sure the USBR is changing and there must be some of you who really do understand the issues. It will take courage, but please speak up and let reason prevail. This project as proposed is a travesty by all measures and will haunt those who are responsible for it. Even if built, the project will be a headache for the Bureau (and those of us who live here) for years to come, as all of the unaddressed issues have to be dealt with.

Sincerely and Hopefully

John Wolgamott

Durango, CO

- IN133-1 Refer to General comment No. 2 for a discussion of costs to taxpayers. General Comment No. 6 provides additional discussion of the future water uses that could occur as the Colorado Ute Tribes develop their water. A reconnaissance level analysis of these water uses is provided in Chapter 2 of the FSEIS. The Colorado Ute Tribes have gone on record as having a strong preference for an assured water supply in a storage reservoir. Reclamation's evaluation concludes that the best overall location of such a storage reservoir is at Ridges Basin.
- IN133-2 Our evaluation of potential water quality impacts does not identify any significant increased salinity in the Colorado River as a result of the ALP Project.
- IN133-3 See General Comment No. 3.
- IN133-4 See responses to answer under comment IN30-1 .
- IN133-5 Evaporation losses from Ridges Basin would be comparable to other reservoirs in the region. The advantages of being able to store seasonal high water flows for future water uses, versus no storage, outweighs minor operational evaporation losses.
- IN133-6 The five reservoirs within a 50-mile radius of the proposed Ridges Basin Reservoir (McPhee, Jackson Gulch, Navajo, Lemon, and Vallecito reservoirs) experience relatively high levels of visitation, especially in the summer months. Combined, these reservoirs experienced 1,378,286 user days in 1995. According to a Nation-wide study, the demand for reservoir-related recreational opportunities continues to grow. According to studies in Colorado, there is a need for additional opportunities for more reservoirs for water sports and other recreational activities.
- IN133-7 See General Comment No. 8 for a discussion of recreational use and impacts.
- IN133-8 Comment noted.

INDIVIDUALS

IN134

John Wolverton
27 Acorn Ln.
Fletcher, NC. 28732

3-5-2000

MAR 7 2000

Pat Schumacher - Bureau of Reclamation
835 E 2nd Av.
Durango, CO 81301

Dear Sir or Madam,

I would like to register my concerns regarding the Animas-La Plata Project (ALP).

1 | My understanding is that the ALP's primary objective, as initially conceived, was to help mitigate impacts ("wrongs") of longstanding federal and state policies which were harmful to the Ute Indians. The question now begging an answer is: how would the project mitigate its own harmful impacts on the environment, sportsman and recreationalists.

IN134-1 Refer to General Comment No. 6 for a discussion of future water uses. Also Chapters 3 and 5 discuss project impacts, mitigation and Reclamation commitments.

2 | The project's waters would block migration routes for wild herd animals. In itself an unacceptable situation. It would degrade downstream flows of the Animas River. A detriment to fish, wildlife, sportsman and paddlers (rafters). The electricity needed to power the project would only serve to cause more power plant air pollution or nuclear waste. It seems that the ALP would be the instigator of a series of environmental tragedies, the initial (albeit whopping) cost of the ALP may ultimately pale in comparison to the future costs of fixing the ills which it would spawn.

IN134-2 Refer to General Comment Nos. 5, 9, and 11 for responses to the concerns raised.

INDIVIDUALS

IN134

3

Only a small percentage of the ALP water would benefit the Utes. It seems a practical (and much less costly) alternative would be to pursue the so-called nonstructural proposals to help the Indians; such as, purchasing water rights on their behalf and encouraging/supporting economic and agricultural alternatives which are not highly water dependant.

IN134-3 The Settlement Act was intended to resolve outstanding water rights claims and provide "wet water" to the signatories. Nearly 75% of the water supply under the Preferred Alternative is allocated to the Colorado Ute Tribes.

4

I believe the Animas-La Plata project should be cancelled. It would be an inappropriate tax-payer burden and a detriment to the general public and the environment.

IN134-4 Comments noted.

Sincerely,
John F. Wickersham

INDIVIDUALS

IN135

From: "Bob Woodward" <woody@snewsnet.com>
To: <ALPDSEISComments@uc.usbr.gov>
Date: 2/15/00 11:18AM
Subject: Animas-la Plata project

1 |

Dear Pat Schumacher etal: PLEASE CONSIDER ALTERNATIVES TO THE STRUCTURAL RESERVOIR AT RIDGES BASIN and STUDY AND RECOMMEND ALTERNATIVE #6, THE ANIMAS RIVER CITIZEN'S CONCEPTUAL ALTERNATIVE. Thank you.

IN135-1 Chapter 2 of the FSEIS provides a description of alternatives considered, including Alternative 6.

