



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

**75 Hawthorne Street
San Francisco, CA 94105**

December 23, 2005

Terri Knutson
Carson City Field Office
Bureau of Land Management
5665 Morgan Mill Road
Carson City, NV 89701

Subject: North Valleys Rights-of-Way Projects Final Environmental Impact
Statement (EIS), Washoe County, NV [CEQ #20050463]

Dear Ms. Knutson:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments on this Final EIS are provided pursuant to our authorities under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

The proposed project involves Bureau of Land Management (BLM) approval of two pipeline rights-of-way to convey 8,000 acre-feet/year of water from Fish Springs Ranch in the Honey Lake Valley and 2,500 acre-feet/year of water from Dry Valley and Bedell Flat. Uncertainties exist regarding the potential impacts of the proposed project. The Recommended Water Resources Monitoring and Management Plan (Appendix D) was developed to address adverse impacts of the proposed project as they become known during the lifetime of the project. The Technical Advisory Committee and Water Advisory Committee will be involved in monitoring and adaptive management of the project. EPA believes this approach can work well if all parties are dedicated to working together cooperatively to minimize adverse impacts.

EPA remains concerned, however, about the significant cumulative impacts that could result from pumping greater than the sustainable yield from the Honey Lake basin and Dry Valley. We are also concerned about how wastewater in the North Valleys will be treated and disposed to ensure protection of receiving waters, as this information was not included in the Final EIS. In addition, we are concerned that fugitive dust emissions in the water source areas could increase if groundwater drawdown causes the natural vegetation to die off. EPA recommends that BLM work with local agencies and the parties to the Water Resources Monitoring and Management Plan to address these issues.

We appreciate the opportunity to review this Final EIS. Please send a copy of the Record of Decision to this office when it becomes available. If you have any questions, please call me at (415) 972-3988 or Jeanne Geselbracht at (415) 972-3853.

Sincerely,

/S/ Nancy Levin
Duane James, Manager
Environmental Review Office

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cc: Nevada State Engineer
U.S. Fish and Wildlife Service
U.S. Bureau of Indian Affairs
U.S. Geological Survey
Sierra Army Depot
Susanville Indian Rancheria
California Department of Water Resources
California Department of Fish and Game
Lassen County, California
Washoe County, Nevada
Truckee Meadows Regional Planning Agency
Airport Authority of Washoe County
City of Reno
City of Sparks

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Cumulative Impacts

Although the proposed Fish Springs Ranch pipeline and pumping station will be designed to convey a maximum of 8,000 acre-feet/year, the future addition of a booster pump station and ancillary facilities to convey up to 13,000 acre-feet/year from Fish Springs Ranch is a reasonably foreseeable action. The Final EIS acknowledges that this foreseeable future action would result in increased adverse impacts. It does not quantify or describe in detail the potential cumulative impacts, however, because a future action would require additional analysis and approval by appropriate agencies at that time. Based on information in BLM's 1993 Bedell Flat Pipeline Right-of-Way Draft EIS, which identified the potential impacts associated with pumping 13,000 acre-feet/year at Fish Springs Ranch, EPA remains concerned about the significant cumulative impacts that could result from pumping greater than the sustainable yield from the Honey Lake basin. We are also concerned about the cumulative impacts that could result from pumping greater than the sustainable yield in Dry Valley if, in the future, groundwater pumping there increases from 2,000 acre-feet/year to 3,000 acre-feet/year. Notwithstanding the need for future analysis and permitting, a more detailed analysis on the significance of these foreseeable impacts should have been included in the current North Valleys EIS, consistent with 40 CFR 1508.25.

Recommendation: Monitoring and adaptive management will be important in protecting resources throughout the life of the project and for future related actions. We recommend that the parties to the Water Resources Monitoring and Management Plan continue to implement the plan for any future proposals to amend the existing project or increase pipeline capacity.

Water Resources

In our comments on the Draft EIS, we expressed concerns about the potential impacts of the project on surface water and groundwater quality and quantity in the service area, and recommended the Final EIS address the following issues:

- Truckee River and Pyramid Lake water quality and quantity;
- Existing and future groundwater quality resulting from septic tanks and wastewater treatment facilities in the North Valleys where project water will be distributed;
- Wastewater treatment and discharge capacity and the impacts of wastewater discharges on receiving waters, including domestic wells in the distribution areas;
- The transport and fate of stormwater and stormwater dissipation and discharge capacity in the service area.

The Final EIS does acknowledge potential impacts associated with some of these issues. However, the Final EIS does not demonstrate whether capacity for treatment and disposal of wastewater in the service area exists. The Final EIS does not quantify water and wastewater impacts under either the proposed alternative (i.e., 10,500 acre-feet/year) or a scenario that involves delivery of up to 16,500 acre-feet/year (i.e., 13,000 acre-feet/year from Fish Springs

Ranch and 3,500 acre-feet/year from Dry Valley and Bedell Flat).

Recommendation: We recommend that BLM work with the appropriate local agencies to ensure that wastewater treatment and disposal capacity exist for the planned build out in the North Valleys, which the proposed project will accommodate.

Air Quality

The plan included in the Final EIS to address conversion of currently irrigated crop lands to dry-land vegetative cover is intended to minimize fugitive dust at Fish Springs Ranch. We are concerned that increases in fugitive dust may occur elsewhere in the project area, however, if groundwater drawdown results in die off of natural vegetation. The potential increase in particulate matter smaller than ten microns (PM10) emissions in Honey Lake Valley, Smoke Creek Desert, Dry Valley, and Bedell Flat from loss of phreatophytic vegetation is not included in the Final EIS for either the proposed alternative or a project in which both water exporters exercise their full water right.

Recommendation: We recommend that the Water Resources Monitoring and Management Plan include monitoring for PM10 in the groundwater source areas and identify measures to reduce significant increases in PM10 emissions should they occur.