

PUBLIC HEARINGS

Manti, Utah – April 28, 2010

- 673. William Funk**
- 674. Miriam Mason**
- 675. Jack McAllister, Fairview Land and Livestock Company, President**
- 676. Dave McGinn**
- 677. Moroni Irrigation Company, Reed Rawlins, President**
- 678. PacificCorp, Cody Allred, Water Resources Engineer**
- 679. Larry Schlappi**
- 680. Mike Schlappi**
- 681. Trinker Irrigation Company, Glen Peel, President**

673. WILLIAM FUNK

1

2

3

4

5

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

9 W.H. FUNK: It's been 60 years since I stood at
10 this spot. I wanted to make comments on the Narrows
11 tonight. First thing, many years ago I was hired by
12 the civil service to teach about environmental
13 impact, environmental statements. I spent 40 years
14 working in reservoirs and lakes and restoration
15 preimpound, post-impoundment, and even looked at some
16 dams where it looked like there might be a failure.

17 I'm a limnologist, which is a fresh water
18 oceanographer, so I'm not an engineer. But I also
19 headed up the Water Research Center at Washington
20 State University for ten years, and we provided teams
21 to look at these type of impacts. I'm here in favor
22 of the Narrows Project because of the fact that
23 there's very little other than agriculture basis for
24 everything on this side of the mountain. We don't
25 have mineral wealth or very many other things that we
1 can derive subsistence and employment from.

2 So my heritage goes back to what's now
3 known as Palisade Lake. My great-great-grandfather
4 built that, and he built it in 1973, recognizing the
5 need for water in the area. It was used mainly for
6 fish farming and recreation. It was sold to Manti
7 Irrigation Company I think just shortly after the
8 turn of the century. Also, when my great grandfather
9 lost his farm down at the Gunnison Reservoir bottoms
10 because that's where his grazing land and farm was.
11 So when the Gunnison Reservoir came in, it, of

12 course, took that farm and took the family
13 subsistence at that time, had to do other things.
14 But again it was for the larger benefit of majority
15 of the population that both of these events took
16 place.

17 I've looked at the impact statement. It's
18 one of the better produced ones I've seen. It's very
19 complete in their analysis. I was especially
20 interested, of course, in the water quality. They
21 did a very fine job of looking at that, and also
22 looking at other surrounding lakes and reservoirs to
23 get an idea of what this post-impoundment might look
24 like.

25 So, again, I think my five minutes are

1 about up that I have to stand here. I have no vested
2 interest -- I have no irrigated property. I just
3 have a vested interest in seeing that there's
4 multipurpose use of this type of water. When we used
5 to do lake restoration, the return on it was about
6 seven to one on the dollar. Now, I can't say
7 anything about this because I don't know whether it's
8 been an economic impact or not, but the recreational
9 alone brings in a great deal of outside money, and
10 that's what's needed on this side of the state.
11 Thank you.

673-1 23 BILL FUNK: I have a quick question for you. Is
24 there an opportunity to catch return flow from
25 upstream if there's any -- with the excess water if
there was any going down through to the Gunnison
2 Reservoir?

674. MIRIAM MASON

1

2

3

4

5

674-1

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

7 MIRIAM MASON: My name is Miriam Peterson Mason,
8 and I'm here representing the Lyle L. Peterson
9 family. I want to say our family does support the
10 Narrows Project. Our father recognized the need for
11 it and hoped for it for many years, and we understand
12 the value of it for Sanpete Valley. However, this
13 does adversely affect some of the properties that we
14 own in the area. And we're especially concerned with
15 the adverse effect on the property along the lower
16 Gooseberry and middle Gooseberry Creek. This
17 involves ten water rights and will impact the grazing
18 and wildlife, fishing, on overall value of the
19 property -- of the land.

20 We want to say we would like to be notified
21 early in the decision-making process concerning the
22 mitigation measures that directly affect our property
23 and that we'll be sending written comments on the
24 draft EIS addressing specific impacts related to our
25 property. Thank you.

**675. JACK McALLISTER, FAIRVIEW LAND AND LIVESTOCK COMPANY,
PRESIDENT**

1

2

3

4

5

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

1

675-1 2 JACK MCALLISTER: Good evening. I had a
3 difficult time reading through all that. My name is
4 Jack McAllister. I'm from Mount Pleasant in Sanpete
5 County, north part of the county. And we operate a
6 sheep operation under the name of Fairview Land and
7 Livestock Company. We own most of the property
8 underlying the reservoir, and our property is subject
9 to an easement with the Conservation District.

10 We wanted to comment that we support the
11 Narrows Project and encourage the Bureau of
12 Reclamation to make prompt decisions on construction
13 and development of the water. We urge the District
14 to do that too. Many agricultural operations
15 including ours run out of water around July, and the
16 flow for the last two months of the year it goes way
17 down.

18 We're going on six or eight decades or
19 longer for hope of this project, and we would sure
20 like to see it done. Our need for water in the north
21 end of the county is kind of desperate, I think, and
22 this project will be of great benefit for this area.
23 We would support the 17,000-acre-foot alternative,
24 main alternative, as the most efficient and cost
25 effective means of getting water to where it is

1 needed, and further benefiting additional users
2 downstream, and so we think it's a win-win situation
3 for everybody.

4 We'd like to comment on the conservation
5 easements. The conservation easements around the
6 edge of the reservoir, purported in the EIS to
7 prohibit livestock grazing, which implies that sheep
8 cannot graze that area in the easement and wouldn't
9 even be able to get through there to have a drink out
10 of the reservoir, and so we would like to point out
11 that there's part of the EIS that says that these
12 conservation easements will be developed individually
13 as part of the negotiation process. We'd like to be
14 sure that we have an opportunity to negotiate those.

15 The other part is that we have two of the
16 three sheep grazing allotments that were affected,
17 and we'd like to ask the district or the B.O.R.
18 because there will be a loss of -- it says in the
19 manual here -- 856 or 1,870 acres, which is 10 to
20 25 percent of the suitable grazing in the area. If
21 that could be broken down into the individual
22 allotments so that we would know for ourselves and
23 the other allotment users would know when to -- how
24 much acreage they are going to lose.

25 Then the other comment I would like to make

1 is apparently there's a pipeline which would be
2 constructed from the tunnel outlet down to left-hand
3 fork, or 300 feet downstream from the fork. And to
4 ensure that the increased flow from the releases from
5 the reservoir will not cause channel instability,
6 there's an automated remote gauge apparently at the
7 mouth the canyon which will send a signal back to the
8 valve in tunnel -- in the reservoir outlet. So it
9 will automatically control the releases, but we have
10 some private property located about half to three
11 quarters of a mile downstream and we'd like to know
12 how reliable the automatic signals and the automatic
13 gate will be, especially during the spring when
14 there's a lot of runoff.

15 And then we would like to know who's going
16 to monitor the stream bed for erosion of stability,
17 and if we need to get in touch with somebody to
18 provide what they call armoring rip rap materials, we
19 would like to know who that person is so we can
20 contact them if we suspect there's been some damage
21 done and the stream bed has become unstable. And we
22 appreciate and thank you for the opportunity to
23 comment.

676. DAVE MCGINN

1
2
3
4
5
676-1 6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS
7

8 * * *

9 April 28, 2010

10 6:06 p.m. to 7:08 p.m.
11

12 Manti City Hall
13 50 South Main, Suite 200
14 Manti, Utah

15 * * *

16 Letitia L. Meredith
17 -Registered Professional Reporter-
18 Certified Shorthand Reporter
19
20
21
22
23
24
25

4 DAVE MCGINN: I'll add my name to the list
13 later. It's good to see my old friends the
14 Schlappies who are here. My name is Dave McGinn.
15 I'm here representing myself and family. We live in
16 Orem, but we own property that runs along the upper
17 Gooseberry Creek. I first want to express my thanks
18 to all of the people that we've associated with over
19 the last ten years as we've owned the property for
20 their hospitality.

21 I'm here representing recreationists. I
22 recognize our interests are probably less important
23 than those of irrigators and others who are trying to
24 sustain their families in this valley. I do want to
25 point out a couple things based on my review of the

1 supplement draft of the environmental impact
2 statement that effect the land that I own. Upper
3 Gooseberry Creek between the dam and Gooseberry
4 Reservoir will have its flows reduced by 74 percent
5 according to this summary. Lower Gooseberry Creek
6 flowing down to the confluence of that and Fish Creek
7 will be reduced by 43 percent, and then Fish Creek as
8 it flows into Scofield will be reduced by 15 percent.

