

**Volume III – Comments and Responses for the  
Planning Report and  
Final Environmental Impact Statement**

# **Navajo-Gallup Water Supply Project**

**New Mexico – Arizona**



**Navajo Nation**



**City of Gallup**



**Jicarilla Apache Nation**



**U.S. Department of the Interior  
Bureau of Reclamation**

**July 2009**

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## **Mission Statements**

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian tribes and our commitments to island communities.

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The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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## COMMENTS AND RESPONSES

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## INTRODUCTION

The purpose of this “Comments and Responses” volume is to describe how the comments received on the Navajo-Gallup Water Supply Project (proposed project) planning report and draft environmental impact statement (PR/DEIS) were considered and addressed in this planning report and final environmental impact statement (PR/FEIS). Public and agency comment letters, e-mails, and public hearing transcripts are included in this volume along with the Bureau of Reclamation’s (Reclamation) responses. Changes made to the PR/FEIS resulting from public comments ranged from minor editorial changes to updating information and analyses by incorporating data from the *Cost and Economic Update to 2007 Prices of the Planning Report and Draft Environmental Impact Statement, Navajo-Gallup Water Supply Project, New Mexico–Arizona* (Reclamation, 2007).

On March 30, 2007, the PR/DEIS for the proposed project was filed with the Environmental Protection Agency (EPA) and a Notice of Availability was published in the *Federal Register*. Public hearings were held in May and June 2007. News releases announcing availability of the document and dates, times, and locations of public hearings were released on March 30, 2007.

The official 90-day public comment period ran from March 30 to June 28, 2007. Approximately 400 copies of the PR/DEIS were distributed to Federal agencies, State and local government agencies, environmental groups, utilities, individuals, and other interested parties on the distribution list.

During the comment period, five public hearings were held to provide an opportunity for public testimony about the PR/DEIS:

Date	Location	Number of attendees
May 22, 2007	Gallup, New Mexico	54
May 23, 2007	Crownpoint, New Mexico	39
May 24, 2007	St. Michaels, Arizona	29
June 5, 2007	Shiprock, New Mexico	43
June 6, 2007	Farmington, New Mexico	84

About 280 comments identified from letters and public hearings were addressed for inclusion in this PR/FEIS. Of the nearly 280 comments identified, 98 were from Tribes and Tribal nations (73 of those were Navajo Nation), 90 were State and local governments, 36 were power and water interests, 10 were other organizations, and 45 were from individuals. Nearly 30 percent of all comments were from public hearings.

## ORGANIZATION OF COMMENTS AND RESPONSES AND HOW THEY WERE ADDRESSED

The National Environmental Policy Act (NEPA) requires that the agency preparing an environmental impact statement (EIS) consider and respond to all substantive comments on the DEIS. Some types of comments received do not require an agency response, as directed by NEPA regulations, and include those:

- Expressing a position or a preference regarding one or more of the alternatives
- Asking the proponent to make modifications to its proposal
- Not relevant to the EIS scope

There were a number of identical or similar comments, and if the substance of a comment already received a response, the reader is referred to a previous response. The following summary tables provide a list of who commented on the PR/DEIS, the alphanumeric designation of the comment document, the page number where the comment document and corresponding response appear, and the comments themselves. The actual written comments and public hearing testimony follow the summary tables.

