Comment PH-01

NAVAJO-GALLUP WATER SUPPLY PROJECT
PLANNING REPORT
AND
DRAFT ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARING
May 22, 2007

University of New Mexico, Gallup Campus
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TUESDAY, MAY 22, 2007, 6:15 P.M.

MS. LUNDSTROM: Good evening. I think we're going to go ahead and start this evening, and I'd like to welcome everyone here to our meeting. I'll introduce myself quickly. I'm Patty Lundstrom, and I am executive director of the Northwest New Mexico Council of Governments.

I also serve as a member of the New Mexico House. I represent House District 9; and in the last, gosh, I'd say 10 to 12 years, I've served as the steering committee chair for the Navajo-Gallup Water Supply Project that we're all here to talk about this evening.

So it's a special privilege to have all of you here and to have -- I think, Jeff, isn't this our second round of public meetings we've had in the last five, six years, where we go to various communities and we talk about the project and we receive input on the project.

But we have some special folks here I would like to take just a moment to introduce to you. I don't want to stand right in front of them. I'd like to introduce first Carol DeAngelis. Carol is from the Western Colorado Area Office. She is the area manager. And that office is actually located in Salt Lake City -- Grand Junction? Jeff, you told me it was Salt Lake, and I wrote it down that way. So, I apologize, Carol. But Grand
Junction. Thank you for being here this evening and spending the evening with us here in Gallup.

And Rege Leach is our project team leader also with the same office, except he's out of Durango; and I know that for sure because I've been in his office in Durango.

And our hearing officer this evening is Susannah Thomas. She's with our regional solicitor's office. And John Cawley, supervisory engineer for BIA Western Water Rights Office in Albuquerque. Thank you very much for being here this evening with us.

Couple of people I'd like to introduce in the audience because it's just my honor to know them and to work with them for such a long time and they are very good friends of mine.

And I'm glad he's here this evening, and that's Vice President of the Navajo Nation, Ben Shelly. And I want everybody to recognize Mr. Shelly. We go way back. He served on our Council of Governments Board for a number of years and served in the county commission and is doing a good job in his new position there with Navajo. And we're glad to have you here.

We also have a couple of members of the Navajo Water Rights committee. We have the chairman, Ray Gilmore, Judge Gilmore. And in the back we have Ben
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1 Cowboy, Mr. Cowboy. And I don't know that we have any of
2 the other water rights -- oh. Stanley, are you officially
3 on that committee also? Okay. He's shaking his head.
4 He's not on that committee, so.
5 I'm looking for other elected officials here and
6 don't see any at this point, but that doesn't mean we
7 won't have more come in this evening.
8 Again, I'd like to welcome you all to our project
9 briefing. The Bureau of Reclamation has developed this
10 Planning Report and Draft Environmental Statement. I hope
11 everybody has picked up a summary copy out there when you
12 signed in this evening. We'll have the solicitor give us
13 our rules of engagement this evening.
14 And Mike is our timekeeper, I understand. Mike,
15 show them the sign for negative comments and the sign for
16 positive comments. No, not really. No. We really want
17 to hear what you think this evening about the project.
18 And, again, I want to thank all of you for being
19 here this evening. I understand we also have about a
20 30-day window of opportunity for written comments, so it's
21 not over. And, again, thank you. And I turn it over to
22 you, Susannah. Thanks.
23 THE HEARING OFFICER: Again, we'd like to welcome
24 you to this open house. This is a meeting on the proposed
25 Navajo-Gallup Water Supply Project and the Draft
Environmental Impact Statement, which we refer to as the DEIS.

If you haven't signed in, there's a sign-in sheet out there. Please be sure to do that before you leave so that you can receive e-mails and other notices.

This public meeting and open house is being conducted pursuant to the National Environmental Policy Act. And the purpose of this open house is to hear your comments, thoughts, and views on the proposed project.

The representatives of the federal government here today are prepared to take your comments and thoughts back to the decision-makers for this project. And while we are prepared to answer your questions with regard to factual matters, we are not here to engage in discussions about the relative merits of this project or its alternatives as discussed in the NEPA documents.

Simply put: We are here to listen.

Whether you choose to make your comments orally or provide us your comments in writing, they will both be considered equally. We will address all comments as part of the Final Environmental Impact Statement process, the FEIS.

