

RECLAMATION

Managing Water in the West



Operation of Flaming Gorge Dam Final Environmental Impact Statement Comments on the Draft Environmental Impact Statement and Responses

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.

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.

**Front cover artwork courtesy of
Arizona Game and Fish Department**

Operation of Flaming Gorge Dam Final Environmental Impact Statement Comments on the Draft Environmental Impact Statement and Responses



**U.S. Department of the Interior
Bureau of Reclamation
Upper Colorado Region
Salt Lake City, Utah**

September 2005



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Comments and Responses



INTRODUCTION

A Notice of Intent to prepare a draft environmental impact statement (EIS) on the operation of Flaming Gorge Dam and announcement of public scoping meetings was published in the *Federal Register* on June 6, 2000. A corresponding press release announcing that the Bureau of Reclamation was beginning the EIS process for Flaming Gorge Dam was issued the same date. In November 2001, a newsletter regarding the development of the EIS was sent to those on the EIS mailing list.

Input was actively solicited from a broad range of public constituencies as part of the ongoing public involvement process. Comments and involvement in the planning for and preparation of the Flaming Gorge EIS were generally sought through communication and consultation with a variety of Federal, State, and local agencies; Native American tribes and interest groups; and the formal EIS scoping process and EIS comment process, both of which invited input from the general public.

In June and July 2000, Reclamation, as lead agency, invited a number of State and Federal agencies and the Northern Ute Tribe to become cooperating agencies in preparing the Flaming Gorge EIS. The following are the eight cooperating agencies: the Bureau of Indian Affairs, Bureau of Land Management, National Park Service, State of Utah Department of Natural Resources, U.S. Fish and Wildlife Service, United States Department of Agriculture Forest Service (USDA Forest Service), Utah Associated Municipal Power Systems, and Western Area Power Administration (Western).

The draft EIS was mailed to the interested public for review and comment in early September 2004, and a Notice of Availability of the draft EIS was published in *the Federal Register* on September 10, 2004. The 60-day review and comment period for the draft EIS ended on November 15, 2004.

During the public comment period, five public hearings were held to receive oral comments on the draft EIS: Moab, Utah, October 12, 2004; Salt Lake City, Utah, October 13, 2004; Rock Springs, Wyoming, October 19, 2004; Dutch John, Utah, October 20, 2004; and Vernal, Utah, October 21, 2004. All written and oral comments received during the comment period were considered in preparing the final EIS.

The final EIS, like the draft EIS, has been mailed to over 600 agencies, organizations, and individuals on the mailing list and notice of its availability has been published in the *Federal Register*. It is also available on the Flaming Gorge EIS Web page.

All comments received on the draft EIS were carefully reviewed and considered in preparing the final EIS. Where appropriate, revisions were made to the document in response to specific comments. The comments and responses together with the final EIS will be considered in determining whether or not to implement the proposed action.

This volume contains a scanned copy of each comment letter, followed by the corresponding responses to that letter.

FEDERAL AGENCIES

- 1. United States Environmental Protection Agency**
- 2. U.S. Fish and Wildlife Service**
- 3. National Park Service**
- 4. Western Area Power Administration**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 18TH STREET - SUITE 300

DENVER, CO 80202-2466

<http://www.epa.gov/region08>

NOV 12 2004

Ref: 8EPR-N

Peter Crookston
Flaming Gorge EIS Manager
PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

Re: Operation of Flaming Gorge Dam, Draft
Environmental Impact Statement, CEQ# 040434

Dear Mr. Crookston:

The Environmental Protection Agency (EPA)-Region 8 has reviewed the Draft Environmental Impact Statement (DEIS) for the Operation of Flaming Gorge Dam. The EPA reviews DEIS documents in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. EPA's comments include rating the environmental impacts of the alternatives and the adequacy of information in NEPA documents.

The EPA supports the Purpose and Need and proposed management activities in the DEIS and its Action Alternative. The U.S. Bureau of Reclamation (Reclamation) is to incorporate management direction in operations of the Flaming Gorge Dam that affect peak flows, durations, water temperatures, and base flows. New operations criteria are recommended to conserve, protect, and promote the recovery of the populations and designated critical habitat for endangered fish species: bonytail, Colorado pikeminnow, humpback chub, and razorback sucker. Revised dam operations are designed to reduce or eliminate some adverse effects from dam operations and facilities in the Green River below Flaming Gorge Dam to the confluence with the Colorado River.

EPA notes that Reclamation consulted with the U.S. Fish and Wildlife Service to address concerns regarding the Action Alternative's compliance with the Endangered Species Act and Reclamation's Section 7 responsibilities to conserve and recover the listed fish species and other affected fish and wildlife such as the Southwestern Willow Flycatcher and Ute Ladies'-Tresses, and to resolve their Jeopardy Biological Opinion for the endangered fishes.

1a Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts, the Action / Preferred Alternative will be rated "EC-2" (Environmental Concerns - Inadequate Information). A copy of EPA's rating criteria is enclosed. Our rating is based on management direction in the Preferred Alternative that has the potential to adversely affect other wildlife and their habitats and the uncertainties surrounding both the impacts of the proposed management actions and the adaptive management changes that may be



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necessitated in the future. The consideration of No Action and only one alternative – the Action Alternative – is driven by the project purpose and the elimination of other alternatives from complete study. Other alternatives were not studied further, reportedly because of water consumption and diversions from the Green River and because of Reclamation’s interpretation of the Colorado River Storage Project and other legislation that continues authorized dam purposes. Alternatives that were eliminated include Modified Run of the River and Removing Flaming Gorge Dam. EPA is concerned that only one alternative was fully considered to meet the Purpose and Need, not meeting CEQ’s intent to assess all reasonable alternatives [CEQ’s “40 Most Asked Questions” #1, 40 CFR 18026]. A limited range of alternatives disallows understanding the overall environmental, social, and other effects of other alternatives, particularly the Modified Run of the River, and does not fully satisfy NEPA requirements to fully analyze all reasonable alternatives [40 CFR 1502.14]. NEPA regulation 40 CFR 1514(c) requires that a lead agency, “Include reasonable alternatives not within the jurisdiction of the lead agency.” While EPA accepts the unreasonableness of dam removal in this case, the Modified Run of the River alternative and perhaps additional alternatives that strengthen spring pulses and lower summer flows could have been considered for “... sharply defining the issues and providing a clear choice among options by the decisionmaker and the public” [40 CFR 1514]. The EC-2 rating is based on the limited range of alternatives and the lack of information of their potential effects on the listed fish species and other fish and wildlife species.

We note that the Action Alternative appears to be the Environmentally Preferred Alternative between the two alternatives and we concur with Reclamation in its selection as the Preferred Alternative for the two alternatives considered.