9 I also participated about a year ago in
10 Huntington in the public comments on whether or not
11 Gooseberry and Fish Creek qualified for wild and
12 scenic river designation based on what is termed
13 outstanding remarkable values. I can tell you from
14 having hiked into Gooseberry and Fish Creek on north

15 Skyline Drive and many other places. Those are truly
16 outstanding waterways.

17 As I stated at the beginning, I'm not
18 trying to suggest that the beauty of those remote
19 areas that very few people see or the interests of me
20 and my family and my children as we hike and fish in
21 those areas is more important than sustaining
22 economic development in Sanpete County because we've
23 enjoyed and hope to continue to enjoy our association
24 with many of you and particularly with the people of
25 Fairview.

1 However, I am concerned about the impact on
2 Gooseberry Creek particularly upper Gooseberry Creek
3 as it flows down through that valley and runs
4 directly adjacent to property that I own. It's a
5 spectacular and wonderful waterway, and I'm hopeful
6 that the Bureau of Reclamation and other governmental
7 agencies will work to minimize the impact of those
8 areas so that recreationists like myself and my
9 family who eat here and put gas in our vehicles here
10 and buy commodities here regularly and spend a lot of
11 money with Glen at Big Pine Sports and many other
12 places locally will continue to be drawn here and
13 bring our tourist and recreation dollars to your
14 valley. Thank you very much.

677. MORONI IRRIGATION COMPANY, REED RAWLINS, PRESIDENT

1

2

3

4

5

677-1 5 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

25 REED RAWLINGS: I'm Reed Rawlings. I'm the
1 president of Moroni Irrigation. We would benefit
2 greatly from this project and are greatly in support
3 of this project. We're at about 75 percent of normal
4 right now with the water that we're receiving out of
5 the Sanpitch River. By mid-July -- first of July
6 we'll be at 50 percent. So we very drastically need
7 the additional water that will come from this
8 project. We support the reservoir that would be
9 there, the recreation. Those things that are
10 required to be put in in place of the environmental
11 part of it. We have no qualms with that. We would
12 support and encourage the project to go forward and
13 to be completed -

678. PACIFICCORP, CODY ALLRED, WATER RESOURCES ENGINEER

1

2

3

4

5

678-1 6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

16 CODY ALLRED: Thank you, Kerry. I'm here on
17 behalf of PacifiCorp publicly known Rocky Mountain
18 Power, and my name is Cody Allred, and I'm a water
19 resource engineer for PacifiCorp Energy who is the
20 owner and operator of the Carbon Power Plant. One of
21 my primary responsibilities for PacifiCorp is ensure
22 the long-term adequacy of water supplies for all the
23 thermal facilities including the Carbon Power Plant,
24 which is located in the Price River Basin near
25 Helper, Utah.

1 The Carbon Plant can generate 175 megawatts
2 from its nearby coal supplies, which is about the
3 amount of electricity needed to serve nearly 90,000
4 average-sized homes. The Carbon Plant currently
5 employs 69 people mostly residents of Carbon and
6 Emery counties. The Carbon Plant has an annual
7 operating budget of \$33 million. Of this amount
8 about \$19 million is for the coal that is mined
9 locally and is consumed by the plant to generate
10 electricity. The Carbon Plant has been in operation
11 since the 1950s and has operated continuously since
12 that time except for maintenance and unscheduled
13 outages. On average the Carbon Plant consumes
14 approximately 2100 acre feet of water per year which
15 is nearly 700 million gallons per year. In some
16 years the plant has consumed nearly 3,000 acre feet

17 of water. Without adequate water supply, the plant
18 cannot operate.

19 The Carbon Plant water supply exists of
20 direct flow rights in the Price River, ground water
21 wells and storage water rights in Scofield Reservoir.
22 Collectively these sources supply a necessary amount
23 of water to meet the plant's needs. Typically Carbon
24 Plant's Scofield Reservoir supplies are held in
25 reserve for use during the non-irrigation season.

1 Releases from Scofield are made on demand during
2 periods when natural flows in the Price River are not
3 sufficient enough to meet the plant demands or when
4 freezing conditions restrict river flows.

5 During the droughts of the early 1960s and
6 1990s Scofield Reservoir was drained to the dead
7 storage pool which caused the power plant to take
8 extraordinary measures to ensure continued operation
9 of the Carbon Plant including temporarily leasing
10 water from local irrigators. I point out this
11 drought year example to demonstrate the role that
12 Scofield Reservoir plays on the operation of the
13 Carbon Power Plant as well as to demonstrate the
14 nature of empty reservoir conditions that are real,
15 not hypothetical events.

16 PacifiCorp is in the process of reviewing
17 the Supplemental Draft Environmental Impact Statement
18 and intends to provide written comments at a later
19 date. However, tonight I want to point out one

20 concern. The proposed Gooseberry Narrows Project
21 significantly increases the potential for Scofield
22 Reservoir to be drained to the bottom of its active
23 storage. Figures 3.1 on page 3-17 of the draft EIS
24 shows a comparison of the storage contents of
25 Scofield from the period of 1959 to 2003. This

1 comparison shows that the frequency of Scofield going
2 empty increases from 3 times in 43 years doing the
3 no-action plan to 12 times in 43 years with the
4 proposed action.

5 The possibility of having Scofield
6 Reservoir empty one out of every three to four years
7 causes PacifiCorp concern. Although the future
8 impacts of this project are unknown at this time,
9 according to the dataset in the environmental impact
10 statement, it appears this project could impact
11 Carbon Plant one out of every three or four years.
12 This in turn could result in PacifiCorp seeking
13 replacement water and/or power from alternative
14 sources which could result in increased cost to our
15 customers.

16 In summary, it is important for all of us
17 to understand that PacifiCorp has valued customers in
18 Sanpete and Carbon counties as well as the rest of
19 the state of Utah. Because Carbon Plant supplies
20 electricity to Sanpete County, Carbon County, and
21 many other areas throughout the Utah including the
22 Wasatch Front, PacifiCorp believes the interest of

23 all its customers and ratepayers are best served by
24 the continued operation of the Carbon Plant.
25 Therefore, PacifiCorp's primary interest in these

1 proceedings and in this issue is to minimize the
2 impacts this project may have on the Carbon Plant and
3 our customers. This means keeping the continued
4 operation of the Carbon Plant including maintaining a
5 reliable and cost effective, long-term water supply.
6 Thank you.

679. LARRY SCHLAPPI

1

2

3

4

5

679-1

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

16 LARRY SCHLAPPI: I will also be very brief. I'm
17 the father of the guy that was just up here. He's a
18 pretty good basketball player in a wheelchair. I can
19 tell you that. I am also a landowner around the lake
20 proposed up on top, and then I have a son who's a
21 landowner at the north end of the county, and they
22 don't have enough water as this fellow has said.
23 There's a lot of the year when they have no water,
24 and I can see a struggle for people in our county and
25 possibly over in Carbon County also that need water.

1 We all need water.

2 I have read through the proposal and know
3 that for, as it says there, 70 years we haven't got
4 any of the water and the Carbon side have had the
5 water. So I would go on record to say that this
6 Narrows Project needs to be completed and maybe in a
7 little selfish way say after 70 years it's our turn
8 to get some of that water that has been all going to
9 Carbon County. The statement is -- it gives a lot of
10 reasons in there and a lot of history where the water
11 was to be shared by both. So I'm on record as saying
12 that it's time that we get our share, and the Narrows
13 Project would help us do that.

14 And also I would just give a little bit of
15 a comment about the lovely recreational value of that
16 reservoir would be up there on top of the mountain.
17 I'm a fisherman from Scofield. I've been fishing

18 there for 34 years and what a wonderful place. It
19 would be nice if we had another place right up the
20 canyons a ways. From those standpoints, I'm here to
21 go on record in favor of the Narrows Project, and
22 thank you.