We are aware that there is a connection between the project that is the subject of tonight's meeting and the overall settlement of the Navajo Nation's water rights.
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1 claims on the San Juan River.
2 We are also aware that there has been legislation
3 introduced by Senators Bingaman and Domenici that would
4 resolve the water rights settlement in part by authorizing
5 the construction of this project. But at this time, the
6 administration has taken no position with regard to the
7 settlement.
8 And because this open house is about this project
9 and not about the settlement, we ask that you direct any
10 comments or concerns you may have about the overall
11 settlement to your elected officials.
12 We have a person here, Joanna Austin-Manygoats,
13 and she's going to be available to interpret in Navajo for
14 those of you who do not understand English or for those of
15 you who prefer to speak in Navajo. Please let us know now
16 so we can make arrangements. Anybody? Okay. Well, one.
17 We'll be sure to take care of that, then.
18 This meeting we would like to end around
19 9:00 p.m. tonight to get everybody home at a reasonable
20 hour. In order to do that, we ask that you limit your
21 presentation to about 10 minutes. And we have a
22 timekeeper, which has been pointed out to you over here.
23 So we ask that you please observe his time notices.
24 So at this time we would like to proceed in the
25 order of those who signed up on the sign-in sheet to
And we will first hear from elected officials and representatives and then we'll proceed in the order of the people on the list.

And before you begin your presentation, if you could please state your name, we would appreciate that.

After we hear from comments from those on the list, if time permits, we invite anyone else who would like to come up and present any comments to do so. Also, if you could just come up and state your name, we'd appreciate that.

So we will start with Mr. Ben Shelly.

STATEMENT BY VICE PRESIDENT BEN SHELLY

MR. SHELLY: Okay. Thank you very much for allowing me to say a few words. Navajo? No. I was just kidding you.

I'd just like to get started with my name is Ben Shelly. I am the Vice President of the Navajo Nation, and I'll be representing the President and Vice President of the Offices of the Executive Branch of the Navajo Nation.

And my delivery to you would be to partition out the Navajo Nation itself.

And I would like to go to that and then after that, if we have the experts on the other matters; anything else we have the attorneys here. We have the water commissioner here that will probably be testifying too.
To establish a position of the Navajo Nation, we have a memorandum that was issued back in April 9th, 2007 by the President of the Navajo Nation. I would just like to go ahead and put it in the record that we are in support.

It says here that the steps in the Navajo Nation -- the Navajo-Gallup Water Supply Project's Planning Report and Draft Environmental Impact Statement, or Draft EIS for short -- the Draft EIS that was released by the Bureau of Reclamation on March 30th, 2007 allows for 90-day public review. It ends June 28th, 2007.

And during this period, we're encouraging all the people that are involved that has any concern about the EIS to express their concern. And the bottom line to that is that we are all hoping that all will express their concern and then their support, support the Navajo-Gallup Water Supply Project.

The Navajo-Gallup Water Supply Project has a long history dated back to 1970. At that time, it was a one pipeline discussion. Now, we have two. San Juan Lateral is one now, which is the one that's going to be coming out of Nenahnezad Chapter and it will be coming through 491 all the way down to Gallup.

The other one is Cutter Lateral, which is up there in the north side of the reservation in San Juan
area, which will be coming out of -- out of the reservoir
out of Farmington, the Navajo Dam. It will be going in
that direction. So now you have two pipelines that's
being under -- in discussion.

And, you know, the problem with the water thing
is we're all in need of water. And I know the Navajo
Nation, the majority of them, are hauling water at this
point in time. And that is a big concern to the Navajo
Nation itself. And I know Gallup, city of Gallup is also
in need of water. We're kind of like a neighboring -- a
neighbor -- a neighbor town in the nation, Gallup and also
the nation of the Navajo Nation.

And we'd just like to say that to completely back
up the memorandum by saying that we are in full support.
And we're asking everybody to be -- to be stating their
concern and then -- and then in the end should be
supporting it.

It's very important that we do talk about the EIS
overall because it really puts a decision -- the
decision-makings are made by people like Pete Domenici and
others that are out there; and they look up to this
report. If it's favorable, they will go ahead and move on
that. Those are the way that the system is.

So it really comes back down to the people when
they express their concern about the EIS. And I'm hoping
that we do well here; that we continue to move the plan forward and the funding forward to make the reality of bringing the water down to Navajo and Gallup, the water supply, and bringing it to the community where it's needed. And the benefit would be to the people that lives around that pipeline.

And water is a way of -- it's life. And I believe that by delivering that water, it will benefit a lot of people in the area, the economic development and social life and healthwise. And I believe that that will happen.

And I'm hoping to ask everyone in attendance here to support -- support the Navajo Nations. And I'm pretty sure here in Gallup, they too are in favor of this. And I'm hoping that we come out with a positive -- positive move here to proceed on with -- with public hearing in a positive matter in favor of water coming to Gallup and to Navajo. Thank you.