Thank you again for the additional protections that are proposed for conservation and recovery of the endangered fishes and their critical habitats. Brad Crowder of my staff coordinated EPA’s comments and can be reached at (303) 312-6396. If you wish to discuss our comments, please feel free to call me at (303) 312-6004 to arrange a meeting.

Sincerely,



Larry Svoboda, Director
NEPA Program
Office of Ecosystem Protection
and Remediation

Enclosure

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment February, 1987.

**1. UNITED STATES
ENVIRONMENTAL
PROTECTION AGENCY**

1a

Comment noted.

1b

Reclamation acknowledges that a full range of reasonable alternatives is desirable. However, despite considerable

effort to develop additional alternatives that meet the purpose and need of the environmental impact statement, additional viable action alternatives could not be identified. Please see section 2.2 of the EIS.



United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

In Reply Refer To
FW6/ES
04-1419

November 23, 2004

Memorandum

To: Mr. Peter Crookston, Flaming Gorge EIS Manager, PRO-774, Bureau of Reclamation, Provo Area Office, 302 East 1860 South, Provo, Utah 84606-7317

From: Field Supervisor, Fish and Wildlife Service, Ecological Services Field Office, West Valley City, Utah

Subject: Fish and Wildlife Service Comments on Operation of Flaming Gorge Dam Draft Environmental Impact Statement

The U.S. Fish and Wildlife Service (Service) has reviewed the Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS). We are providing the following comments to assist you in preparing a final Environmental Impact Statement.

General Comments:

We appreciate Reclamation's efforts to move forward toward implementing this important measure for recovery of the endangered Colorado River fish species. We also appreciate the close collaboration and communication during evaluation of effects and preparation of this document. Reclamation has done a very thorough analysis especially when one considers the broad spectrum of resource issues and the geographical scope of the proposed action.

We note that in addition to the benefits that re-operation will have on native endangered fish species, the Action Alternative action is expected to:

- allow Flaming Gorge Reservoir elevations to fluctuate less between seasons as well as generally be higher thereby benefiting kokanee egg incubation;
- allow for warmer releases immediately after spring releases which should allow for a quicker recovery of the aquatic food base and also increase species richness;
- provide a new base flow prescription which will benefit resident native fish by increasing stable backwater habitat, increasing the aquatic food base during summer and fall, and provide more stable overwintering habitat for young-of-year native fish in certain reaches of the Green River;
- increase water temperatures thereby benefiting native fish through an overall increase in productivity and increased growth rates;

- reduce the potential for hybridization between native sucker and nonnative white sucker with the proposed temperature recommendations;
- increase overwinter survival of trout by reducing flow fluctuations through the winter; and
- increase the amount of available spawning substrate for fall spawning trout by increasing summer and fall base flows during average to wet years.

2a The DEIS communicates some uncertainty as to how Reclamation will operate to meet Muth et al. 2000 and perhaps some question as to Reclamation's level of commitment to use of the spillway to meet the same. That said, we do agree with the basic premise that the true test of these recommendations will be over the long term, which we feel is consistent with both the structure and intent of Muth et al. 2000. The Service will work closely with Reclamation and other stakeholders in the implementation of these flow and temperature recommendations.

Reclamation's proposal to implement Muth et al. 2000 with an adaptive management approach presents a logical mechanism to deal with the uncertainties associated with the Action Alternative. The Service looks forward to working with Reclamation, the Recovery Program and others to see this through. Throughout the text Reclamation repeatedly references the Recovery Program to serve as the science body and the funding mechanism to address many of the uncertainties dealing with the fish community. We assume there has been communication throughout the development of the document between Reclamation and the Recovery Program Directors office and some reference to those conversations seems appropriate. Such a reference would serve to support the Environmental Commitments made near the end of the DEIS.

2b

We appreciate Reclamation's commitment to document the implementation process in an administrative record and we feel that that document will serve a critical role in the Service's long term evaluation of the proposed action from a Section 7 (ESA) perspective. As the Recovery Program has been identified to serve as the science body in charge of the adaptive management process as it relates to the fish community, the administrative record should be made available to them on an annual basis. We suggest that Reclamation make the administrative record available to the Recovery Program consistent with the Recovery Program's Annual Reporting cycle. More specifically we request that the administrative record include:

2c

1. A summary of the river basin forecasting that was used in deciding the appropriate pre-runoff hydrologic category.
2. A summary of other criteria (Yampa River hydrology, reservoir elevation, other authorized purposes, past operations, etc.) used in the development of the annual spring runoff / baseflow operations plan including the ultimate spring and baseflow targets.
3. An accounting of reservoir operations (flow and temperature).
4. The administrative record should be a living document updated each year while maintaining an historical accounting of past operations (all years post-Record of Decision).

Specific Comments:

- 2d Page 28, 2.5.1. Safe Operations of Flaming Gorge Dam. Please provide more basis for operating to assure that 99% of the foreseeable forecast errors are successfully routed through Flaming Gorge Dam in the future. Is this how the reservoir has been operated in the past? How does this compare with other Reclamation or ACOE facilities? Please consider the relative capacity of the outlet works at Flaming Gorge and other facilities in this discussion.
- 2e Page 43, 2.6.6.2. The document states that “under the Action Alternative, Ute ladies’-tresses could be lost in Reach 1”. This is a more extreme conclusion than in the Biological Assessment. We recommend that you review all sections in the DEIS and the BA for consistency in prediction and explanation of potential effects.
- 2f Page 157, 4.7.1.2. Aquatic Food Base - This section states for both the No Action and Action Alternatives that the proposed action will not affect the aquatic food base in the reservoir. While this may indeed be the case, the document should include at least a brief rationale for this determination.
- 2g Page 157, 4.7.1.4. Terrestrial and Avian Animals – As mentioned above, the document should include at least a brief rationale for the determination that neither the Action nor the No Action alternative will affect land-based animals or birds.
- 2h Page 188, 4.7.8.6.3. Mexican Spotted Owl – A rationale for your “no effect” determination for Mexican spotted owl should be included here. You have included a rationale for other Federally listed species.
- 2i Page 243, 4.19.5. Please consider the comments of the Recovery Program’ biology committee and other interested parties to Western’s presentation of a Floodplain White Paper, which served as the basis for this section in the DEIS. Based on that discussion and subsequent follow-up commentary it is the Service’s opinion that this uncertainty has been given a disproportionate amount of attention in the DEIS. We assume that the Recovery Program is comfortable with the Environmental Commitments they have been tasked with (bulleted items pg 247), and some reference to the Recovery Program’s acknowledgment seems appropriate.
- 2k Page 246. The discussion on this page implies that floodplain inundation is the only or primary purpose of the high flows and their duration. Perhaps it should be pointed out here that sediment movement and deposition and vegetation establishment and maintenance are also part of the purpose of high flows.
- 2l Page 247, 4.19.6. We recommend that Reclamation include an environmental commitment to address riparian/vegetation uncertainties through a monitoring and study program. This section describes several important topics for study.