680. MIKE SCHLAPPI

1

2

3

4

5

680-1

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

1 MIKE SCHLAPPI: I'll keep this very brief, and I
2 don't think I'll get behind the podium. I'll just be
3 a talking head. I just come to you from a couple of
4 fronts, as a property owner up at the top of the
5 canyon. I have property that will be within a couple
6 of hundred yards of the proposed project, and also a
7 land owner and farmer out in Milburn. I want to go
8 on record as being in favor of the project. I read
9 through the SD whatever -- read through the packet,
10 and we struggle to get water. We try to be efficient
11 with our animals and crops and be good friends and
12 neighbors, and we struggle to get water. I want to
13 go on record as somebody that's for the project.

681. TRINKER IRRIGATION COMPANY, GLEN PEEL, PRESIDENT

1

2

3

4

5

681-1

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

9

April 28, 2010

10

6:06 p.m. to 7:08 p.m.

11

12

Manti City Hall
50 South Main, Suite 200
Manti, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

GLEN PEEL: My name is Glen Peel. I am the
15 president of Trinker (phonetic) Irrigation Company, a
16 small irrigation company southwest of Mountain
17 Pleasant, Utah. And I am here in support of the
18 Narrows Project. As an elected president of this
19 small irrigation company, I'm here to represent our
20 small group of farmers. I would like to give you an
21 idea of how we deal with water in our irrigation
22 company.

23 Typically in a spring runoff situation in
24 spring, we are allowed up to 33 cubic feet per second
25 of water, CFS of water. By the end of August and

1 sometimes into July, we can go as low as five cubic
2 CFS of water. Now that means that we're getting
3 1/6th the water we would get in the spring, and it
4 was mentioned by the power company that they might
5 potentially have a low need one out of three years.
6 We literally have a drought situation every year. We
7 run out of water every year. To put that into a
8 better term that you might understand, by the end of
9 the season we get one gallon per minute water per
10 acre. That's not much water to try and farm with.
11 That means that over 80 percent of our sprinklers sit
12 idle, and we -- our economic loss -- what we could
13 have if we could irrigate that land is dramatic. If
14 we were able to have additional water, which the
15 Narrows Project will provide, we would be able to
16 provide those additional crops of alfalfa and other

17 crops which the farmers need to survive in our small
18 farming areas.

19 The other thing that I would like to
20 address is storage rights. We are not allowed to
21 store any water. The only water that the small
22 irrigation companies get in the northern part of
23 Sanpete County is runoff from the springs and the
24 snowmelt, and so I talk to farmers in Huntington and
25 other places and even down in Gunnison and southern

1 end of Sanpete County. They can order water by the
2 acre foot. We simply rely on the small flow that
3 comes down the canyon, and we desperately need this
4 project.

5 And I remember my father and my
6 grandfather -- some of you may remember the name --
7 Orange Peel. He was a county commissioner here,
8 worked hard to get this project done in the 30s and
9 40s. I feel strongly this project needs to go forth
10 to help the farmers to be successful in Sanpete
11 County. And obviously you can see that I'm blind. I
12 would love to be out there farming. I was blinded in
13 a farm accident. I love farming. I'm here to tell
14 you that our farmers need the Narrows Project, and I
15 fully support the Narrows Project, the EIS, getting
16 that through so that we can move forward on this
17 project. We've waited for years and years, and our
18 farmers struggle to make a living. And if they could
19 have that additional water to increase their crops,

20 it would help them immensely.

21 And I want you to know that this is a
22 project that will help the farmers, the
23 municipalities of northern Sanpete County who
24 desperately need this water. And as I say, we get
25 down to about a sixth of the water by the end of the

1 season that we have in spring with no storage rights.
2 So we have no way of recouping any water, and this
3 project will allow us to have water that they can use
4 at the end of the season. Thank you.

PUBLIC HEARINGS

Price, Utah – April 29, 2010

- 682. Sandra Callor**
- 683. William D. Krompel, Carbon County Commissioner**
- 684. Mike Milovich**
- 685. PacificCorp, Cody Allred, Water Resources Engineer**
- 686. Parsons, Behle, and Latimer, Mike Malmquist, NEPA Attorney**
- 687. Price City, Joe Piccolo, Mayor**
- 688. Price City, Gary Sonntag, Public Works Director**
- 689. Price River Water Improvement District, Jeff Richins, District Manager**
- 690. Price River Water Improvement District, Ken Snook**
- 691. Lynna Topolovec**
- 692. Utah State House of Representatives, Representative Christine Watkins, District 69**
- 693. Utah Rivers Council, Rosalie Woolshlage, Staff Attorney**

682. SANDRA CALLOR

1

2

3

4

5

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

13

185 East Main

Price, Utah

14

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

SANDRA CALLOR: Thank you. My name is Sandra L.
25 Callor, spelled C-a-l-l-o-r. I am the granddaughter
1 of George W. Waterman who was involved very much in
2 this battle and has gone to court and testified in
3 the past. Sanpete has continued over the years,
4 beginning many years ago -- I don't have time to read
5 all of these, but they testified, he and his
6 attorney, in the senate in 1962. There are records
7 going back even further. I haven't been able go
8 through all of them, and there is -- the pattern is
9 there is one project or another that they have
10 developed that Sanpete wants to do which will take
11 the water out of what has been determined many years
12 ago in court both in Carbon County and in a higher
13 court and had senate testimony that water right that
14 they are disputing has been proven to be the water
15 right of Carbon County.

16 I have a pile of papers. I'll make copies
17 of them. Mr. Piccolo asked for a copy. I just found
18 out about this recently, and so I do know that it is
19 Mr. Skeen, who was an attorney from Salt Lake who
20 testified to the senate, and every few years the
21 pattern is that Sanpete wants to have a water
22 project. The water project or whatever their project
23 is will take water out of what has been determined in
24 these legal document as a tributary of the Price
25 River. That is Price River's tributary. It is not

1 Sanpete County's and has been determined as such in a
2 court of law. So my question here is rather than
3 trying to read these documents, I would like to give
4 them to Mr. Piccolo and anyone who wants to read them
5 may, but I do have records going back to the 1940's.

6 And I feel in my reading that everything
7 here states it over and over and over again, it
8 proves Carbon County right over and over and over
9 again. So my question is how many years do we have
10 to fight this when it's been determined in Supreme
11 Court? And the documents are here to prove it, and I
12 will make copies of them, and that is my question.

13 There is a project that Sanpete comes with
14 that they want the water. This proves that it is our
15 water, and I would like this continuing year after
16 year after year of Carbon County have to fight in
17 court Sanpete County -- and I would like to see that
682-1 18 stopped. So here is my documentation, and I will see
19 that you get copies if you'd like.

20 WAYNE PULLAN: You may submit those documents as
21 part of your comments as part of written comments to
22 us.

23 SANDRA CALLOR: Okay. I think it will
24 take too long to read them.

WAYNE PULLAN: Right.

SANDRA CALLOR: I can give them to Mr. Piccolo.

2 I won't be able to read all of these. It would take
3 a few hours. That's what I'm showing you the
4 preponderance of just what I could find in 20 minutes
5 last night in the box from my grandfather. So this
6 battle has been going on and on and on. We have
7 proven in court over, over and over again that the
8 water belongs to the Price River tributary not to
9 Sanpete.

10 KERRY SCHWARTZ: If you want to submit those as
11 part of your written comments, we will be glad to
12 accept those.

13 SANDRA CALLOR: I will gladly get them
14 copied.

15 KERRY SCHWARTZ: Yes.

16 SANDRA CALLOR: Okay. I will see that you get
17 them. Thank you.

683. WILLIAM D. KROMPEL, CARBON COUNTY COMMISSIONER

1

2

3

4

5

683-1 6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

13

185 East Main

14

Price, Utah

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

BILL KROMPEL: Apparently to qualify for
18 millions of tax dollars and grants, the proposed
19 Gooseberry Narrows Project is being touted by
20 proponents to address, I quote, "a shortage of
21 recreational facilities near the project area along
22 the Wasatch front," unquote. In truth there is
23 already an abundance of recreational facilities near
24 the project area. The shortage, if this project is
25 built, will be a water shortage in Fish Creek and

1 Scofield and Carbon County's nearly 20,000 citizens
2 that rely on this water supply. And during drought
3 cycles, fresh water shortages in Carbon County will
4 intensify as well as the frequency and duration and
5 become so severe it's very likely they will reach
6 states of emergencies.