INDIVIDUALS

IN136

1 |

I wish to have me name withheld from the proceedings. My feedback is that I believe that Option 6 should be the preferred option. Previous dams have done nothing but deplete populations of endangered fish. The Glendale dam in Arizona had led to the endangerment of the Humpback Chub and the Colorado Squawfish. This threat to endangered fish in the Animas river cannot be eliminated except by withdrawing all proposals for dam construction. Fish species cannot be replaced. We are seeing that in the Northwest with the widespread extinction of wild salmon. Let us not repeat the same problem by constructing a dam in a place it is not needed and will cause irreparable harm to the environment.

IN136-1 Thank you for your comments. We evaluated Refined Alternative 6 as a primarily non-structural alternative, but concluded that it would be more environmentally impactful and would provide less assurances of obtaining necessary water supplies than Refined Alternative 4, the Preferred Alternative. The structural component of the Preferred Alternative, which includes an offstream dam and reservoir at Ridges Basin, would provide the needed storage of water for the Colorado Ute Tribes, while also providing flexibility in regional water supplies, and for other Native Americans and endangered fisheries. There are no known populations of federally protected endangered fish in the Animas River nor is there any identified "critical habitat" as defined under the Endangered Species Act. The endangered fish of concern exist in portions of the San Juan River. These are described in detail in Sections 3.6.3, 3.6.4 and 3.7.4.

Nathan Wyeth
4717 Falstone Ave
Chevy Chase, MD 20815

February 17, 2000

Pat Schumacher
Bureau of Reclamation
835 E. 2nd Ave.
Durango, CO 81301

Dear Mr. Shumacher,

I read a book recently, called *Cadillac Desert*. I bet you've heard of this book, and I would also bet that you don't like what it says, because it exposes the corruption, stupidity, and downright socialist agenda that characterizes the Bureau of Reclamation. Now that I am more informed about the use of my tax dollars to fund illogical, economically disastrous, and ecologically ravaging dams and other water projects, I have a few things to say regarding a new plan of yours to build more dams. Even former Secretary of the Interior Stewart Udall, at one time a supporter of WMATA, has publicly stated that dam-building was out of control at the time of his term in office. Now, our Secretary of the Interior Bruce Babbitt, your boss, has publicly stated that it is time to consider removing dams, and to start reassessing the value of even the largest federal dams. Maybe you should listen to either of these men, and lose the idea of building a new dam which we don't need and would have terrible consequences on the Animas river at Durango Colorado.

1

I agree with what the Center For Biological Diversity says, that: "The project will cause a myriad of undesirable environmental consequences. A biological assessment prepared for the Bureau (yes, that's your own agency) found that the water depletions are likely to threaten the Colorado pikeminnow and razorback sucker and adversely modify critical habitat in the San Juan River. Furthermore, the assessment raises serious concerns about heavy metal bioaccumulation in the food chain of bald eagles. Ridges Basin is currently a State Wildlife Area and is used by up to 2,000 elk as a prime migration corridor. It is also frequented by around 1,500 resident and migrating mule deer. The project will block their migration corridor." This project is so ill-conceived that a local citizen group has found a way to solve all the related problems with water rights for the Ute tribe, all for less money and *without the construction of a dam*.

You know, I would have thought by now that the Bureau of Reclamation would have realized that it has an addiction to building dams, and would have stopped building these useless wastes of taxpayer's money and would start fixing the problems it has created. But, I guess that hasn't happened yet, and you are still trying to build dams at the nation's expense that nobody needs and would cause much more harm than good.

2

You can probably guess what I will say next, that you should not stop up another wild river, imperil thousands of elk and deer and other species of fish, and waste taxpayer's money. You should cease considering the Animas La Plata water project, and relegate it to the garbage bin where so many of your previous projects should have gone.

3

Sincerely,


Nathan Wyeth

- IN137-1 The Secretary of Interior office will make the decision concerning the implementation of the Preferred Alternative for the ALP Project. This would require making a decision that could involve the construction of an off-stream dam that would require pumping of water from the Animas River. The impacts to the Animas River are minor and these impacts are described in Chapters 2, 3, 4 and 5 of this FSEIS. The effects on rafting days is that the average number of days would be reduced by 6% over the long term.
- IN137-2 The ALP Project has openly sought public input in the investigation of both structural and non-structural solutions to resolve the water right claims of the Colorado Ute Tribes. A discussion of non-structural solutions for Alternative 6 and Alternative 9 are discussed in Chapter 2. Based on the analysis of both structural and non-structural solutions Refined Alternative 4 was determined to provide the best solutions, for resolving the water right claims of the Colorado Ute Tribes. In addition, it has less environmental impacts than the non-structural solution of Refined Alternative 6. Chapter 5 summarizes the advantages of the structural solution over the non-structural solution.
- IN137-3 Comment noted.