THE HEARING OFFICER: Thank you, Mr. Shelly.

Next -- and I'm sorry if I say your names wrong; another good reason to have you state your names. We'd next like to hear from Mr. Frank Mraz.

STATEMENT BY FRANK MRAZ

MR. MRAZ: Thank you. My name is Frank Mraz, and I work for the Gamerco Associates. The Gamerco Associates
own 27,000 acres in and around Gallup. I appreciate the opportunity to speak to you folks tonight. You know, it's great to be able to talk about a win-win situation with this water project.

We've got 43 chapters on the Navajo Reservation. Fort Defiance, Saint Michaels, Window Rock, the entire Jicarilla Reservation, and Gallup will all become instant winners with this pipeline project. This is probably one of the greatest partnerships that will ever happen in this area.

V22, which is Gallup's new well system, it's going to be a temporary fix. But a combination of water from the San Juan, Twin Lakes, G22, and what's left in the Gallup sandstone will protect us all for generations to come.

I've lived in Gallup for 60 years. I can remember this pipeline talk back 45 years ago. That's too long. Please, let us all partner together to make water flow across northwest New Mexico and Arizona. It's not who's right, but it's what's right.

Without water, we can't have economic development. If you look at the statistics for Gallup and McKinley County the last four years, the population has decreased. We have had economic development projects because we cannot guarantee a long-term water supply pass
us by for other areas of the state and other areas of the
country. I think we all need to look at what the economic
development of this project alone means to the entire
area.

Now, I've been involved in the water talks and
town hall meetings. We all get excited. But like our
wells, our enthusiasm seems to dry up. We cannot wait
until we're backed into a corner. Without this lifeline,
the area will go the way of the ancient ones.

I hope to see this project completed during my
lifetime. It's not can we afford to do this project, but
can we afford not to do this project.

Thank you all very much.

THE HEARING OFFICER: Thank you, Mr. Mraz. The
next person we'd like to hear from is Dr. Ron Berg.

STATEMENT BY RON BERG

MR. BURKE: Thank you. My name is Ron Berg, and
I've been a resident of Gallup for approximately 25
years. Business owner here. I'm a chiropractor for the
past 20 years. I have a number of children involved in
city soccer. And I reflect on that in the water
circumstance we find ourselves in. Water is very
important to soccer.

I would like to speak just briefly as to what I
feel the City has done. And I'm not an expert on that,
but I know that there have been conservation efforts and
that the cost of water has been raised. There have been
programs for rebates for such things as low-flush toilets
and so on.

They even -- and I've drank some of it, the water
that -- they had a program that they will use, as I
understand it, if necessary, to treat waste water. And,
gee, I've sampled that and it tastes great. But even that
alone, my understanding is that the water, that would not
be a source sufficient to allow Gallup to continue to
exist.

When I think of the water situation here in
Gallup, I tend -- I'm a real people person; and I tend to
think of the people that I know, be they from on the Rez
or from here in town. And I'm really proud of Gallup for
being the kind of community that not only has a rich
history -- and I love history. But it's a town where you
don't find jokes about people's race like you do in a lot
of places.

It's because the moment you say something like
that, you're offending that person because inevitably they
themselves are married to or have family that are married
to an Anglo or a Hispanic or a Navajo or a Zuni. And it's
made for a very unique circumstance in my life, at least
my experience. And I'm very proud of that.
So, I definitely stand in favor of it. And I hope for my family, the community's sake, and for Gallup and the Reservation here that the tradition will continue and that Gallup will yet be here for the rest of the country and for those of us who live here.

Thank you very much.

THE HEARING OFFICER: Thank you, Dr. Berg. We'd next like to hear from Mr. Evan Williams.

MR. WILLIAMS: I think I signed the wrong sheet.

THE HEARING OFFICER: Oh. You can come speak if you'd like.

MR. WILLIAMS: I work for the Council of Governments, so you know where I stand.

THE HEARING OFFICER: Okay. Then we will move on to Mr. Paul Spruhan.

STATEMENT BY PAUL SPRUHAN

MR. SPRUHAN: Thank you very much for this opportunity. My name is Paul Spruhan, and I'm a citizen, a resident of Gallup for actually relatively less period of time, about five years. I'm also -- my wife and my son are enrolled members of the Navajo Nation. I also work in Window Rock, though not having anything to do with the particular issue here.