7 To support my claim consider the following
8 facts: Within a ten mile radius of the proposed
9 Narrows Project site recreationists already have
10 access to Electric Lake, Rolfson Reservoir, Fairview
11 Lakes, Gooseberry Lake, upper and lower Fish Creek, a
12 blue ribbon trout stream in Scofield Reservoir,
13 considered to be the one of the three most popular
14 family fisheries in the state.

15 Furthermore, if the recreational facility
16 shortage claims were really true, why would so many
17 diverse groups statewide like fishing and
18 recreational associations, Trout Unlimited, Stone Fly
19 Society, conservation and environmental groups, Utah

20 Rivers, and the Sierra Club, South Eastern Utah
21 Association of Governments, and industries like Rocky
22 Mountain Power, natural gas and coal companies --
23 they are all opposed to this project.

24 One major reason for such statewide
25 opposition, not just in Carbon County, to this

13

1 Narrows Project is it would create a permanent
2 devastating effect on upper and lower Fish Creek and
3 Scofield Reservoir. With a net worth of over
4 68 miles of transmountain ditches and tunnels atop
5 the Wasatch Plateau, Sanpete has for decades and
6 continues to divert 10 to 20,000-acre feet per year
7 from Carbon County's natural drainage ditches. By
8 building a 17,000 acre-foot reservoir proposed above
9 Scofield at the head waters of Price River drainage
10 to permanently capture and divert additional major
11 fresh water away from other fisheries and Scofield
12 would be the last final straw to break the county's
13 back and put Scofield and all of Carbon County during
14 drought cycles in serious ongoing fresh water crises.
15 I would strongly recommend this information be
16 included in your EIS.

17 Another representation that proponents of
18 the proposed Narrows Project's main funding body at
19 the Utah legislature is quote, "We only want to store
20 the water that is spilling over the spillways in
21 Scofield every year that is of no use to either
22 Carbon or Emery County," close quote. I have a

23 document I will submit to the Bureau of the history
24 of 65 years of water data at Scofield Reservoir from
25 1945 to 2009. Historically, Scofield Reservoir only
1 spilled less than 33 percent of the time. As a¹⁴
2 matter of fact, during one of Carbon County's drought
3 years, on June 1991, Scofield Reservoir's maximum
4 storage was only 2,000 acre feet. This is not an
5 average. It's maximum -- it's a maximum storage of
6 65,800, or less than 5 percent capacity. The amount
7 of water represents only 10 percent of what Carbon
8 water users actually use available with valid water
9 rights of 30,000 acre feet per year.

10 Even with several prior years of severe
11 water restrictions in place during this drought,
12 water levels of Scofield became so low in the fall of
13 '91, Carbon personnel and equipment were dispatched
14 to drench the reservoir so they would have enough
15 water to meet the essential needs of our citizens.
16 Had the Gooseberry Narrows Reservoir been in place
17 during this time, Scofield Reservoir would have been
18 completely out of useful water. At least one or
19 two years before the drought finally ended 20,000
20 citizens rights and properties were put in jeopardy.
21 In your supplemental EIS, based on my review, this
22 public safety and health concern is nowhere
23 adequately addressed. And it's my strong
24 recommendation it be addressed.

25 Another final point, the over allocation of

1 water rights by the state needs to be examined in the
2 EIS. Some U.S. Forest Service officials claim water
3 rights for some rivers and streams in Utah are over
4 allocated by substantially two or three times the
5 available water. In this case, the project is built
6 to virtually guarantee north Sanpete water users 100
7 percent of their yearly water allocation even during
8 drought cycles. Yet Carbon County water users with
9 equally valid water rights could expect in many years
10 only fractional parts, 15 percent, 25 percent, or
11 less of their yearly water allocation. Thank you.

684. MIKE MILOVICH

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

* * *

April 29, 2010

6:07 p.m. to 7:20 p.m.

Price Civic Center
185 East Main
Price, Utah

* * *

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

MIKE MILOVICH: Good evening. Thank you for the

9 opportunity to address you tonight. In reviewing the
10 Draft Environmental Impact Statement or Supplemental
11 Draft Impact Statement, I find not a lot has changed
12 from '92 to '98 editions that were published by the
13 Bureau. I believe under NEPA that whoever is
14 preparing the EIS should act or is required to act as
15 a neutral party. When you review the documents,
16 having known some of the statistics involved in this,
17 it appears that the document was prepared by pointing
18 to factors that are out there -- only those factors
19 that are beneficial to the building of the dam.

20 In addition, the document, I still haven't
21 seen or -- seen any discussion as to the need other
22 than Sanpete people have indicated they need this
684-1 23 dam. I don't know if you are aware that the Sanpete
24 County is the 13th most water user -- highest water
25 user in the state of Utah. They use approximately

1 150 to a million gallons a day which per capita is
2 about 6900 gallons per capita per day in the Sanpete
3 Valley versus Carbon County usage of about 40 million
4 gallons, or 2200 gallons per day, which is the state
5 average. In addition, when you read the discussion
6 inside the document, when you're trying to document
7 the water usage and so forth, you use Wasatch Front
8 criteria rather than using like county or like
9 entities that are in the general basin or general

10 vicinity.

11 The document also doesn't address the water
684-2 12 qualities as you have heard from various other
13 speakers here, especially in your own document it
14 indicates that the water is going to be degraded to
15 a larger degree although it's documented in your EIS
684-3 16 it's only going to be minorly affected. But there is
17 no discussion on who is going to pay for the extra
18 water processing and the cost of such to provide the
19 drinking water to Carbon County, nor does it address
684-4 20 any of the issues along the lake in terms of lost
21 recreational activity and so forth on there.

22 I believe that the majority of the
23 document -- and this is probably the most concerning
24 that I've seen in there -- all the data refers to
25 data from the 70s, 80s and 90s with a few exceptions.

1 There are a few representations for 2003. We're in
684-5 2 2010. And I believe under NEPA you're supposed to be
3 using current data, and I have a hard time finding
4 anything beyond 2003 other than a few minor
5 references to a couple studies that were in 2006.

6 I would strongly recommend that the Bureau
7 reexamine this Supplemental Draft EIS and bring to
8 back to square one because making a decision base on
9 the data that you have there I think would be true
684-6 10 folly because there has been no examination of the
11 current water quality of the lake. I believe the
12 last review was 2003, but it was a study referred to

684-7 13 in 1999. I think you need to study what the costs
14 are going to be to treat the water because of the
15 degradation and what it's going to cost us here.
16 In addition, I don't know if -- in your EIS
17 I believe you showed there's going to be \$66 per acre
18 foot. When I calculated the cost of the deferral, it
19 was \$40 million. You're looking -- if they get a
20 loan at two and a half percent, you're looking at
21 \$295 an acre foot of water per year for 40 years for
22 each of those users. If you give them a 0 percent
23 loan, it's \$185 per acre foot. That's for an extra
24 crop of hay, folks. Hay is selling for 100, \$110
25 ton. It's pretty hard to cover the cost of alfalfa

1 with that cost of water.
2 In summary, I would just like to say that I
3 think this thing needs to be redone and brought back
4 to square one. I've given you some general comments.
5 I will be issuing written comments, and I thank you
6 for your time.

685. PACIFICCORP, CODY ALLRED, WATER RESOURCES ENGINEER

1

2

3

4

5

685-1 6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center
185 East Main
Price, Utah

13

14

15

* * *

16

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

CODY ALLRED: Good evening, these comments are

25 on behalf of PacifiCorp also commonly and publicly

1 known in this region as Rocky Mountain Power. My
2 name is Cody Allred, and I'm water resource engineer
3 for PacifiCorp who is the owner and operator of the
4 Carbon Power Plant. One of my primary
5 responsibilities is to ensure the long-term adequacy
6 of the water supply for PacifiCorp's thermal
7 generation facilities including the Carbon Plant,
8 which is located in Price River Basin near Helper,
9 Utah.

10 The Carbon Plant can generate 175 megawatts
11 from its nearby coal supplies, which is about the
12 amount of electricity needed to serve nearly 90,000
13 average-sized homes. The Carbon plant currently
14 employs 69 employees who are mostly residents of
15 Carbon and Emery counties. The plant has an annual
16 operating budget of \$33 million. Of this amount
17 about \$19 million is for coal that is mined locally
18 and is consumed by the plant to generate electricity.