Table 1—List of comment documents and page numbers of comments and responses

Commenter	Comment number designation	Page No.	
		Comment starts on	Response
Federal Government Agencies (FG)			
International Boundary and Water Commission – United States and Mexico – El Paso, Texas	FG-01	9	487
National Park Service – Intermountain Regional Office – Denver, Colorado	FG-02	11	487
United States Environmental Protection Agency – Dallas, Texas	FG-03	13	487
Tribal Governments (TG)			
The Hopi Tribe – Kykotsmovi, Arizona	TG-01-01	15	487
Navajo Nation Department of Diné Education – Window Rock, Arizona	TG-02-01	17	487
The Navajo Nation Department of Water Resources – Fort Defiance, Arizona	TG-03-01 to TG-03-18	19	487
Southern Ute Indian Tribe – Ignacio, Colorado	TG-04-01 to TG-04-16	25	489
Navajo Nation Environmental Protection Agency – Shiprock, New Mexico	TG-05-01	35	491
Jicarilla Apache Nation – Dulce, New Mexico	TG-06-01 to TG-06-08	37	491
Red Valley Chapter – Red Valley, Arizona	TG-07-01	51	493
State and Local Government Agencies (SLG)			
City of Gallup Water Board – Gallup, New Mexico	SLG-01	63	493
City of Gallup – Gallup, New Mexico	SLG-02-01 to SLG-02-02	65	493
New Mexico Interstate Stream Commission – Santa Fe, New Mexico	SLG-03-01 to SLG-03-09	69	493
Colorado Water Conservation Board – Denver, Colorado	SLG-04-01 to SLG-04-29	77	494
State of New Mexico Commissioner of Public Lands – Santa Fe, New Mexico	SLG-05-01	85	495

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Commenter	Comment number designation	Page No.	
		Comment starts on	Response
State and Local Government Agencies (SLG) (continued)			
The Southwestern Water Conservation District – Durango, Colorado	SLG-06-01 to SLG-06-35	87	495
San Juan Water Commission – Farmington, New Mexico	SLG-07-01 to SLG-07-08	93	497
Power and Water Interests (PWI)			
Colorado River Energy Distributors Association	PWI-01-01 to PWI-01-14	97	497
Irrigation & Electrical Districts Association of Arizona – Phoenix, Arizona	PWI-02-01 to PWI-02-10	101	498
Water Development Steering Committee, SJRBRIP	PWI-03-01 to PWI-03-09	107	499
BHP Navajo Coal Company, Arizona Public Service Company, and Public Service Company of New Mexico	PWI-04-01 to PWI-04-04	131	499
Other Organizations (OO)			
Citizens Progressive Alliance – Farmington, New Mexico	OO-01-01 to OO-01-10	135	500
Individuals (IND)			
Dale Boser Jr. –, Gallup, New Mexico	IND-01	159	500
J. Tonny Bowman – Yahtahey, New Mexico	IND-02-01 to IND-02-03	161	500
Taylor McKinnon – Bluff, Utah	IND-03-01 to IND-03-05	177	500
Rebecca G. Perry-Piper – Ponderosa, New Mexico	IND-04-01	181	501
Kathleen Parker–, Rio Rancho, New Mexico	IND-05-01 to IND-05-10	187	501

Table 1—List of comment documents and page numbers of comments and responses

Commenter	Comment number designation	Page No.	
		Comment starts on	Response
Public Hearing 1 (PH)			
Vice President Ben Shelly, Navajo Nation– Window Rock, Arizona	PH-01-01	201	501
Frank Mraz, Gamerco & Associates – Gallup, New Mexico	PH-01-02	204	501
Ron Berg, Berg Chiropractic, Gallup – New Mexico	PH-01-03	206	501
Paul Spruhan – Gallup, New Mexico	PH-01-04	208	501
Mike Daly – Gallup, New Mexico	PH-01-05-01 to PH-01-05-02	211	501
Gloria Skeet de Cruz, Bread Springs Chapter – Vanderwagon, New Mexico	PH-01-06	215	501
Julius Elwood – Crownpoint, New Mexico	PH-01-07-01 to PH-01-07-03	218	501
Larry Winn, Gallup Water Board – Gallup, New Mexico	PH-01-08-01	224	501
Tanya Trujillo, State of New Mexico – Santa Fe, New Mexico	PH-01-09	229	501
Lance Allgood, City of Gallup – Gallup, New Mexico	PH-01-10	230	501
Ray Gilmore, Navajo Nation Water Rights – Window Rock, Arizona	PH-01-11	231	501
Public Hearing 2 (PH)			
Andrew Robertson – Albuquerque, New Mexico	PH-02-01-01	243	502
Chee Smith, Jr., Whitehorse Lake – Crownpoint, New Mexico	PH-02-02-01	247	502
Rege Leach	PH-02-03	249	502
Tom Becenti, Becenti Chapter – Crownpoint, New Mexico	PH-02-04	250	502
Dorothy Becenti, Becenti Chapter – Crownpoint, New Mexico	PH-02-05	253	502
Leonard Tsosie, WHL/Torreon Chapter – Window Rock, Arizona	PH-02-06-01	254	502
Frank Willetto, Pintado Chapter – Crownpoint, New Mexico	PH-02-07	260	502
Roger Toledo, Ojo Encino Chapter – Cuba, New Mexico	PH-02-08-01	264	502
Jerry Silago, NTUA – Crownpoint, New Mexico	PH-02-09-01	267	502