So I think I've got a unique perspective on both sides of the issue, both the City of Gallup and living,
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1    working, and being related to people in the Navajo
2    Nation. And I personally support the project
3    wholeheartedly.
4          I think it's key to the continued economic
5    viability of the city of Gallup and I think key to the
6    economic viability of the Navajo Nation. And I think
7    those are two distinguishable situations because, of
8    course, the city of Gallup has a lot of businesses, a lot
9    of successful businesses; the Reservation less so.
10          And I think there's a perception out there among
11    people -- it may be anecdotal, but it's there -- that
12    we're an area of the very old and the very young and
13    nothing really in-between.
14          And the reason for that, at least the perception
15    of the reason for that, is that there's nothing here for
16    people, for young people who graduate from high school and
17    college. They'd rather be someplace else, a larger
18    community, a community with a better economy, Albuquerque,
19    Phoenix, Durango.
20          And I don't think there's a coincidence that the
21    communities that people seem to go to are the ones that
22    have viable water sources to continue to expand and
23    develop. People who go to Las Vegas, I don't think
24    there's any denial of the ability of them to have
25    sustainable jobs. And the economy of Las Vegas and
1 Albuquerque and Phoenix are due to water projects that
2 support in the development in those areas.
3 So I think it's important for this project to
4 create a sustainable and predictable water source instead
5 of relying on aquifers and instead of relying on pickup
6 trucks with large water tanks driving long periods of time
7 with high gas prices just to survive.
8 So I'm reminded of another anecdote. I was in
9 Durango a couple years ago with my wife before our child,
10 who you'll see running around occasionally here. It was a
11 person who clearly, obviously had driven up from Phoenix.
12 And, of course, to get from Phoenix to Durango, the
13 easiest way is to go straight through the Reservation.
14 And he was talking to the bartender at a
15 particular business in Durango. And he said, "Oh, yeah,
16 the Reservation is beautiful, but it's so dry." The
17 perception was there's nothing there. It's just a big
18 nothing in-between two towns with successful economies
19 with supportable water sources.
20 So with that in mind, I again support the idea
21 and the concept and the follow-through. I will say that
22 the city of Gallup is something that, again, will sustain
23 a continuing economic viability. For the Reservation, I
24 think not only will it support the economy, but I think
25 it's also consistent with the federal government's
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1 responsibility to promote the self-government and
2 viability of the Reservation.
3 I think there's a perception out there that
4 living on the Reservation is a choice; that, "Well, you
5 could live anyplace else, so why don't you? It's not
6 really our problem if you don't have water. That's just
7 the way things are. Go to Albuquerque. Go to Phoenix."
8 And I think it's very shortsighted because I
9 think some people can and will tell you there's a strong,
10 spiritual connection to the land and to that society that
11 needs to be recognized if as important and valuable as any
12 other communities, beliefs, and situation.
13 So with that in mind, I again thank you for the
14 opportunity and ask you and the people here and everybody
15 in the community to fully support the project. Thank you.
16 THE HEARING OFFICER: Thank you, Mr. Spruhan.
17 We'd next like to hear from Mr. Mike Daly.
18 STATEMENT BY MIKE DALY
19 MR. DALY: Good evening, Hearing Officers, Ladies
20 and Gentlemen. I'm a resident of Gallup. I operate a
21 small water system near Gallup. We have -- our water has
22 the salinity of about 12 percent of sea water. And for 30
23 years the people were drinking that.
24 Pretty impoverished community. The average
25 income is about $14,000 a year per family. And they
weren't buying bottled water because they thought it was stylish. Fortunately, we're using reverse osmosis now, okay. But that's kind of the state of the native water. It's tough. Probably due to a genetic inability to say no, I'm on the city water board and the county water board. They haven't figured me out yet or run me off. I grew up in Los Angeles. And there's a real dreamer out there a century ago. Another engineer, Mulholland. Run a little pipeline, you know, in this valley. Now, people in the valley tell you how terrible it is, but Los Angeles couldn't have run without it. He was sharp enough. The first -- his pipe brought the water down with gravity flow. A decade or two ago, the Department of Water and Power tripled the capacity out of new pipes, and they are pumping their water, okay. But it seemed like a pipe dream a century ago and so necessary. First Los Angeles. Now the Eastern Sierras and the Western Sierras. Now they are looking more hungrily at the Colorado River, okay? But this isn't a pipe dream. This is a reality. Listen, there's a city named Cloudcroft in southern New Mexico which is working to have pretty much direct reuse of wastewater. They just don't have any choice. The City of Gallup's working on the same thing
because we don't really have much of a choice.