19 The Carbon Plant has been in operation
20 since 1950's and has operated continuously since that
21 time except for maintenance and unscheduled outages.
22 On average of the Carbon Plant consumes approximately
23 2100 acre feet of water on an annual basis, which is
24 nearly 700 million gallons per year. In some years
25 the plant has consumed nearly 3,000 acre feet of

1 water. Without adequate water supply, the plant
2 cannot operate. The Carbon Plant water supply
3 consists of direct flow rights on the Price River,
4 ground water wells and storage water rights in
5 Scofield Reservoir. Collectively these sources
6 supply the necessary water to meet the plant's need.

7 Typically Carbon Plant's Scofield Reservoir
8 supply is held in reserve for use during
9 non-irrigation season. Releases from Scofield are
10 made on demand during periods when natural flows are
11 not sufficient enough to meet the plant demands or
12 when freezing conditions restrict river flows.
13 During the droughts of the early 60's and '90s
14 Scofield Reservoir was drained to the dead storage
15 pool, which caused the power company to take
16 extraordinary measures to ensure continued operation
17 of the Carbon Plant including temporarily leasing
18 water from local irrigators.

19 I point out this drought year example to
20 demonstrate the role that Scofield Reservoir plays on
21 the operation of Carbon Plant as well as to
22 demonstrate the nature of empty reservoir conditions
23 that are real, not hypothetical events.

24 PacifiCorp is in the process of reviewing
25 the current Supplemental Draft Environmental Impact

1 Statement and intends to write written comments at a
2 later date. However, tonight I want to point out one
3 concern. The proposed Gooseberry Narrows project
4 significantly increases the potential for Scofield
5 Reservoir to be drained to the bottom of its active
6 storage. In Figure 3-1 on page 317 of the draft
7 document, it shows a comparison of the storage
8 contents of Scofield from the period of 1959 to 2003.
9 This comparison shows that the frequency of Scofield
10 going empty increases from three times in 43 years
11 for the no-action plan to 12 times in 43 years with
12 the proposed action.

13 The possibility of having Scofield
14 Reservoir empty one out of every three or four years
15 causes PacifiCorp concern. Although the future
16 impact of the projects are unknown at this time,
17 according to the data in the draft document, it
18 appears this project will impact the Carbon Plant one
19 out of every three to four years. This in turn could
20 result in PacifiCorp seeking replacement water and/or
21 power from alternative sources, which could result in
22 increased cost to our customers.

23 In summary, it is important for all of us
24 to understand that PacifiCorp has valued customers in
25 both Sanpete and Carbon counties as well as the rest

1 of the state of Utah. Because the Carbon plant
2 supplies electricity to Sanpete County, Carbon
3 County, and many other areas in Utah including the

4 Wasatch Front, PacifiCorp believes that in the
5 interest of all its customers and rate payers are
6 best served by the continued operation of the Carbon
7 Plant.

8 Therefore, PacifiCorp's primary interest in
9 these proceedings and this issue is to minimize the
10 impact this project may have on the Carbon Plant and
11 on all of our customers. This means keeping the
12 continued operation of the Carbon Plant including
13 maintaining reliable, cost effective and long-term
14 water supply. Thank you.

686. PARSONS, BEHLE, AND LATIMER, MIKE MALMQUIST, NEPA ATTORNEY

1

2

3

4

5

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

185 East Main

13

Price, Utah

14

15

* * *

Letitia L. Meredith

16

-Registered Professional Reporter-

Certified Shorthand Reporter

17

18

19

20

21

22

23

24

25

1

20 MIKE MALMQUIST: Good evening. I am Mike
 21 Malmquist, and I'm actually a NEPA attorney with
 22 Parsons, Behle & Latimer. We represent the Carbon
 23 Water Conservancy District with respect to the
 24 Narrows Project and have done so for a number of
 25 years, and I'm here in that capacity tonight, that
 1 is, to summarize some of the comments that the
 2 District has on the NEPA process. I will note that
 3 the District plans on submitting some detailed
 4 written comments at the appropriate time in the
 5 scoping period.

686-1 6 Let me start out by pointing out that we
 7 believe it's a fundamental procedural error the
 8 Bureau has made with this Supplemental Draft EIS; and
 9 as a result of this error, we believe the Bureau
 10 needs to withdraw this EIS and conduct a proper
 11 public scoping exercise before it reissues it in a
 12 form that recognizes those scoping comments. We do
 13 recognize that the NEPA regulations have a very
 14 narrow exception that allows an agency to avoid
 15 public scoping when it issues a supplemental draft or
 16 final EIS. But we believe this document is
 17 supplemental in name only.

18 By definition, a Supplemental EIS assumes
 19 there is a draft or a final EIS that already exists,
 20 which is being supplemented by an additional, smaller
 21 typically, document. This is usually done when
 22 there's a change in the proposal or there are some
 23 other alternatives suggested or other changes of

24 information occur. And under those very limited
25 circumstances, scoping can be foregone by the agency.

1 But the Narrows Supplement Draft EIS on the other
2 hand is a stand alone, new EIS document. It
3 completely replaces the 1998 document. It doesn't in
4 any way note exactly how it's been changed from that
5 document. We simply don't think it fits within that
6 very narrow exception. We think it needs to be
7 withdrawn. We need to conduct scoping. We need to
8 issue a final -- excuse me -- another draft that
9 reflects the scoping comments. Only in that way will
10 the new issues that are raised be exposed to the
11 public in a draft EIS so that they can be commented
12 upon before they show up in a final, which is what's
13 going to happen if you go forward on this current
14 path.

15 Secondly, I think there's been a failure to
16 properly deal with the 1998 -- I have right here over
17 200 pages of detail, substantive comments that were
18 submitted on behalf of Carbon County water interests
19 in 1998. A number of other stakeholders also
686-2 20 submitted comments at that time, and these comments
21 aren't even acknowledged in this new supposedly
22 Supplemental Draft EIS. There's not even a mention
23 of them, and we simply think that's inappropriate
24 under NEPA. It leaves Carbon County and others with
25 the job of having to go through and do a line-by-line

1 review of this document and see if their comments
2 have been addressed at all. It appears that they
3 haven't been. We think that's a fundamental flaw and
4 also would indicate this EIS should be withdrawn and
5 reissued after scoping.

6 And just quickly there's a couple places
7 where we think the analysis is inadequate in this
8 document. Again, we will supplement this with --
9 there's additional issues and more details in our
686-3 10 written comments. First of all, the seismic
11 assessment in this document uses a "5.5 on the
12 Richter scale" earthquake as the design event for
13 this reservoir. The Bureau in the mid-90s used a 7.5
14 Richter event when it called for a redesign of the
15 Scofield Dam. It's only about 10 miles away. We see
16 no justification for using a 5.5 event for the
17 Narrows Project and the 7.5 was used for the Scofield
18 Project. There's also inadequate information
19 regarding the geologic conditions -- the detailed
20 soil conditions, geologic conditions at the dam's
21 foundation for site purposes.

686-4 22 Secondly, cost, we believe that the cost
23 estimates in this document are significantly
24 underestimated. That's only in part because of the
25 earthquake issue, but it's clear if you design a

1 facility for 7.5, it's going to cost a lot more than
2 a one designed for 5.5.

3 Alternatives, we believe this document
686-5 4 improperly discards several very reasonable practical
5 alternatives including the aquifer recharge recovery
6 proposal that the Carbon County users supported a
7 couple years ago. It's notable that there's a 404
8 Permit involved with this project, and that places an
9 exceptionally high burden on the Bureau in terms of
10 dismissing alternatives. They can only be dismissed
11 if they are not practical, and that's a high bar to
12 overcome.

686-6 13 We think this document underestimated
14 impacts to the Carbon County water supplies. That's
15 based in part on the fact that it doesn't in any way
686-7 16 address climate change. It's probably the first EIS
17 I've seen for two or three years that doesn't do
18 that. There are predictions of regional climate
19 models that suggest that Utah will have less
20 precipitation and increased drought, and that is in
21 no way taken into account in the document. I'll stop
22 with that. We'll be more detailed in comments at the
23 end of the scoping period.