Sections 4.20 Addressing Uncertainties through Adaptive Management

2m We recommend that this section include a discussion recognizing the opportunity to monitor riparian vegetation and geomorphology as part of the adaptive management process, particularly as they may affect Ute ladies'-tresses, with a focus on Reach 1. Reclamation has already been gathering baseline information. The Action Alternative provides an excellent opportunity to gain a better understanding of the interdependence of flow regime, fluvial land forms, and riparian vegetation. A monitoring program designed to learn from the Action Alternative flows will provide a venue for recommending and evaluating flow adaptations that achieve vegetation as well as native fish recovery goals. Additionally, this will allow proactive management for Ute ladies'-tresses conservation and invasive plant species control.

Section 4.21. As per our comments above, we recommend that the following be added to Section 4.21 as Environmental Commitments:

- 2n • Reclamation, in coordination with the Fish and Wildlife Service, National Park Service, and other knowledgeable scientists, will continue to monitor riparian vegetation and geomorphology to gain a better understanding of the interdependence of flow regime, fluvial land forms, and riparian vegetation. A monitoring program designed to learn from the Action Alternative flows will provide a venue for recommending and evaluating flow adaptations that achieve vegetation as well as native fish recovery goals.
- 2o • Reclamation, in coordination with the Fish and Wildlife Service, National Park Service, and other knowledgeable scientists, will develop and implement a monitoring plan for Ute ladies'-tresses populations for determination of possible effects from the Action Alternative. This monitoring plan would be designed to assist understanding of Ute ladies'-tresses establishment, response to habitat change (including hydrologic, geomorphic, and vegetation change) and management of habitat. If monitoring or research indicates that conservation measures are necessary or desirable, Reclamation will pledge support and work with other interested parties to ensure their implementation. Recommendations for releases to assist riparian vegetation health and Ute ladies'-tresses conservation will be forwarded to the Flaming Gorge Working Group for consideration.

If you need further discussion or information, please contact Larry Crist, Assistant Field Supervisor, or Lucy Jordan, Fish and Wildlife Biologist, at the letterhead address of (801) 975-3330 ext. 126 or 143 respectively, or email: larry_crist@fws.gov, or lucy_jordan@fws.gov.



2. U.S. FISH AND WILDLIFE SERVICE

2a

The *Flow and Temperature Recommendations for Endangered Fishes in the Green River Downstream of Flaming Gorge Dam* (2000 Flow and Temperature Recommendations) acknowledge variability, risk, and uncertainty regarding the flow recommendations. Reclamation seeks to meet all of the requirements placed upon the reservoir and dam and seeks to balance the benefits among all authorized purposes of the facility.

Under the Action Alternative, the frequency of spillway use could increase to about 15 days per year in 7 percent (%) of all years. Spillway use of 1 to 10 days is expected in nearly 17 % of all years. With increased spillway use, there is greater opportunity for degradation of concrete in the spillway tunnel. Should damage to the spillway become excessive, repairs would be made or use of the spillway would be limited to when hydrologically necessary.

More frequent use of the spillway also raises the concern of more frequent entrainment of nonnative reservoir fishes. Reclamation does not intend to use the spillway unless releases need to exceed 8,600 cubic feet per second (cfs) (unless use of the spillway is required for dam safety reasons).

As stated in section 2.5.3.2, second paragraph, Reclamation would annually coordinate the decision whether to use the bypass tubes or spillway to meet particular flow targets. That same section, and other sections in the EIS, note uncertainties associated with use of the spillway that will have to be monitored and addressed through adaptive management.

2b

Additional text was added to section 1.4.4 of the EIS.

2c

Comment incorporated in section 2.3.2 and 2.5.3 in the EIS.

2d

Flood routing studies are performed for all Reclamation reservoirs. The level of acceptable risk, i.e., forecast error exceedance percentage, will vary at each facility depending on engineering considerations of the structure and downstream populations at risk. Such a determination is based on engineering judgment. Safe operation of Flaming Gorge Dam provides enough storage buffer in the reservoir to maintain a release hydrograph that includes full capacity powerplant and bypass releases as well as spillway use when an unexpected error in the forecast occurs. Since the high inflow seasons of 1983 and 1984, operation of Flaming Gorge Dam has moved to a more conservative operation. Spillway releases of high volume are a dam safety risk that Reclamation is not willing to accept on a frequent basis. That is, an acceptable risk would be spillway releases of high volume approximately once every 100 years.

Reclamation is unaware of available forecast error exceedance data to make comparisons with other Reclamation or U.S. Army Corps of Engineers facilities.

2e

Section 2.6.6.2 is a brief summary of effects to all threatened and endangered species. In this section it is necessary to state the facts succinctly which may give the impression of being a more extreme position than in the lengthy description appropriate for the biological

assessment and chapter 4 of the EIS. See section 4.7.8.2 for details of effects to Ute ladies'-tresses.

2f

Text in sections 4.7.1.2.1 and 4.7.1.2.2 of the EIS has been clarified.

2g

This section of the EIS was written to disclose environmental consequences of the No Action and Action Alternatives affecting terrestrial and avian animals existing on or near Flaming Gorge Reservoir. Text has been added to section 4.7.1.4 to clarify and support the conclusion.

2h

This section of the EIS was written to disclose environmental consequences of the No Action and Action Alternatives affecting threatened or endangered species existing within the area affected by the project. The ability of these owls to reach and exploit water or water related food or habitats would not be hampered under either alternative. Text has been added to section 4.7.8.6.3 to clarify and support the conclusion.

2i

The text has been clarified in section 4.19.5.

2j

The Upper Colorado River Endangered Fish Recovery Program (Recovery Program) has concurred with the following language in the environmental

commitments in the EIS and conservation measures in the Flaming Gorge Biological Opinion: "The adaptive management process would rely on ongoing or added Recovery Program activities for monitoring and studies to test the outcomes of modifying the flows and release temperatures from Flaming Gorge Dam."

2k

Discussion in the EIS has been clarified in section 4.19.5.

2l-2n

Effects to riparian vegetation will, at a minimum, result in no measurable change from the No Action Alternative or will result in a positive response. Therefore, Reclamation does not believe that effects to vegetation, other than those specifically identified, warrant an environmental commitment in this National Environmental Policy Act (NEPA) document. We have funded numerous studies addressing the relationship of river regulation and riparian ecosystems, and we will likely continue studies that overlap with the effects of the proposed action.