Table 1—List of comment documents and page numbers of comments and responses

Commenter	Comment number designation	Page No.	
		Comment starts on	Response
Public Hearing 2 (PH) (continued)			
Mitchell Capitan – Crownpoint, New Mexico	PH-02-10-01 to PH-02-10-03	271	502
Leo Martin	PH-02-11-01 to PH-02-11-03	275	502
Bobby Willie – Smith Lake, New Mexico	PH-02-12-01	280	502
Jackson Gibson, Thoreau/Smith Lake Chapter – Thoreau, New Mexico	PH-02-13-01	283	502
Public Hearing 3 (PH)			
Kee Ike Yazzie – Window Rock, Arizona	PH-03-01-01	297	502
Ray Berchman, Navajo Nation – Window Rock, Arizona	PH-03-02	298	503
Stanley Pollack, Navajo Nation Department of Justice – Window Rock, Arizona	PH-03-03	302	503
Brenna Clani, Navajo Nation – Window Rock, Arizona	PH-03-04	304	503
Raymond Maxx, Navajo Nation – Tuba City, Arizona	PH-03-05	306	503
Alfred Barney, Sawmill/Red Lake – Navajo, New Mexico	PH-03-06-01	310	503
Lena Fowler, Navajo Nation Water Rights – Tuba City, Arizona	PH-03-07	312	503
Perry Wilson, Crystal Chapter – Navajo, New Mexico	PH-03-08	316	503
Jeff Kiely, Northwest New Mexico Council of Governments – Gallup, New Mexico	PH-03-09	319	503
Ray Gillmore, Navajo Nation Water Rights – Window Rock, Arizona	PH-03-10	325	503
Katie Gilbert, Navajo Nation Water Rights – Window Rock, Arizona	PH-03-11	331	503
Kenneth Begay, NTUA – Fort Defiance, Arizona	PH-03-12	339	503
Teresa Showe, Navajo Nation – Fort Defiance, Arizona	PH-03-13-01	345	503
Alfred Barney, Sawmill/Red Lake – Navajo, New Mexico	PH-03-14-01	348	503
Michael Benson, Navajo Nation – Fort Defiance, Arizona	PH-03-15	350	503
Effie Ashley, St. Michaels Chapter – St. Michaels, Arizona	PH-03-16	353	503
Kee Ike Yazzie – Window Rock, Arizona	PH-03-17	358	503