687. PRICE CITY, JOE PICCOLO, MAYOR

1

2

3

4

5

6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

185 East Main

13

Price, Utah

14

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

18 JOE PICCOLO: Thank you. I'm grateful to take a
19 few minutes tonight to speak on behalf of the
20 citizens of Price City. Thankful for you and your
21 time commitment to be here taking comments that are
22 given to you. I represent Price City as the current
23 mayor involved in politics for -- officially for the
24 last 15 years. Price City makes up 50 percent of
25 Carbon County's population with permanent residency,

1 and because we are a central hub for activities
2 related to shopping, retail activities, medical
3 treatment, and higher educational system in our
4 community, I believe our daytime population quite
5 often doubles that of our permanent residents. So
6 having said that, Price City is the hub of activity
7 and the future of Carbon County at least as far as
8 the catalyst goes to economic development and quality
9 of life issues.

10 I served as a member of the water quality
11 board for DEQ for the State of Utah for a number of
12 years and recognize by being involved with that
13 organization critical need for streams and lakes in
14 our state. Particularly paying attention to Scofield
15 and the Price River drainage while I was there,
16 understanding and learning a great deal about the
17 water and what happens to Scofield Reservoir when the
18 water is lower than it should be.

19 The algae that grows there can degrade the
20 water to the extent that it can't be treated for

687-1 21 potable use. And I'm concerned that if there's been
22 enough study spent to understand that taking
23 additional drainage away from that lake wouldn't make
24 that lake become septic in nature rather than
25 pristine as it's been known to be. Also, the Price

1 River drainage has a natural level -- a high level of
2 phosphorus, and the total daily maximum load that it
3 creates can't take much more. Our treatment plant is
4 located 11 miles north of our city, and it's not an
5 accident that it's there. It's purposefully put
6 there so we can treat the water without having
7 additional turbidity created from downstream flows.

687-2 8 Limiting the amount of flow that comes down that
9 river will add to the level of turbidity that we have
10 to deal with and again degrade the quality of water
11 that we've grown used to, not understanding an
12 expansion of the need, just a current level.

13 I believe the officials -- the elected
14 officials' primary duty is to protect the health and
15 welfare and safety of our community. Those items
16 particularly concern me when it comes to the issue of
17 health, welfare, and safety of our community.

18 I'm concerned about the water transfers
19 that take place across the state of Utah, whether it
20 be the borders on the western desert supplying water
21 to another state or whether it be one county
22 supplying water to another county against the natural
23 drainage. I think the precedent we set here will

24 change or support existing laws for many years to
25 come. As I see it, the responsible utilization of
1 natural water of the state of Utah is going to become
2 very critical as we grow to the year 2030 and triple
3 our population that we have now. Meeting those needs
4 is going to be very, very difficult, and you have a
5 difficult challenge on your hands here. It's not
6 just a reservoir and fight between two counties. You
7 need to look into the future and see how this is
8 going to effect other jurisdictions, other economic
9 basins and other qualities of life.

10 And I hope that you take a look at that
11 beyond the statistics and beyond the normal routine
12 that you have had to look at in the past. This fight
13 goes beyond my age, and it's time that it's put to
14 rest. I don't believe sharing the water with our
15 neighbors is a real issue. I think degrading our
16 quality of life is the issue.

17 I'd like to turn your attention to the
18 socioeconomic aspects of the challenge of building
19 another dam. I would present that water is as
20 important to Carbon County and Price City as it is to
21 any other area. Make certain that you don't degrade
22 and cut us away from that. We've grown at a slower
23 rate. We face challenges because of mineral
24 extraction that have taken 90 percent of our
25 workforce away in a few short years. We don't need
1 to continue to face challenges that are beyond our
2 control. We've been creative. We've been inventive,

3 and we've held our own. Please understand that's
4 really what we're the best at doing.

5 In summarizing, I'd like to make certain
6 that you find yourself a record of subsidies.
7 Sanpete County is subsidized four dollars to every
8 tax dollar they pay. Carbon County is subsidized one
9 dollar 51 cents for every tax dollar we pay. I don't
10 believe it would be appropriate to build a dam that
11 would subsidize that -- and it would be higher if
12 they have any other way or recourse to make their
13 lifestyle and sustain it.

14 And, again, I don't believe that the dam
15 will change the delivery of water flow to Sanpete
16 County. It will change delivery of water flow to
17 Carbon County. So I plead with you to support the
18 system that we've grown used to so the quality of
19 life we can sustain. Thank you again.

688. PRICE CITY, GARY SONNTAG, PUBLIC WORKS DIRECTOR

1

2

3

4

5

688-1 6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

13

185 East Main

14

Price, Utah

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

GARY SONNTAG: My name is Gary Sonntag. I work
18 for the Price City. I am the public works director.
19 I remember the Price River Valley 1991 drought,
20 which demonstrated what the impact can be when
21 there's not enough water coming into the Scofield
22 Reservoir. The fall of that particular year a heroic
23 effort was made as the water level dropped to
24 extremely low levels and to the point you could see
25 the lower old dam. The old dam is approximately

1 400 feet into the reservoir west of the current
2 Scofield Dam. The old dam had been breached years
3 ago so that water could pass to the outlet. That
4 fall, water was passing through the breach with a
5 stream approximately 14 inches deep and 6 feet wide.
6 The outlet structure was a raised concrete box with
7 metal grates on each side. Water was up 2.5 feet
8 from the bottom of the four-foot grade. Water
9 dropped into large diameter pipe that took it under
10 the dam and into the lower Fish Creek.

11 There was an urgency to prevent the water
12 from freezing the old dam breach and at the outlet
13 structure. Should the water freeze the old dam
14 breach, it would stop all water flow from reaching
15 the outlet. The same effect would occur if the
16 reservoir water level dropped below the outlet grate
17 opening. Two submersible pumps were brought in and
18 positioned on standby should this happen. They would

19 be used to pump water into the outlet. As a
20 secondary measure, a syphon was being designed to
21 also draw water from the reservoir into the outlet.
22 If the water froze in the outlet structure, it would
23 stop the water flow and jeopardize the outlet. If
24 the water froze around the outlet and the water began
25 to fill the reservoir, it would lift the ice and the
1 outlet structure with it, causing a great deal of
2 damage. A large commercial heat tape system was
3 attached to the outlet structure to prevent this from
4 happening. As a secondary measure, an attempt was
5 made to excavate deeper through the old dam breach
6 and install a six-foot diameter culvert to allow
7 water to pass through. This did not work due to the
8 buoyancy of the pipe. So then that was abandoned,
9 and the breach was just dug deeper. It was only
10 marginally successful in keeping water flowing up to
11 the outlet. If there had been any less water there,
12 there would have been no chance even to do that.

13 The capacity of any community to grow and
14 flourish should not extend beyond its ability to draw
15 water from the watershed that it is a part of. The
16 watershed that is tributary to a community should not
17 be interrupted should that watershed cross county
18 lines. An example is the tributary supporting all
19 the communities along the Wasatch front. Community
20 in a watershed should be entitled to all the water
21 that the watershed has to offer without interference

22 from communities and counties and neighboring
23 watersheds. Water taken from unrelated watersheds
24 should not be done at the expense of another.

25 That being the case, the decision years ago

1 to allow Sanpete Water Conservancy District to draw
2 water off of the Price River drainage despite not
3 being a part of the natural Sanpete watershed was not
4 right. To date, they have put in a man-made
5 diversion. It has had and will have detrimental
6 effects on the Price River watershed and drainage.
7 The decision to allow Sanpete Water Conservancy
8 District to do this should be rescinded. Even
9 without the Narrows Dam in place, the water being
10 taken right now has had a negative --

11 KERRY SCHWARTZ: One minute.

12 GARY SONNTAG: -- and profound impact on Price
13 River Valley Watershed. The Narrows Dam would only
14 increase the severity of that impact. The Narrows
15 Dam should not be built and the current diversion of
16 water should be stopped. Thank you.

**689. PRICE RIVER WATER IMPROVEMENT DISTRICT, JEFF RICHINS, DISTRICT
MANAGER**

1

2

3

4

5

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

13

185 East Main

14

Price, Utah

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

JEFF RICHINS: My name is Jeff Richins. I work
18 for Price Water, the district manager there. We
19 treat water out of Scofield Reservoir to drinking
20 water quality for the residents in the Price River
21 Valley. We are the sole supplier for Carbon County,
22 for Wellington City. We supplement the water supply
23 for Helper City when called upon and Price City also
24 when called upon. I'm quite impressed with the
25 comments made thus far when they talk about the water

1 quality, which is a real issue for us. My drinking
2 water plant superintendent is here and will be
3 addressing the panel here shortly about some of those
4 very real issues. I asked him not to be too specific
5 about some of those things, but I plan to be.