2o

Reclamation has added language to section 4.21 which clarifies Reclamation's commitment to monitor for potential effects to Ute ladies'-tresses.



United States Department of the Interior

NATIONAL PARK SERVICE
INTERMOUNTAIN REGION
12795 West Alameda Parkway
PO Box 25287
Denver, Colorado 80225-0287



NOV 15 2004

Memorandum

N1621(IMR-RSR)

To: Flaming Gorge Environmental Impact Statement Manager, PRO-774
U.S. Bureau of Reclamation, Provo Area Office

From: Director, Intermountain Region
National Park Service, Intermountain Region

Subject: National Park Service Comments on *Operation of Flaming Gorge Dam Draft Environmental Impact Statement*

We are writing to provide you with National Park Service (NPS) comments on the *Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS)*. As you know the NPS is a member of the Upper Colorado River Endangered Fishes Recovery Program (Recovery Program) and has been a cooperating agency throughout the development of the DEIS. We strongly support the re-operation of Flaming Gorge Dam to assist in the recovery of the Colorado pikeminnow, razorback sucker, humpback chub and bonytail and we believe that the Action Alternative has the potential to achieve this purpose if implemented correctly. In addition, we wish to express our appreciation for the professional relationship we have been able to establish with Bureau of Reclamation staff in working to address the potential effects of re-operation on the diverse river-dependent resources that are managed by NPS.

3a NPS staff from the Intermountain Region, Dinosaur National Monument and the Water Resources Division submitted extensive comments on the administrative draft of the EIS released in December 2003. While the current draft of the EIS is greatly improved and some of our suggestions have been incorporated, some of our comments on the earlier draft have not been specifically addressed. We have included our continuing comments of priority concern from that administrative draft in this comment memorandum. We believe that addressing these comments is important to ensure that re-operation of Flaming Gorge Dam occurs in a manner that maximizes the benefits to the endangered fishes while providing adequate protection for river dependent resources in Dinosaur National Monument and Canyonlands National Park. For your convenience we are including our earlier comments as an attachment to this letter. It is our hope that we can continue to work with you so these

comments can be addressed in the future through the adaptive management process and that the flow recommendations as described in the Action Alternative can be implemented as soon as possible.

We are including additional recommendations that are of particular importance to the NPS and which we believe can be addressed with minimal effort. These recommendations constitute the remainder of this letter:

1. Colorado River Basin Project Act of 1968

- 3b a. We applaud the recognition of the Colorado River Basin Project Act of 1968 (Act) as one of the laws governing the operation of Flaming Gorge Dam as well as the recognition that “*improving conditions for fish and wildlife*” is among the purposes authorized by the Act. We look forward to working with BOR in implementing the Action Alternative in a manner that benefits native, non-endangered fish and wildlife species while contributing to recovery of the 4 endangered fishes.
- 3c b. We are generally pleased with the language describing the technical working group (TWG) and recognize that the US Fish and Wildlife Service and BOR have ESA responsibilities that necessitate their participation as team members. However, we question the rationale for identifying the Western Area Power Authority (Western), alone among the other interested agencies and organizations, as a member of the TWG. This suggests that Western has a special status and that power generation has priority over other authorized purposes. In fact, as noted in the DEIS, both the Colorado River Storage Project Act and the Colorado River Basin Project Act indicate that power generation is to occur “as an incident of other authorized purposes”.
We propose this issue be addressed in one of the following ways:
- i. *Eliminate the specific reference to Western as a member of the TWG.*
 - ii. *List the other agencies and organizations that are potential participants in the TWG as well as Western.*
 - iii. *Provide the rationale for identifying Western alone among the interested agencies and organizations as a TWG member.*

2. Floodplain uncertainties:

- 3d We are concerned about the addition of section 4.19.5 which addresses floodplain uncertainties. This section suggests a possible future change to certain specific flow recommendations. The suggested change is touted as beneficial to razorback sucker in Reach 2. The section also lists a number of uncertainties about floodplain inundation, razorback sucker larval entrainment, and timing and duration of peak flows that need to be resolved through scientific study. We support scientific study to resolve these uncertainties; however, the evidence that this change would provide greater benefits to razorback sucker than the existing flow recommendations should be definitive before that change is adopted. We also point out that the suggested change would reduce the frequency of meeting the flow targets in Reach 1. We suggest some additional language for the section 4.19.5:

- 3e a. We have had verbal assurance from the authors of this section that instantaneous peak flow targets would still be met under the suggested revisions but this is not clear from the text. *Specify that instantaneous peak flow targets will still be met if further study indicates peak flow durations might be revised.*
- 3f b. The premise behind the flow and temperature recommendations (FTRs) is that inter- and intra-annual variability are key to restoration of the river ecosystem as recognized in the DEIS on pg 241: ‘The recommendations are based on a model that the ecological integrity of river ecosystems is linked to their dynamic character (Stanford et al. 1996, Poff 1997) and that restoring a more natural flow and thermal regimes is a key element in rehabilitating an impaired river ecosystem. The evidence that razorback sucker would benefit more from the suggested tradeoff in magnitude and duration of flows above 13,000 or 18,600 than from the overall rehabilitation of an impaired system should be definitive before the flow recommendations are changed. *This should be explicit in the “uncertainties” section.*
- 3g c. The floodplain white paper from which this section was adapted (Hayse et al. 2004 *draft*) has been revised to reflect the inaccurate assumption in the Valdez floodplain model that razorback sucker larvae are not likely to be available for entrainment at distances greater than 52 miles, due to attenuation in numbers of larvae as they drift downstream. This inaccuracy was identified by two peer reviewers who cited works showing CPE of larvae near the additional floodplain area more than 52 miles downstream is not negligible, but in fact is between 50% and 100% of CPE near Jensen. In addition, the only floodplain area where wild razorback sucker larvae have been shown to be successfully entrained and survived was in Old Charlie Wash, located 60 miles below the spawning bar (Modde and Bestgen comments on the floodplain whitepaper, and citations therein). *The “uncertainties” section should be updated to reflect this information.*
- 3h d. This section suggests that the main benefit of this change would be to razorback sucker, while the corollary benefit would be to power production. We submit that the certain benefit of this suggested change is to power production, while the corollary benefit might be to the endangered fish, in ways that we don’t fully understand. *This should be explicit in the “uncertainties” section.*
3. The importance of control, management and monitoring of the invasive species Tamarisk, and the links to endangered fish habitat and ecosystem health.
- 3i a. Tamarisk is classified as an invasive species and is regulated under **Executive Order 13112, February 3, 1999--Invasive Species** (published in the Federal Register/Vol. 64, No. 25, pp. 6183-6186.) The executive order clearly articulates responsibilities of federal agencies, including the Department of the Interior. Among these responsibilities are control, management, and monitoring of invasive species. *The EIS should provide for these responsibilities, or at a minimum contain references to the Executive Order, and to monitoring, control and management activities if defined elsewhere.*