But with the direct reuse. We're still only going to be able to reuse -- assuming we can do that -- 60 percent. The peak demand water supply is supposed to be curtailed in four or five years in the city of Gallup without new sources. I mean, there are some sources, but the people in the neighborhoods where the water is getting drilled aren't necessary really enthused about that, okay?

We look at Arizona, the growth that's going there. The growth that's going in Texas. I know there's some people opposing in this project. There are some interests that have valid concerns, and they are not to be ignored. But I think if we look broadly, we see that the Upper Basin Commission supports this project and should be pretty representative of a larger group of people.

And I think more important -- well, I don't know more important, but. An extremely important point is we have just 30 percent of a large group of people have to haul their water everyday. They have the privilege of getting 10 to 15 gallons of water a day per person.

How would our lives be, how would your life be at 15 gallons a day? How would your life be with such inefficiency that you have to go to town to get the water? You wouldn't be as productive. I'm too busy going
to get water to do something else. A horrible waste. And for a whole people.

You know, it was U.S. policy until the '50s not even to build roads on the Reservation. So look at the capital cost of this. And I'm going to throw numbers that probably aren't really, but if we assume $900 million for the cost of this project and a population of about a quarter million people being served, we're getting something like $12,000 a household for water infrastructure.

When you put it in those perspective, that's not a lot of money per family. It is all at once. But, I mean, I would say it is a lot of money on a per capita basis.

And I'd like to go a little bit about the cost, and then somebody's got probably something better to say or to talk about. But the cost is I think a quarter -- or three-quarters of a million dollars and looking maybe to be an increase. But designs can be impacted.

And we can design it with or without a bureaucracy. We can design it most efficiently, or we can design it most safely. There's a lot of different ways to design. The Bureau of Reclamation, which has worked really hard on this project -- and I don't even want to make a hint at criticism of the Bureau, but they estimated...
that the Cutter Lateral is going to cost $100 million.

The Indian Health Service has estimated that same project at $50 million because they went through value engineering and made some changes. And they are actually constructing a third of that with state moneys for $17 million.

I would hope that in looking at this project, we don't just look yes or no, but let's look at a nice, sufficient, cost-effective way to make it work. It isn't free money authorized and having printed in Washington as a free service and delivered to the States. It's real money.

But it doesn't -- I don't think it has to cost that much. I think we need to really do the value engineering. We need to look at alternatives and be careful with the construction of things. And, thank you.

THE HEARING OFFICER: Thank you, Mr. Daly. Next, we would like to hear from Ms. Gloria Skeet de Cruz.

STATEMENT BY GLORIA SKEET DE CRUZ

MS. CRUZ: Good evening. My name is Gloria Skeet de Cruz. I'm here representing my chapter community, which is Baáháali Chapter, which is south of Gallup. We just recently changed our name to Baáháali, which was -- formerly used to be Breadsprings.

And I've also noticed in the audience -- I don't
see my counterparts from Red Rock or from Chichiltah Chapters. And so all I want to say -- I'm going to keep my comments very brief and very simple -- is that from the Breadsprings community, we really strongly support the Gallup-Navajo Water Project.

I think it's really, really important for us to put aside our distrust and our animosity, you know, as Navajo communities who have been dealing with border towns to put that aside and go into one of the greatest partnerships which is addressing this whole water issue not just for the city of Gallup, but for chapter communities.

I think that I remember when I first heard about this project, which was probably about eight years ago, a lot of people thought it was just a Gallup project. Because I think there was a lot of emphasis that Gallup was running out of water. And it's only until recent that I heard that chapter communities that surround the Gallup area and in fact this whole region are part of this water project.

And I'm very, very pleased to hear that. As a Navajo growing up south of Gallup, I never had running water. As a matter of fact, in my home I just got running water a couple of years ago.

And out at the Breadsprings community, and I can
probably speak for Chichiltah and Red Rock, we have a lot of community members who to this day do not have running water. They don't have the basic infrastructure that a lot of people who live in small towns like Gallup have; no electricity, no running water.

And so it is our hope that eventually we do know that the Breadsprings, Chichiltah, and Red Rock communities are also part of this plan. And I just want to reassure that, you know, that we do support this and that we want to see those three communities south of Gallup involved with this water partnership.

And then just one more thing. You know, water is so, so important. And I just want to echo again what two other speakers said before me, is that we have a lot of our community members hauling water. And these people live below poverty line, and they are paying the highest water bill, paying a lot of money. And then it's compounded with the gas being so expensive.