689-1 6 There's trihalomethane that is formed in water when
7 you use chlorine for disinfection. It mixes with the
8 sulfur organics and is a real issue in our drinking
9 water supply. It also creates haloacetic acids which
10 are also a real problem in our water supply.

11 In a year we'll be going through a study so
12 we can enter a construction project so we can try to
13 remove those items prior to getting in the
14 distribution system and cause and effects to the
15 health of the residents in the valley. Some might
16 ask what are those effects? We don't have the final
17 decision on exactly who those are, but they have been
18 found to be promoting carcinogens. That's why they
19 have to be removed. We already on the docket with

20 the state of Utah to do this.

21 But mostly I want to talk today about water
22 rights. Commissioner Krompel talked at length about
23 water rights, how we've been told to serve water to
24 Gooseberry Dam Reservoir using this water right or
25 that water right, and as we was looked into the

1 different water rights and changed -- the explanation
689-2 2 has been changed from time to time. I was recently
3 in a meeting with Dennis Strong, who is the Division
4 of Water Resources director in the state of Utah, and
5 he had a chart on his presentation that explained
6 that 5,600 acre feet was going to be diverted or
7 accounted for out of Flaming George drainage, being
8 as it is in the Colorado drainage, and the water
9 being diverted to Gooseberry is in the Colorado
10 drainage would be accounted for for Sanpete County.

11 It piqued my interest because it was almost
12 exactly what the diversion amount would be, so I
13 asked him about that water. He said, "Well, the
14 problem with that water is the water out of Flaming
15 Gorge is also over allocated, and for them to secure
16 water rights, they would have to go to the tribes and
17 purchase a portion of water right to serve their
18 needs." So I guess the basis of my comment is the
19 question is where is truly the water right coming
20 from once and for all? Thank you.

690. PRICE RIVER WATER IMPROVEMENT DISTRICT, KEN SNOOK

1

2

3

4

5

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

185 East Main

13

Price, Utah

14

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

KEN SNOOK: I am Ken Snook. I'm with Price

15 River Water Improvement District. I have been the
16 culinary water superintendent for 29 years and worked
17 in Salt Lake City before that, so I've been in the
18 water business for quite a few years for culinary
690-1 19 water treatment. The issues that the EIS has not
20 addressed water quality for municipal use I believe
21 is correct. I read through the document, and they
22 talk about phosphorus loading will be reduced in this
23 document. They do not address a lot of the quality
24 issues that are important for culinary water usage
25 with a reduction in flow to the reservoir. We'll

1 have a more eutrophic lake, or septic or anaerobic
2 conditions. That will release more phosphorous than
3 ever at the bottom of the reservoir. According to
4 the present values, our main release of phosphorus or
5 algae is caused by anaerobic releases of phosphorus.
6 That's silt pollution Pondtown and Mud Creek loses to
690-2 7 Upper Fish Creek. That increase in algae, of course,
8 will have economic effects as far as fisheries and
9 other reasons but -- the increase of algae plus the
10 TOC, or total organic carbon, increase to the
11 reservoir releases.

12 Right now we have a high amount of total
13 organic carbon releases from the reservoir. If this
14 is increased from three years to 12 times -- three
15 times to 12 times in 43 years, we're going to have
16 much increase of total organic carbon. Now, total

17 organic carbon reacts, as Mr. Richins said, with
 18 chlorine when treated for culinary use and causes
 19 trihalomethanes and haloacetic acids and other
 20 bi-carbons that are carcinogenic at high doses.
 21 Right now we will not be meeting the new regulations
 22 of the enhanced water surface treatment rule for EPA.

23 So I think it is really important part
 24 that's not covered in the EIS that has -- propose to
 25 redo the supplemental draft. I think these need to

1 be covered. We covered economic, land soil. We
 2 covered fish and wildlife. Indian ruins might be up
 690-3 3 there. We haven't covered the most important thing
 4 for the people of Carbon County and their health, and
 5 I believe that should be included in the EIS. Not to
 6 put down the B.O.R., but I think that they missed out
 7 on this point tremendously from a culinary -- Carbon
 8 County's sole source outside of the city -- of Price
 9 City and Helper City and Sunnyside are -- is the
 10 Price River. And as people live over here, we can
 11 see at times of the year, water quality degradation
 12 already. If you reduce another 3,000 acre feet going
 13 into this reservoir, it will cause much -- increase
 14 in -- or a decrease in flow through or flushing the
 15 reservoir.

16 You say 1.4 years of flow-through through
 17 the reservoir, I disagree with that in that every
 18 year that spills over our quality has improved
 19 tremendously. So that flushing of the reservoir is

20 important, not just to fisheries, but to quality of
690-4 21 life in Carbon County. So I recommend the B.O.R.
22 goes back and redo the supplemental, and look at the
23 municipality and culinary use of the water. Thank
24 you.

691. LYNNA TOPOLOVEC

1

2

3

4

5

691-1 6 NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

13

185 East Main

14

Price, Utah

15

* * *

16

Letitia L. Meredith

17

-Registered Professional Reporter-
Certified Shorthand Reporter

18

19

20

21

22

23

24

25

2 LYNNA TOPOLOVIC: First I would like to thank
3 the Bureau for the work on this SDEIS. It is
4 voluminous. When reading the intent of why the
5 Narrows Dam was proposed, the information indicated
6 that it was provided to water for a third crop of hay
7 for Sanpete County. Now, that initial project is
8 expanded to include municipal water for present and
9 future needs, recreation and fishery -- all at the
10 expense of Carbon County water users. In reviewing
11 the contents of the SDEIS, I would again bring up the
12 same concerns that I have in the past as they have
13 not been addressed in this version either. The issue
14 of the environmental, as to the document, damage to
15 endangered species and fish kills is a result of the
16 proposed alternative.

17 However, adverse impact to water quality is
18 even a bigger issue. The proposal indicates there
19 will be an adverse effect on water quality but does
20 not adequately detail about the impact and how it
21 will affect such things as long-term enhancement,
22 water treatment rules. The information differs
23 between the supplement and Appendix B, so it is hard
24 to know what figures to use because they conflict
25 with each other. This water quality issue can be
1 seen in the calculations of the document. On page
2 S-12, the number of times Scofield Reservoir will be
3 drained to the bottom of the active storage is
4 currently at a rate of three times in 43 years, and
5 that really is three times too many. This will

6 increase to 12 times in 43 years with the proposal.

7 On page 5 -- or S-15, fish kills have been
8 reported in an average of 13 in 43 years. If we use
9 the same rate of change as you've used on page S-12,
10 we will see a fish kill every year rather than what
11 you are indicating. As one person indicated to me,
12 the Bureau is already indicating there is a water
13 problem. So the mitigation measures that are
14 discussed should be implemented now. My question
15 will be what are you going to do about the issues in
16 phosphorus levels, blue-green algae that are going to
17 occur at even any greater levels with the proposal?

18 Again, from your document, the probability
19 of the eutrophication increased every year except
20 1984 where we had ample water. It sounds like we are
21 definitely heading to a useless water supply with
22 this proposal. We need to have an in-depth review of
23 water quality issues and not a best-guess estimate on
24 it. This is our biggest water resource.

25 Some of the water issues, in gathering

1 information on precipitation from the Price area
2 Scofield, Manti, Moroni, Fairview areas, the
3 statistics still holding true to the fact that the
4 Price area does not get the rainfall of the other
5 areas. So to think there would be a water
6 alternative available to Carbon County would not be
7 likely.

8 Next item, reservoir management, how is the

9 water actually going to be measured? It says it's
10 going to be measured, but we don't know the types of
11 measuring devices, maintenances of the devices,
12 calibration of the devices for accuracy. More
13 importantly, how are the Carbon County water users
14 going to be represented on the controlled management
15 of the water resource itself when it comes to your
16 thesis monitoring the amounts of incoming and
17 outgoing in conjunction with the Fairview waters?
18 How are the people using the water on the Sanpete
19 side going to be monitored for the conservation
20 measures? And what is the enforcement associated
21 with that as it is required in your proposal?