3

b. In addition to federal responsibilities for managing invasive species, tamarisk is widely recognized as contributing to the degradation of riverine ecosystems and thus may directly or indirectly affect endangered fish habitat. In Dinosaur NM it has contributed to channel narrowing in the Green River, and is advancing upstream into the Yampa River from the confluence towards one of the two known Colorado pikeminnow spawning sites in the Green River system. The spread of tamarisk could directly or indirectly affect fish habitat by altering channel morphology. Direct effects include burying cobble bars used for spawning by native fish under sediment and vegetation; indirect effects may include changes in the quantity and diversity of the aquatic food base due to channel narrowing and simplification. The links between tamarisk invasion and riverine fish habitat are not completely understood; however, a species which contributes to the degradation of riverine ecosystems is likely to contribute to the degradation of fish habitat. The DEIS recognizes in the uncertainties section that the action alternative may increase the spread of the invasive species tamarisk. *This uncertainty coupled with federal responsibilities to control invasive species strongly suggest the Environmental Commitments section should include a monitoring plan for tamarisk, and commitments to work with the NPS and other interested parties to control this invasive species.*

3j

4. Uncertainties about nonnative fish.

The DEIS recognizes that the increased risk of entrainment at the Reservoir spillway and elevated temperatures of releases, could lead to the proliferation of nonnative species in Reach 1, particularly smallmouth bass. Smallmouth bass numbers are increasing in the Green River upstream from the Yampa River confluence, particularly in recent years, presumably in response to the drought and concomitant warm temperatures. While we believe that the implemented FTRs will be beneficial overall to the endangered fishes, we also believe that the potential negative effects, including enhancement of smallmouth bass populations should be carefully monitored, and control in Reach 1 implemented if necessary. *A commitment to monitoring and control, if it is determined to be necessary, should be added to Environmental commitment #3, which deals with operating the selective withdrawal structure.*

3k

5. Determining how target flows are met

The DEIS states that target flows will be delivered on average, and that target flows “will be provided over the long run.” Over what period of time will it be determined that flow target are being met? In particular, for targets that are specified for 1 of 2 average years, or 1 of 4 average years, how long is the long run? If the duration peak flow targets are not met for 3 average years running, must they be met in the 4th average year? *Please clarify this in the text.*

3l

6. Ability to meet flow recommendations:

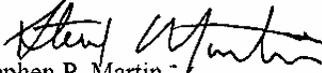
The DEIS suggests that it may become more difficult to meet the FTRs as depletions on Green River tributaries increase over time (4.19.1, paragraph 3). While we

4

3m

recognize relationship between tributary and mainstem flow, it is our understanding as a long time supporter of the Recovery Program that the re-operation of Flaming Gorge Dam is the reasonable and prudent alternative (RPA) for tributary depletions. Thus, in our view, it is the responsibility of BOR to ensure that the flow recommendations are met regardless of these depletions. We note that compensating for reduced tributary inflow may entail greater impacts to the other authorized purpose of the projects; however, we believe that failure to do so would impede efforts to recover the threatened endangered fishes and, in all likelihood trigger the re-initiation of consultation on a number of projects and facilities.

Please call the NPS point of contact for the DEIS, John Wullschleger, at (970) 225-3572 if you have any questions. We look forward to the finalization of this environmental impact statement.


Stephen P. Martin

Attachments

cc:

Regional Director, U.S. Bureau of Reclamation, Upper Colorado Office w/c attachments

Area Manager, U.S. Bureau of Reclamation, Provo Area Office w/c attachments

Program Director, Upper Colorado River Endangered Fish Recovery Program w/c attachments

Superintendents, Colorado River Basin Parks w/c attachments

Chief, NPS-NRPC-WRD w/c attachments

Memorandum: NPS to U.S. BOR Subject: National Park Service Comments on *Operation of Flaming Gorge Dam Draft Environmental Impact Statement*

Attachment:

List of Citations

- Bestgen, K. R. 2004. Comments to authors on Floodplain white paper by Hayse et al.
- Hayse, J.W., K.E. LaGory, and G.L. Burton. 2004. Consideration of site specific floodplain inundation thresholds in Implementing Peak Flow Magnitude and Duration Recommendations in the Middle Green River, Utah. Draft Report to Western Area Power Administration. Argonne National Laboratory, Argonne, Ill.
- Modde, T. 2004. Comments to authors on Floodplain white paper by Hayse et al.
- Poff, N. L., J.D. Allan, M.B. Bain, J.R. Karr, K.L. Prestegard, B.D. Richter, R.E. Sparks, and J.C. Stromberg. 1997. *The Natural Flow Regime: A Paradigm for River Conservation and Restoration* in *BioScience*, vol 47. pp. 769-784.
- Stanford, J.A., J.V. Ward, W.J. Liss, C.A. Frissell, R.N. Williams, J.A. Lichatowich, and C.C. Coutant, 1996. A General Protocol for Restoration of Regulated Rivers in *Regulated Rivers: Research & Management*, vol. 12, pp. 391-414.
- Valdez, R.A. 2003. Floodplain model to estimate Nursery Habitat to Recover Razorback Sucker. Excel model for Upper Colorado River Basin Endangered Fish Recovery Program.

3. NATIONAL PARK SERVICE

3a

The comments and responses submitted during the cooperating agency review of the draft EIS are available upon request.

3b

Comment noted.

3c

Reclamation and Western are Endangered Species Act (ESA) co-consultants with the U.S. Fish and Wildlife Service for Section 7 consultations. Thus, all three parties are appropriately identified as members of the Technical Working Group. As stated in section 2.5.3 of the EIS, the technical working group will be open to all qualified individuals who choose to participate.

3d

The 2000 Flow and Temperature Recommendations report anticipates adaptive management testing of flow regimes. It is expected that over time, refinements to the targets will be possible based on increased information and knowledge. Text has been added to section 4.19 in the EIS for clarification.

3e–3h

The EIS states Reclamation's intent to implement all of the 2000 Flow and Temperature Recommendations as described in the Action Alternative. Section 4.19 explains the uncertainties associated with implementing the Action Alternative, including in section 4.19.5 those uncertainties associated with flood plain inundation. Both the EIS and the 2000 Flow and Temperature Recommendations acknowledge that over time, as additional information becomes available, refinements to the flow and temperature recommendations may prove to be warranted if data suggests that tradeoffs between peak flow magnitude

and duration provide greater benefits to endangered fish. Reclamation believes that if such refinements are proposed at some as yet unknown point in the future, based upon information developed through adaptive management or through ongoing Recovery Program research, there will be ample opportunity to obtain appropriate review and input from all Recovery Program participants as well as the interested public. The text has been clarified in section 4.19.5.