And so our families are really facing a lot of financial hardships. A lot of people are starting to look at how they need to reduce their livestock because they can't afford to be hauling as much water as they used to. So water is very, very important. And I am aware of some of the opponents against this -- this water partnership with Gallup and the Navajo Nation and
The Hearing Officer: Thank you, Ms. Cruz. We'd next like to hear from Mr. Julius Elwood. Is Mr. Elwood here?

Statement by Julius Elwood

Mr. Elwood: Good evening, Ladies and Gentlemen.

My name is Julius Elwood. I am a resident of the Eastern Agency, specifically the Standing Rock Chapter, which is about 50 miles northeast of Gallup, New Mexico.

Recently, I have learned about this project myself, reading about it in the newspaper, et cetera. And last night we were finally -- anyway, this is the first time I've seen this project brought to the chapter, my chapter, specifically.

And we were asked to vote on -- on a resolution supporting the Draft EIS. However, when I asked how many of the residents there at the chapter meeting were familiar with the EIS, how many have read the EIS statement, only two members out of approximately 30 that were there actually read and know something about this project.

Me, myself, I am in support of water coming to
the Navajo Nation. I have mixed feelings about it, though. I have lived in this area all of my life. When I was young, we hauled water all the way up until I believe my senior year in high school, which was about '89, '90; we finally received runner water. So I have experience both having running water and not having running water. And last night my chapter did express support.

The only thing that a lot of the members did not support was why Gallup was a part of this project. A lot of community members felt like what has Gallup ever done for the Navajo Nation, except make a lot of millionaires out of a lot of people that have businesses here in Gallup, New Mexico.

As with a lot of border towns, many Navajos go to these border towns and spend their money; and there's no economic -- or very little economic development on the Navajo Nation. And it's kind of ironic when people talk about economic development.

For one reason or another, mostly what I hear from what I understand is the reason there's not a lot of economic development on the Reservation is there's so much red tape, like with the BIA, et cetera. And ever since I was young, and throughout my education, I understand the government has made it very difficult for native people to be successful, as far as having businesses and having
economic development and economic success.

But border towns seem to be doing very well.

Gallup I know has been doing extremely well. Now they are in a crisis and they look to the Navajo Nation for support or for help.

And a lot of the older people, younger people like me, we wonder why Gallup's name is in the title and how much of the $720 million is Gallup going to pay for this project, how much are we going to sell the water to Gallup for?

You know, as a Native American, Navajos, you know, I -- I -- you know, it bothers me. The only thing Gallup has ever done is provide alcohol a lot of times, and there's alcohol and a lot of social problems that have been around the city. Very little has been done about it. And they kind of look away and continue to give out liquor licenses.

You know, and now it bothers me when people say, "Let's forget about the past, create this beautiful partnership, look toward the future." But, you know, history is very important to me. And the way my people are being treated, have been treated, it bugs me. You know, it's not very easy for me to -- and a lot of Navajos -- to just forgive and forget.

A perfect example is the people that live right
across Boardman down here who have been hauling water for years and years and years, the City of Gallup didn't want to give them water because they live on an allotment. Finally, last week -- or a couple weeks ago, they decided to run a water lines over there to help out these Navajos that have been hauling water, you know, right next to the golf course.

Why did they finally do that? Because they finally said, "Hey, these Navajos could give us some water. Let's do something good for them." Some public relations kind of stuff. And to me, you know, that -- you know, that just makes me upset.

Why didn't they do it before? Just to be, you know -- to be human, you know. To be if somebody's struggling you want to help them somehow. You don't just want to stand there and watch them.

So, I have mixed feelings about this. Also, when you talk about economic development, you're talking about Gallup specifically. And I don't know if I support more economic development for Gallup. What that would mean is Gallup will grow and expand and everybody knows what happens when cities get big is they create pollution, they create a lot of waste products, and a lot of other problems arise.

And as Navajo Native Americans, we see water as
something that is holy, that we pray to -- pray for, and
we hold very dear to our hearts. And just like Mother
Earth, we talk about Mother Earth and we pray to Mother
Earth and we thank her for providing for us. And for me I
don't appreciate my Navajo leaders, et cetera, selling
natural resources and creating pollution, creating
by-products.

As we -- as we all know, people that live around
here, we've had a very negative experience with the
uranium companies. And we're still dealing with it. This
past week in the newspaper, you know, I read about some
family that have their -- the soil finally removed from
around their houses and within their houses because it's
contaminated with radiation.

Heck, they've been living in those houses for
30-plus years, and now they are finally doing something
about it. These people are getting sick, dying left and
right. All I see all across the Reservation are dialysis
building -- people are going to dialysis. For what?
Kidney failure. And the only logical explanation is
radiation.