Table 1—List of comment documents and page numbers of comments and responses

Commenter	Comment number designation	Page No.	
		Comment starts on	Response
Public Hearing 4 (PH)			
J.C. Begay, Red Valley Chapter – Red Valley, Arizona	PH-04-01-01	373	503
Charley P. Joe, Shiprock Chapter – Shiprock, New Mexico	PH-04-02	375	503
Tonny Bowman – Yahtahey, New Mexico	PH-04-03-01	376	503
Wilson Ray, Huefano Chapter – Bloomfield, New Mexico	PH-04-04	380	503
John Casuse, Standing Rock Chapter – Shiprock, New Mexico	PH-04-05-01	382	503
Stanley Hardy, Toadlena/Two Gray Hills Chapter – Newcomb, New Mexico	PH-04-06-01 to PH-04-06-03	384	503
Lorenzo Bates, Upper Fruitland Chapter – Kirtland, New Mexico	PH-04-07	386	503
J.C. Begay, Red Valley Chapter – Red Valley, Arizona	PH-04-08	389	503
Mel R. Begay, Navajo Nation Coyote Canyon – Brimhall, New Mexico	PH-04-09	390	504
Lena Fowler, Navajo Nation Water Resources – Tuba City, Arizona	PH-04-10	394	504
Tonny Bowman – Yahtahey, New Mexico	PH-04-11-01	397	504
Chili Yazzie, Shiprock Chapter President – Shiprock, New Mexico	PH-04-12-01	399	504
Fannie Atcitty, Shiprock Chapter – Gallup, New Mexico	PH-04-13-01 to PH-04-13-02	403	504
Donald Benally, Shiprock Chapter – Shiprock, New Mexico	PH-04-14-01	407	504
J.C. Begay, Red Valley Chapter – Red Valley, Arizona	PH-04-15-01	411	504
Public Hearing 5 (PH)			
Dr. Joe Shirley, Jr., Navajo Nation President – Window Rock, Arizona	PH-05-01-01	422	504
Jay Burnham, City of Farmington – Farmington, New Mexico	PH-05-02	427	504
Chee Smith, Jr., Whitehorse Lake –Crownpoint, New Mexico	PH-05-03-01	428	504
George Whitehorse, Sr., Whitehorse Lake – Crownpoint, New Mexico	PH-05-04	430	504
Martha Charlie, WHL – Milan, New Mexico	PH-05-05	432	504
Sam Sage, Counselor Chapter – Counselor, New Mexico	PH-05-06	433	504

Table 1—List of comment documents and page numbers of comments and responses

Commenter	Comment number designation	Page No.	
		Comment starts on	Response
Public Hearing 5 (PH) (continued)			
Arvin Trujillo, Navajo Nation – Window Rock, Arizona	PH-05-07	435	504
Frank Willetto, Pueblo Pintado Chapter – Crownpoint, New Mexico	PH-05-08	438	504
Ray Gilmore, NNWRC – Window Rock, Arizona	PH-05-09-01	440	504
Jackson Gibson – Thoreau, New Mexico	PH-05-10	442	504
Rachel Billy, Smith Lake Chapter – Smith Lake, New Mexico	PH-05-11	445	504
Laverna Ahkeah, Cudei Chapter – Shiprock, New Mexico	PH-05-12-01	446	504
Isabel Betoni, Sandspring/Whitehorse Lake – Crownpoint, New Mexico	PH-05-13	449	504
Tony Padilla, Lake Valley Chapter – Kirtland, New Mexico	PH-05-14	450	504
Lorenzo Bates, Upper Fruitland Chapter – Kirtland, New Mexico	PH-05-15	453	504
Leonard Tsosie, NNC – Crownpoint, New Mexico	PH-05-16-01	455	505
Andrew Robertson – Albuquerque, New Mexico	PH-05-17-01	460	505
Dale Buser – Gallup, New Mexico	PH-05-18	463	505
Jay McCollum, First Baptist Church – Gallup, New Mexico	PH-05-19	464	505
J.C. Begay, Red Valley Chapter – Red Valley, Arizona	PH-05-20-01	465	505
Wilson Ray, Huerfano Chapter – Bloomfield, New Mexico	PH-05-21	466	505
Gilbert Roger, Whiterock Chapter – Crownpoint, New Mexico	PH-05-22	468	505
Dorothy Redhorse – Littlewater, New Mexico	PH-05-23-01 to PH-05-23-02	469	505
Lucy Cayatineto	PH-05-24	472	505
Steve Cone – Farmington, New Mexico	PH-05-25	474	505
Shirlee Manuelito – Lake Valley, New Mexico	PH-05-26	477	505
Sterling Manuelito	PH-05-27	479	505
Tommy McDonald – Crownpoint, New Mexico	PH-05-28	481	505