3i–3j

Our analysis in the EIS, based on best available information, is that the predicted effects of the Action Alternative on tamarisk do not reach the level of significance such that a program of monitoring and mitigation is warranted. See sections 4.7.5 and 4.19.6 of the EIS where this is discussed.

3k

The EIS states that Reclamation will rely on Recovery Program nonnative monitoring and control efforts. See fish response to flow and temperature modifications in section 4.19.4 of the EIS.

3l

It is difficult to isolate a specific number of years to evaluate the percentage of targets and durations achieved because it is unknown what the natural hydrograph will be in the future. Over the long run when several different natural hydrological years have occurred, Reclamation expects to be able to determine if the percentages are in line with the 2000 Flow and Temperature Recommendations. The target flows and durations to be achieved each year are dependent on the natural hydrograph of that year and the hydrological classification of that year. For example, if, as has just occurred, there are 6 consecutive drought years, then only low targets and durations would be

achieved. In very wet years, high targets with long durations would be achieved.

3m

Implementation of reasonable and prudent alternatives (RPAs) is Reclamation's responsibility as part of the Section 7(a)(2) Endangered Species Act consultation process with the U.S. Fish and Wildlife Service; but it should be noted that ESA compliance,

like compliance with other statutes and regulations, is part of the Federal regulatory construct under which Reclamation operates Flaming Gorge Dam. Reclamation is committed to upholding its responsibilities under the ESA, as well as meeting authorized project purposes.

From: "Heather Patno" <PATNO@wapa.gov>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 4:44 PM
Subject: FG EIS, WAPA Comments

Dear Mr. Crookston,

Western appreciates Reclamation's efforts to incorporate its comments as a cooperating agency. Many of Western's concerns have previously been addressed. However, some comments previously addressed remain outstanding issues for Western.

- 4a The first of these comments deals with the Cumulative Impacts section. Western's concerns were initially addressed in an email dated 7/17/2004. The Cumulative Impacts section needs to be prominently treated within the EIS. Without more prominent treatment of Cumulative Impacts in the EIS, the public and the decision maker could easily conclude that the change to the Proposed Action would have an insignificant impact to power without a full understanding of the fact that operational constraints, over time, have caused a significant reduction to the power value of Flaming Gorge Dam. It is suggested that the Cumulative Impacts section for hydropower be moved as a subsection to Section 4.4 Hydropower Generation and additional background regarding the historical (pre 1992) changes in operation be inserted. While some background information is available, it does not adequately address in a clear and understandable manner the importance of the cumulative impacts.
- 4b Additionally, regardless of the location of the Cumulative Impacts section, the language used in this section is unclear. The insistence on using the words "economic value" leaves the reader with a feeling that Flaming Gorge Dam operational constraints have increased the value of water flowing through the dam. More detailed discussion is needed to make sure the public and the decision maker understand the overall negative impact continued restrictions on operations at Flaming Gorge Dam have caused. In addressing these concerns, Table 4-30 on page 232 also needs to show the negative impact. The percentage underneath the column entitled "Comparison of Cumulative Impacts to No Action Alternative" needs to be a negative to better show the appropriate impacts to hydropower.
- 4c
- 4d The second unaddressed comment deals with correlating the economic and financial analyses. Section 4.4.3 the Financial Analysis of Power Generation discusses Western's role in marketing electrical power from the CRSP units. It does not correlate the economic analysis of changes to operational constraints in this specific instance to the financial analysis of distributing those changes to various customers. A few sentences need to be inserted discussing the fact that the economic analysis is correlated to the financial analysis through distribution to Western's customers. In this instance, the correlation between economic and financial analysis is clear, concise and straightforward and deserves some discussion at the end of the economic analysis section or beginning of the financial analysis section.

Regards,
S. Clayton Palmer

4. WESTERN AREA POWER ADMINISTRATION

4a

The Flaming Gorge EIS compares the Action Alternative with the No Action Alternative and captures the existing environment as including changes due to the construction of the dam as well as its operations prior to 1992. Changes and effects resulting from the construction of the dam and its pre-1992 operations are appropriately considered in section 4.16.2 (cumulative effects analysis) of the EIS. The placement of the cumulative effects analysis, and the overall format of the EIS, are consistent with the Council of Environmental Quality (CEQ) and Department of the Interior (Interior) regulations implementing NEPA.

4b

The term “economic value” refers to the level of monetary worth and does not have any implied meaning of direction of change. The discussion of economic

value given no biological constraints is labeled as such. The economic value for the simulation with no biological constraints is greater than the economic value for the No Action and Action Alternatives. Clarifying text was added to section 4.16.2 of the EIS.

4c

Comment incorporated into table 4-30 of the EIS.

4d

Section 4.4.3.3 presents the financial analysis results. Because the Action Alternative would not have a significant impact on the rate Colorado River Storage Project (CRSP) customers pay, it was not necessary to distribute the impact of the change in rate to the various customers.

Text was added to section 4.16.2 of the EIS to clarify.

STATE AGENCIES

- 1. State of Colorado, Department of Natural Resources**
- 2. Utah Associated Municipal Power Systems**
- 3. State of Utah, Governor's Office of Planning and Budget**
- 4. State of Utah, Office of the Attorney General**
- 5. Utah State University Extension**
- 6. Wyoming Game and Fish Department**
- 7. Wyoming State Engineer's Office**
- 8. Wyoming State Geological Survey**

STATE OF COLORADO

OFFICE OF THE EXECUTIVE DIRECTOR

Department of Natural Resources
1313 Sherman Street, Room 718
Denver, Colorado 80203
Phone: (303) 866-3311
TDD: (303) 866-3543
Fax: (303) 866-2135



Gail Owens
Governor
Russell George
Executive Director

November 19, 2004

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

Re: State of Colorado comments on Flaming Gorge EIS

Dear Mr. Crookston:

Attached please find Colorado's comments regarding the Flaming Gorge EIS, prepared by Randy Seaholm from the Colorado Water Conservation Board staff.

I hope you find these comments constructive to your preparation of a Record of Decision and a Final EIS.

