

SUSAN LYNN
1599 WHEATGRASS DR
RENO, NV 89509
November 29, 2011

Mr. Jason King
Mrs. Susan Joseph-Taylor
State Engineer's Office
Div. of Water Resources
901 Stewart Street, Suite 2002
Carson City, NV 89701

Personal Comments on Spring, Cave,
Delamar and Dry Lake Valleys hearing

Dear Mr. King, Mrs. Joseph-Taylor and staff:

Thank you for holding public comment on October 7. While it was an opportunity, it was difficult to make comment in 3 minutes. However, I do have some empathy for listening to 93 people in one day and 6 weeks worth of hearing.

I wish to elaborate on my oral comments:

1. SNWA has had these applications for 23 years. During the extreme boom years, Southern Nevada decided it needed more water; then it didn't. LVVWD dropped some applications and sat on others. LVVWD became SNWA. Then came the drought in the Colorado River Basin and the applications were 'critical' again. Now during the economic downturn Mrs. Mulroy says they may need the project IF Lake Mead drops below the dreaded level, or the boom begins again. So do they need it or not? While I agree that water planning should look ahead 20-30 years, it seems that this is a "best wish" rather than a serious need. Then one must ask the questions: Is this water for drought supply? Or is it for growth? SNWA needs to better define its NEED.
2. These applications have hovered over the heads of rural counties for too long. There is no way to know what other projects, economic development, agriculture, and small businesses could have developed in this 23 year period. A number of people cited that it is too expensive to apply for their projects knowing that SNWA's applications are first in line. Rural ranchers and businesses do not have extra money for speculation. SNWA has simply tied up the water for too long and will tie it up for longer—perhaps another 20 - 50 years. That, to me, is very speculative on the part of SNWA. I don't think Nevada water law ever intended to allow water to be held this long without showing beneficial use. The State doesn't allow private parties to hold water without putting it to beneficial use, but it does allow municipalities to do so indefinitely. NRS has no time limit—on purpose? This seems to be a legally questionable double standard.

3. During the previous Spring Valley case, I believe Mrs. Brothers and Jeremy Aguerro both acknowledged that Southern Nevada had erred in a number of areas: a. the rate of growth, b. the amount of water needed for the growth, c. the amount of water available in the Colorado River, d. the amount of conservation needed, e. they had put all their eggs into the construction and gaming economies which they acknowledged probably wasn't wise, and f. failed to plan for possible economic downturns. Couple these mistakes with over-building, over-lending, maximizing immediate profits over long-term considerations, one has to wonder if Southern Nevada ever looks at alternatives as "best-case/worst case scenarios?" And are they erring again in not looking at other alternatives and calling this project their only salvation?
4. Regarding other alternatives: You did not hear from the South Coast Water Management District but they do feel there are STRONG possibilities for SNWA to build desal plants on California's coast to exchange sea water for Colorado River water. Even if there is declining CO River water, even if only half of South Coast's demand would equal what Las Vegas wants at 1/3 the cost? Mike Dunbar did appear at the Central Nevada Regional Water Authority's Water Forum to talk about this possibility. There are other alternatives to this pipeline project!
5. Southern Nevada has stated that it was wrong to put all of its eggs in the Colorado River basket; that it needs to diversify. So why did Southern Nevada build cities that outsize their own sustainability? And why should the rest of the state put all of its water eggs in one basket, Southern Nevada, at the expense of the rest of the state? This does not seem wise either. The rest of the state is keeping the economy going because of Southern Nevada's unwise choices. SNWA has forced sacrifices on to the rest of the state.
6. SNWA is doing its best to distance itself hydrologically and economically from its own and other evidentiary model submissions, SNWA exhibit 383 and the D'Agnesse model used in the BLM DEIS, because it knows there are extreme ramifications that it does not want to face: the amount of water and the cost that most likely will be forced on to the rest of the state because Southern Nevada cannot afford this project. The economy of S. Nevada, even in the best of times, may not be able to pay for this huge project
7. SNWA has touted its outdoor conservation. It has done a reasonably good job, but more can be done. Further restrictions on types of plantings such as palm trees could be instituted. Palms are quite water consumptive. They occur around oases where there is water in the Sahara and other Middle Eastern Deserts. They symbolize water in the desert. Wrong image for a city that claims to be water-thirsty..
8. Las Vegas could also do more conservation through a better thought out rate structure. We all agree that a low basic rate is necessary for cooking, cleaning and public health. However, after that, the rates ought to progressively increase until people get the message: *they're wasting water*, including Mrs. Mulroy. She consistently appears on lists of top water users along with the Sultan of Brunei.
9. I have listened to almost all of SNWA's case, especially the biological and range parts. 3M's appears to play a huge role, but can SNWA really afford to do all it says it can?. The 3 M costs are not included, that I can tell, in the Hobbs-Bonow

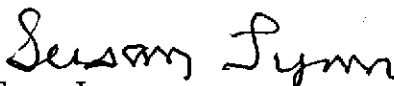
Report of Affordability. I can see small site-specific projects, but not at a landscape magnitude. One cannot intensively manage that many acres within the project area. If the Federal agencies can't seem to financially and ecologically manage that many acres; what makes SNWA think it can? 3M will be the first to go IF there are budget shortfalls. SNWA has already declined to pay its cost share with Utah on 3M because of "budget cuts." Ask the Governor of Utah's Snake Valley Advisory Committee.

10. When one adds the projected construction, financing, O&M, and 3M costs together, Las Vegas cannot afford this project by itself. We suspect that SNWA will come back to the Legislature, and to Congress or the President through Executive Order to expedite project financially and permit-wise. As Dean Baker fears: will SNWA acquire water rights only to sell them to other entities in order to pay the costs of this project? Or because Las Vegas fails to grow because of general economic failure?
11. Since the White River/Pahranagatt flow system filters into the Colorado flow system, it seems SNWA double dips. SNWA and its agencies would pump water from the CDD Valleys, intercepting flows that would otherwise go to Lake Mead. Then they take their CO River share out of Lake Mead. Finally, they get return flow credits for both ground and surface water that they take from CDD and Lake Mead and return to Lake Mead. This seems like quadruple dipping to me...smoke and mirrors.
12. The BLM's DEIS, while deficient in many areas, strongly and clearly states the probable environmental impacts from the amount of pumping proposed by SNWA. The DEIS, Tom Myers's model and other opinions indicate that equilibrium will not be reached with this amount of pumping. Water rights are granted in perpetuity so we could have groundwater mining in perpetuity if this project moves ahead at this scale. I won't belabor "environmental soundness."

Finally, I have to say that SNWA needs to go back to the drawing board, rethink the project in terms of well fields, available water, extended conservation and true costs, needs and uses. It seems they started with a concept that they feel needs to be perpetuated. Now would be the perfect time for reassessment, because IF the Colorado River really fails, this water will not come close to making up the difference. Yes, SNWA has completed many studies and put them out there for this hearing, but I cannot believe in much of their work. It just seems too pie in the sky...trying to force square pegs into round holes in the ground (e.g. wells) to make it work

Thank you for keeping public comment open. You have a huge job ahead. I firmly believe that Nevada's water law never considered a project this size. You have the opportunity to reset the standards. I am trusting you all to do the right thing.

Sincerely,


Susan Lynn

2011 NOV 30 AM 11:13

NOV 30 2011