My people have been murdered for energy because
of what's in Mother Earth, and I don't understand why we
still continue to sell our coal and our natural resources
for money. And we don't really get paid good market
value. You know, we always make deals and sell our natural resources for a small amount.

And I'm afraid that's what's going to happen with this water again, when we're going to sell water to Gallup for probably pennies a gallon. Right now they sell the water right down the road here. My uncle has to haul water everyday. He has to pay like $5 for a full barrel.

Are we going to sell Gallup -- our water for that same amount, or are we going to give them a good deal again? These are the things that a lot of us Navajos living around here are concerned about. And I think we need to be better informed about these projects.

And the settlement, what are we settling? I mean, a settlement means you -- you settle something. I mean, what was the original -- what was the original -- if we won the case and without the settlement, what would we get. You know, the details of the settlement nobody seems to know. And we're not informed.

All we've been hearing is how Gallup is going to benefit from this project. And to make it look good they throw in Navajo in there as well. And I'd like to know how much Gallup is going to pay for this. I know Navajo Nation is going to pay 570 million, around there. What about Gallup? Thank you.

THE HEARING OFFICER: Thank you, Mr. Elwood.
We'd next like to hear from Mr. Larry Winn.

STATEMENT BY LARRY WINN

MR. WINN: Good evening, everyone. I'm speaking tonight not as an individual but for the Gallup Water Board.

When the previous mayor was elected four years ago, he put an emphasis on water and appointed some task forces to come up with some innovative ideas on what to do on various topics, one of which was water. The task force decided that we would have a town hall, a New Mexico first mediated town hall.

We did that. It was a rousing success, I believe. We had lots of Gallup people. We had lots of Navajo Nation people. We had lots of technical people. What we came forward with in essence was a call for a cooperative set of ventures, to come up with a truly regional and sustainable solution.

After that we went to the city council, asked that city council if they would essentially sign on in general terms to the conclusions of the town hall. They did so and appointed a water board whose function it would be to see to the implementation of the recommendations in that town hall.

I was appointed as the chair of that group. And I'm still the chair of that group. As you might imagine,
we have discussed the Navajo-Gallup Water Supply Project
in significant detail. And I'm here tonight to -- to
share with you the water board's concerns and support.
My comments will be along the lines of four
general points, the first of which is the importance, like
I said earlier, of regional cooperation. We know that we
are a region. We know that we cannot go forward
successfully without the surrounding area benefiting. We
have no desire to go forward without the surrounding area
benefiting.
And so we really want to be as cooperative as we
can be. I think all parties that are knowledgeably
related to the planning project would agree that there has
been a cooperative process and continues to be. We know
that we need a regional solution, and we support a
regional solution.
An example of what a regional solution could be
is something that is part of the Navajo-Gallup Water
Supply Project, which is -- I believe the current name
is -- correct me. Well, you don't do that. But I say out
to the ethers, "Correct me if I am incorrect in the
current name," but I believe it is the Gallup Rural Navajo
Regional System, but essentially the distribution system
for the south end of the pipeline. There has been
significant, ongoing cooperation concerning implementing
that and moving forward with, say, government to afford that.

We have -- we -- all of us have maximized other people's money, which is something that I think we are all charged with doing in the political sphere. And to date that money continues to come in actually as fast as we can spend it.

And that is an example of the kind of thing that we can do if we continue to work together. The Gallup Water Board's -- one way of look at the Gallup Water Board's charge from city council, because we were created as an advisory board to city council, is to come up with actual wet water as a solution for the city.

Therefore, our deliberations have often focused on the likelihood or nonlikelihood of any given solution being actual. We more or less never quit thinking about and debating that.

I, as the board chairman, hold that as the essence of my charge. My charge is for the day to never come when a tap in Gallup leads to simply the sound of rushing air, a sound that we all expect to happen unless really good things occur here in the next few years.

We have every reason to believe that this is what will happen if good solutions are not found. My job as a volunteer citizen, as the chair of the water board is to
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1. do everything that I can realistically to minimize the chances of that day ever coming and, therefore, to maximize the chances of actual wet water solutions being found.

2. And so constantly in our deliberations I have emphasized the primacy of making bets, essentially, on what will bring wet water here, by what time, at what cost, et cetera. If water is to come to the Gallup area -- or shall I say Gallup and the surrounding area, it has to be afforded.

3. If Gallup cannot afford its share of the project, no matter how that share is defined or conceptualized, then it is unlikely that there will be a project. All of the people who work significantly on this project know that to be true. Certainly, the senators have reiterated that repeatedly.