Sincerely,



Tom Blickensderfer
Endangered Species Program
Director
Colorado Representative -- Upper
Colorado Endangered Fish
Recovery Management
Committee

**Operation of Flaming Gorge Dam
Draft Environmental Impact Statement
August 2004**

**Comments of the Colorado Water Conservanon Board
November 15, 2004**

The Colorado Water Conservation Board recognizes that the operations of Flaming Gorge Dam and Reservoir have little impact on water use and development in the State of Colorado, except to the extent that re-operation of the dam in attempts to meet flow recommendations for the Colorado River Endangered Fish is an important component of the Upper Colorado River Recovery Implementation Program. Therefore, our review of the DEIS concerning Flaming Gorge re-operations has been limited to the executive summary and few key sections dealing with authorized project purposes and the overall portrayal of the Recovery Program.

1a Flaming Gorge Dam and Reservoir are part of the Colorado River Storage Project and as such the portrayal of the authorized purposes of Flaming Gorge are important. Colorado strongly objects to the manner in which the authorized purposes of Flaming Gorge are portrayed in Section 3.1.1 of the Executive Summary and in Section 1.4.1.1 of the DEIS. Specifically, we request that the references to the 1968 Colorado River Basin Project Act and the Coordinated Long Range Operating Criteria be deleted from section 1.4.1.1 of the report as they are a gross misrepresentation of the affect that the 1968 Act and the Long Range Operating Criteria have on the Colorado River Storage Project. While the quote from the 1968 Act is accurate, the interpretation that this section of the 1968 Act modifies the express purposes of the 1956 Colorado River Storage Project Act and is incorrect and in direct conflict with the general provisions contained in Title VI of the 1968 Colorado River Basin Project Act that prohibit such an interpretation. Furthermore, the referenced language from the Coordinated Long Range Operating Criteria deals with information that is to be reported in the annual report on reservoir operations and has absolutely nothing to do whatsoever with the purposes or manner in which the reservoirs are to be operated. The correct portrayal of authorized project purposes is extremely important to Colorado and to all the CRSP facilities that will be re-operated in attempts to meet flow recommendations adopted by the U.S. Fish and Wildlife Service and the Upper Colorado River Recovery Implementation Program.

1b Secondly, the purpose and need statement fairly captures the intent of the DEIS which is to protect and assist in the recovery of endangered fish and designated crucial habitat while maintaining the authorized purposes of the Flaming Gorge Unit of CRSP, particularly those related to water development in accord with the Colorado River Compact. This same language should be reiterated in Section S.10.2.1 by adding a phrase, "while allowing existing water uses and future water development to continue in accord with the 'Law of the River.'" It is important to reiterate this balance here and throughout the DEIS.

1c Third, we support the language that is contained in the last paragraph of the Introduction to Section S.5.

1d Fourth, the proposed operations and environmental commitments appear to be consistent with those that have been proposed and refined over the last few years, at least as we understand them. However, we are very concerned that the revised operations are described as "achieving the flow recommendations." The flow recommendations are based on the best available information at the time of there development. Flow recommendations may be revised through the adaptive

- 1e management process and thus language indicating that flexibility should be included in the DEIS and reservoir operations allowed to adjust accordingly. The current language in the DEIS seems to stringent in this regard and should be modified when the flow recommendations are discussed in Section S.5.3 and in the discussion of alternatives in Section S.11. Flow recommendations do not establish a separate priority system for water development and this was expressly acknowledged in the program documents and such should not be forgotten.
- 1f Fifth, Section S.13.3.2 discusses the use of the Flaming Gorge bypass tubes and spillways. In general it was our understanding that such would be used when needed for the safe operation of Flaming Gorge Dam, which is consistent with the CRSPA. The discussion here states that such can be used when needed to meet the flow recommendations even if dam safety is not a concern. This seems inconsistent with the CRSPA and at the very least requires further explanation as to the justification for such. It would seem appropriate to indicate that all costs associated with use of the bypass tubes and spillways for other than emergency purposes be considered non-reimbursable costs in accord with Section 8 of CRSPA.
- 1g
- 1h Finally, Colorado continues to be supportive of the adaptive management approach to flow recommendations and the refinement of flow-habitat relationships such that the maximum amount of habitat that is the most beneficial to the endangered fish species overall is created with the least amount of water. This is alluded to Section S.16 concerning uncertainties and Section 17 concerning how to address uncertainties through adaptive management. We would urge that Section S.16 include uncertainties associated with respect to the flow recommendations and that Section S.17 at the very least provide for the opportunity to revise flow recommendations as scientific information indicates may be appropriate.

**1. STATE OF COLORADO,
DEPARTMENT OF NATURAL
RESOURCES, COLORADO
WATER CONSERVATION
BOARD**

1a

The referenced sections provide appropriate background information for the reader. Reclamation is committed to upholding its responsibilities under the ESA as well as meeting authorized purposes.

1b

Reclamation agrees; the appropriate clarification was made in S.10.2.1 of the Executive Summary.

1c

Comment noted;

1d

The proposed action under consideration is meeting the 2000 Flow and Temperature Recommendations while maintaining all authorized purposes of the dam. These flow and temperature recommendations have derived from the 1992 Biological Opinion for Flaming Gorge. The EIS

acknowledges the flexibilities and uncertainties of implementing the 2000 Flow and Temperature Recommendations; and if better information is available for this purpose, Reclamation will utilize it in an adaptive management approach to making operational decisions.

1e

Comment noted; see responses to 1a-c above.

1f

Reclamation will not bypass water in a way that would violate the primary purposes of CRSP.

1g

Reclamation agrees that incremental O&M costs should be non-reimbursable.

1h

The Executive Summary was not meant to be an all inclusive document but rather is intended to summarize the full EIS. Please see sections 4.19 and 4.20 of the EIS for full discussions of these issues.



UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS

2825 E. Cottonwood Parkway
Suite 200
Salt Lake City, Utah 84121-7077
Phone: 801-566-3938
Toll Free: 800-872-5961
Fax: 801-561-2687

November 9, 2004

Mr. Peter Crookston
Flaming Gorge EIS Manager, PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

RE: Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS)

Dear Mr. Crookston:

Utah Associated Municipal Power Systems (UAMPS) represents 38 municipal electric utilities, electric service districts and water conservancy districts that purchase and distribute power generated from the Colorado River Storage Project (CRSP). CRSP power represents a critical portion of our member's power resources and our members have a great interest in proposed changes in Flaming Gorge operations.

UAMPS has closely followed and participated in the development of the DEIS and has had the opportunity to be designated as one of the cooperating agencies. We are grateful for that opportunity.

As a member of the Colorado River Energy Distributors Association (CREDA), UAMPS fully supports oral and written comments made by CREDA in this process. In addition to comments submitted by CREDA, UAMPS wishes to emphasize the following points:

Flaming Gorge is a significant component of the CRSP power relied by not only our members but also power consumers in Wyoming, Utah, Colorado, New Mexico Arizona and Nevada. Any changes to Flaming Gorge operations will have an impact on all CRSP power contractors within those states.