22 I think co-management is the answer on the
23 measuring devices and getting both user -- water
24 users involved in it and it's important part of
25 making the proposal work as it sounds like the

1 current flow rates are not measured accurately going
2 through the tunnel as I was not able to get more than
3 a rough estimate of 2000 acre feet of water from the
4 Bureau -- nothing measured.

5 On the same note of water quality, can
6 someone please explain why if Sanpete is already
7 getting 2000 acre feet of water, why is the proposal
8 going to cause an additional 5,997 acre feet of
9 depletion in Scofield? Shouldn't this be the
10 difference between 5400 acre feet of water and what
11 they are currently receiving?

12 Another issue on water quality, according
13 to my phone conversation with the Bureau, Sanpete is
14 not going to have to require -- be required to return
15 alternating adjustments that they have made in the
16 past to their nominal state so that additional water
17 is still going to be diverted.

18 Cost, although there were a few costs
19 reviewed in the documents, the cost of the proposal
20 needs to be reviewed in current dollars. Some of
21 those costs, which were not mentioned, are the cost
22 to Carbon County residents to remove algae from the
23 drinking water and culinary water losses from the
24 process; the cost to provide quality water that will
25 not adversely impact the people drinking it if the

1 proposal is implemented; the lost revenues to Carbon
2 County in association with reduced fishing, days of
3 tourism; the loss of jobs potentially at the power
4 plant; the impact to longwall mining operations in
5 the area as happened near Joe's Valley.

 LYNNA TOPOLOVIC: In summary, the Bureau of

8 Reclamation is supposed to manage, develop, and
9 protect water resources and the environment in an
10 economically sound manager. The proposal alternative
11 does not appear to be either of those, and I would
12 implore the Bureau to look at a different alternative
13 which would create a win-win scenario for everyone.
14 Thank you.

**692. UTAH STATE HOUSE OF REPRESENTATIVES, REPRESENTATIVE CHRISTINE
WATKINS, DISTRICT 69**

1

2

3

4

5

692-1

6

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

7

8

* * *

9

April 29, 2010

10

6:07 p.m. to 7:20 p.m.

11

12

Price Civic Center

185 East Main

13

Price, Utah

14

15

* * *

16

Letitia L. Meredith

-Registered Professional Reporter-

17

Certified Shorthand Reporter

18

19

20

21

22

23

24

25

CHRISTINE WATKINS: Thank you. I'm going to
4 present a little bit of a historical political view
5 here. I'm the state representative for this area,
6 and last year in the 2009 legislator we had two
7 rookie representatives, myself and another one,
8 duking it out over this, and it actually became a --
9 it was divided by the political lines. And he's in
10 the majority party, so he won, and it got the
11 resolution passed. But I'm going to give you some of
12 the information that we -- that I used on the House
13 floor to speak against having this dam and the
14 reservoir project, and I realize some of it has
15 probably been said earlier, but I'll use it in my
16 five minutes.

17 Approximately 89 percent of the water is
18 for 250 farmers to grow more alfalfa. It will
19 destroy rainbow and cutthroat trout spawning habitat.
20 It will divert water away from the Rocky Mountain
21 Power Plant and possibly cause shutdowns during
22 drought cycle. We heard about that. It will divert
23 the fresh water supply preventing the natural gas
24 production, coal production, and power production,
25 placing all three in jeopardy during the drought

1 cycle with statewide economic implications for
2 ratepayers. If constructed, our coal Skyline mine
3 operation cannot mine the 50 million tons of
4 recoverable coal under Flat Canyon. Approximately
5 173 of the 250 miners employed at Skyline are from

6 Sanpete County, and Sanpete County will lose the
7 mineral base loyalty and property tax for the lack of
8 recovery up in Flat Canyon coal.

9 Now, Sanpete's argument given to the
10 legislature was -- and I quote -- they only wanted to
11 store the water spilling over the spillway at
12 Scofield every year that is of no use to Carbon or
13 Emery counties. Historically, Scofield only spills
14 3 percent of the time or 21 years in the last
15 63 years. Back -- the court held after a long trial
16 in 1999, the Utah Federal District Court concluded
17 that Carbon County has never agreed to the Narrows
18 Project. The decision was held up by the 10th
19 Circuit Court. The court held that the 1984
20 agreement did not impose an obligation on Carbon
21 County to cooperate with Sanpete in its attempts to
22 obtain funding for the Narrows Project or move the
23 project forward, refrain from contacting any federal,
24 state, or local agencies or persons with respect to
25 any concerns that we have about the project, refrain

1 from exercising our political rights, statutory
2 rights under NEPA Section 404 of the Clean Water Act
3 or its rights under the federal, state, or local law
4 or ordinances with respect to the Narrows Projects or
5 refrain from taking steps to oppose eventual
6 construction and operation of the proposed Narrows
7 Project.

8 I've seen pictures of what it's like up

9 there. I have not been there personally. I've seen
10 some of the damage that's been done by people other
11 than people from Carbon County, and I just want you
12 to know as a legislature that I do oppose this.
13 Thank you.

693. UTAH RIVERS COUNCIL, ROSALIE WOOLSHLAGE, STAFF ATTORNEY

693-1

NARROWS PROJECT SDEIS PUBLIC HEARING ORAL COMMENTS

* * *

April 29, 2010

6:07 p.m. to 7:20 p.m.

Price Civic Center
185 East Main
Price, Utah

* * *

Letitia L. Meredith
-Registered Professional Reporter-
Certified Shorthand Reporter

22 ROSALIE WOOLSHLAGER: Good evening. My name is
23 Rosalie Woolshlager. I'm with the Utah Rivers
24 Counsel, and I'm here to speak against the loan and
25 against the dam. First, I want to mention

9

Floyd Dominy. He was with the Bureau of Reclamation
2 for over half a century. He just passed this week.
3 Of course, the people from Reclamation know all about
4 him, but he really represented Reclamation and he
5 stands for the 20th Century's era of big dam
6 building. With utmost respect for Mr. Dominy and his
7 life of accomplishments, it is fitting in some ways
8 that he has passed now. And I'd like to tie that to
9 this dam, which is an outmoded remnant of that
10 federal era of big dam building.

11 Since Mr. Dominy's day, we've seen a lot of
12 changes in technology and how to conserve water and
13 new knowledge as to how interconnected human health
14 and healthy water and natural ecosystems are. The
15 Narrows Project is looking backward, not forward.
16 This project is destructive both upstream and
17 downstream. Wetlands will be flooded. Creeks will
18 be damaged. These reduced creek flows will be -- can
19 be reduced by 75 percent; that is, they will be
20 flowing at one quarter of their current flows.

21 Now, these lower flows are going to lead to
22 decreased water quality, more pollution flowing in
23 less water. Of course, this greatly affects Scofield

24 Reservoir, which is the source of Price City and
25 Carbon County drinking water. Moreover, fishing and

1 recreation on Scofield will be harmed, and the
2 increased algae and increased microorganisms in the
3 lake and the river lead to the very real possibility
4 of sickness in the community from bad water quality.
5 Even though that may just seem like a possibility,
6 the certainty is that there will be economic harm as
7 fishing drops off because of increased fish kills in
8 the reservoir, bad water. No one will want to go
9 fishing or swimming or boating or camping near the
10 reservoir.

11 Moreover, small but critical feeder streams
12 above the reservoir may dry up it. That leaves that
13 whole upper area more dead, more dewatered. Scofield
14 itself, the reservoir, could become a dead lake.

15 Moreover, the downstream effects, downstream even
16 from Price City, will be huge and terrible as well.
17 Of course, the canyon above Helper, Price Canyon, is
18 a very popular whitewater boating spot and fishing.
19 That's going to be harmed. And farther downstream
20 before the Price runs into the Green, there's a
21 35-mile stretch of pristine river canyon. Diminished
22 flows in there will also have significant harms.

23 Finally and most importantly, this project
24 is simply outmoded and wasteful. It was first
25 proposed, as many of you know, back in the 1930's.

1 So we're 80 years into it, and it's never been
2 viable. It's not viable today. At base, I think
3 what we're really facing is that the Sanpete Water
4 Conservancy District is attempting to push Carbon
5 County residents and their interests aside in order
6 to get federal money to come to Sanpete County
7 instead.

8 This project is really based on water
9 politics and greed, not on the needs and interests of
10 the citizens sitting here tonight. It's time to be
11 done once and for all with this old dinosaur project.
12 Please don't approve the loan. Please stop the dam.
13 Thank you.