4. Therefore, Gallup's ability to afford its share of the cost is an overwhelmingly important factor. The new mayor and council, which were just elected two months ago, have begun their term under the mayor's leadership emphasizing a pay-as-you-go approach that is rather ruthless. And I don't mean that in a bad sense. I just mean that in a sense of, you know, as a no prisoners kind of a situation, frankly.

5. And there are many enhancement projects that
people would prefer to see around the city that are essentially waiting for more money. There's really nothing wrong with that. I kind of like that way of doing things, actually.

But I just mention that because it's -- it emphasizes the importance of Gallup being able to find the money to afford the project. And if that cannot be done, then it's unlikely that Gallup can be in the project because we have to pay our share. We're seeking ways to do that.

Concerning the EIS itself, this comment can be rather brief. EIS is -- are things that are not discussed much here tonight. Typically, there is a concern for preferred alternatives. And preferred alternatives are looked at through a number of lenses, one of which is data financial analysis or differential financial analysis, a point which the executive summary essentially points out as a weakness of itself.

We would like to see better figures there. We understand that some of that has to do with lack of political consensus with the administration, et cetera, et cetera. But, nonetheless, we would like to see that. Nonetheless, this is not primarily, evidently, a hearing where people feel called upon to discuss EIS's but to reiterate their support for something that is terribly
Comment PH-01 – continued

needed in our area by everyone.

The Gallup Water Board shares that concern and
shares that prioritization. And so we are in full support
of the Navajo-Gallup Water Supply Project. And we hope
that no stone will be left unturned in attempting to find
a successful way to do this politically and financially.
Thank you.

THE HEARING OFFICER: Thank you, Mr. Winn. We'd
next like to hear from Ms. Tanya Trujillo.

STATEMENT BY TANYA TRUJILLO

MS. TRUJILLO: Thank you. My name is Tanya
Trujillo. I am from the New Mexico Interstate Stream
Commission. The State strongly supports the project and
very much appreciates the work that went into issuing the
Draft EIS.

We will be submitting written comments on the
Draft EIS. We do support the Preferred Alternative. And
we look forward to working with you as this project
progresses. Thank you.

THE HEARING OFFICER: Thank you, Ms. Trujillo.

Well, we have some time, so if there's anyone
else who would like to come up and give us some comments
on the Draft EIS, we'd like you to do that.

Again, if you could please limit your
presentation to 10 minutes and please state your name.
STATEMENT BY LANCE ALLGOOD

MR. ALLGOOD: Good evening. My name is Lance Allgood. I believe I was on the wrong list, as Evan put his name in my spot.

I'm the director of the City of Gallup's Joint Utility Division. I would like to apologize for our mayor and council and other members of the city government.

Tonight's meeting happens to coincide with our regular city council meeting. So I'll be speaking on behalf of the City of Gallup.

First off, the City of Gallup fully supports the project, as probably the -- not probably, but as the only real viable renewable water supply for Gallup and the region. We support the EIS.

We worked very diligently with the State Engineer's Office, the Navajo Nation staff, and the Bureau of Reclamation and Patty Lundstrom and the chair of the steering committee for the project to see this thing through and get to that point.

We'd like to say we do support the project. We support the Environmental Impact Statement and believe it fulfills the intent of the law. So with that, we thank you again.

THE HEARING OFFICER: Thank you, Mr. Allgood.

Any other comments?
STATEMENT BY RAY GILMORE

MR. GILMORE: Good evening. Thank you for this opportunity. My name is Ray Gilmore, Chairperson, Navajo Nation Water Rights Commission. Very, very brief. A few words. I will reserve my comment until we're actually in Farmington, New Mexico. Okay. Thank you.

THE HEARING OFFICER: Well, given that we don't have any other comments, I want to thank all of you for attending this meeting tonight. Again, you do have the opportunity to submit written comments. That's open to you.

And if you haven't signed up on the sign-up sheet outside, please do that so you can receive information through the mail or e-mail.

On behalf of all of us here, thanks to our reporters and interpreters.

We thank you for coming. So I hope you have a safe journey home.

(The hearing adjourned at 7:15 p.m.)
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CERTIFICATE

I, Tanya M. Nims, a Certified Court Reporter, do hereby certify that the Proceedings of the above-entitled project were reported by me stenographically on May 22, 2007, and that the within transcript is a true and accurate transcription of my shorthand notes.

I further certify that I am neither an attorney nor counsel for, nor related to or employed by any of the parties to the project, and that I am not a relative or employee or any attorney or counsel employed by the project hereto, or financially interested in the project.

____________________________
TANYA M. NIMS, RPR
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