2a

The final EIS must consider all operational and financial impacts of all alternatives. As seen from actual operation of the interim criteria, loss of any component of Flaming Gorge resource will be replaced from other sources. These replacements must not only be evaluated in terms of financial impacts to the CRSP system but also in terms of spinning reserve requirements and transmission system capacity affecting all contractors and power customers.

Mr. Peter Crookston
November 9, 2004
Page 2

- 2b Replacement power purchases resulting from the Action Alternative will have a significant financial impact on the Upper Basin Development Fund which has been depleted in recent years due to the ongoing drought and increased operation and maintenance costs resulting from funding of environmental programs. This Basin Fund is the source of funding for the Upper Basin Recovery and Implementation Program (RIP) and other ongoing endangered species mitigation programs in the Colorado River Basin. Increased costs from replacement power resulting from operational changes at Flaming Gorge not only affects rates of CRSP power customers but weakens the integrity of all endangered species programs funded by the Basin Fund.
- 2c UAMPS agrees with other comments made in this process that the base economic evaluation must cover the period from 1974 when the interim operating criteria were initiated and subsequently modified in 1985 and 1992. These were significant changes that have not yet been included in any other NEPA compliance process. The final EIS must include the impact of operational changes since 1974.
- 2d UAMPS further suggests the final EIS include additional alternatives relating only to flow changes recommended by the biological opinion for endangered fish at the Jensen gauge. These alternatives include those being developed by the RIP since this program has been specifically established for the recovery of endangered species in the Upper Basin. Flaming Gorge generation is not the exclusive mechanism available for recovery of species.

We wish to express our great appreciation for the opportunity afforded to UAMPS to extensively participate in the EIS process and to submit our views.

Sincerely,



Edward C. Rampton
Manager of Government and Public Affairs

Enclosure

cc: Leslie James, CREDA

2. UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS

2a

Financial impacts to the CRSP rate under the Action Alternative were found to be insignificant (section 4.4.3). Spinning reserve requirements and transmission system capacity affecting contractors and power customers were not considered in the hydropower analysis and were considered to be outside the scope of the analysis.

2b

As the economic and financial analyses indicate, the Action Alternative simulation provides for increased value for the generation resulting in the average costs of replacement power potentially being lower than under the No Action Alternative. However, since the differences between the results for the No Action and Action Alternatives appear to be insignificant, the changes in costs for replacement power would likely be insignificant.

2c

Reclamation, in consultation with the eight cooperating agencies, defined the No Action Alternative to include operations to achieve the flow and temperature regimes recommended in the 1992 Biological Opinion. In making that definition, it was also recognized by

Reclamation and the cooperating agencies that hydropower impacts associated with changes made between 1974 and 1992 should be recognized in this EIS as cumulative impacts. Operational changes made prior to 1992 are described in section 1.4.2. Hydropower impacts associated with changes made prior to 1992 have been addressed in section 4.16.2.

2d

Reclamation developed the alternatives in the Flaming Gorge EIS with its public scoping period and with a number of cooperating agency meetings and dialogues. The alternatives derive from the RPA of the 1992 Biological Opinion as described in sections 1.4.5 and 1.4.6 of the EIS with the Action Alternative implementing the 2000 Flow and Temperature Recommendations that define flow targets for all reaches of the river.

The EIS acknowledges that re-operation of the dam cannot by itself achieve recovery of the endangered fish, but that it can assist in recovery along with other Recovery Program activities. Please see section 1.4.4 of the EIS.



State of Utah

OLENE S. WALKER
Governor

GAYLE McKEACHNIE
Lieutenant Governor

Governor's Office of Planning and Budget

WES CURTIS
State Planning Coordinator

Resource Development Coordinating Committee

GLADE SOWARDS
Committee Chairman

JOHN A. HARIJA
Executive Director

November 10, 2004

Peter Crookston
Flaming Gorge EIS Manager
PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

SUBJECT: Operation of Flaming Gorge Dam - DEIS
Project No. 04-4504

Dear Mr. Crookston:

The Resource Development Coordinating Committee (RDCC), representing the State of Utah, has reviewed this proposal. The Department of Natural Resources comments:

The UDWR fully supports incorporating flow and temperature recommendations for threatened and endangered species consistent with the maintenance and enhancement of the tailwater sport fishery and other wildlife values.

The division commend the U. S. Bureau of Reclamation (Reclamation) for generally incorporating adaptive management principles and the decisions of the Flaming Gorge Operations Working Group (Working Group) into the preparation of alternatives. In particular, UDWR strongly supports Reclamation's recommendation of flow fluctuation limitations, including a daily single-hump fluctuation and 800 cfs ascending and descending ramp rates, consistent with historic operations.

3a

Unfortunately, a few sections of the current document seem to minimize the agreements and recommendations of the Working Group, as evidenced by the addition of the second full paragraph on page 149. This paragraph incorrectly implies that the flow fluctuation limitations mentioned above have not been strictly followed in the past. In reality, these recommendations, which were the result of intensive investigations and discussions by the diverse interests of the Working Group, reflect historic operation except in times of emergency. Although minimizing operational constraints may benefit the incident authorized purpose of power generation, the authorized purposes and associated resources would be negatively impacted by further liberalization of release parameters.

3b The UDWR supports the recommendation for a 55°F release temperature during dry and moderately dry years, maintaining adequate river temperatures for trout at the Utah/Colorado state line. Additionally, thermal mixing should be incorporated into emergency operations in response to power plant shut-down and a switch from penstock to bypass releases. Consistent with past discussions and decisions between UDWR and Reclamation, temperature warming can be attained (optimized) during spring high flow events by mixing spillway and bypass water to minimize the loss of production. Thermal mixing during emergency bypass will prevent thermal shock and mortality of tailwater fishes. In the absence of selective withdrawal modifications to the bypass penstocks, this mixing should be integrated into operations as a benefit to tailwater trout and downstream native fishes and their food base.

3c Finally, the Bureau of Reclamation has invested in research, monitoring and infrastructure at Stewart Lake Waterfowl Management Area (WMA) near Jensen to remediate the effects of selenium and boron accumulation caused, in part, by concentration through irrigation return waters. It is estimated that the dikes of the WMA are inundated at Jensen gauge discharges of approximately 23,000 to 26,000 cfs. Infrastructure such as operational mechanisms of the inlet and outlet structures will be inundated at these higher discharges, and may be damaged. To fulfill responsibilities of remediation at Stewart Lake Waterfowl Management Area, the Bureau of Reclamation should provide for protection and modification of dikes and associated infrastructure threatened by high discharges; or maintenance and repair of structures damaged by high discharges.

SPECIFIC COMMENTS

3d Section 2.5.2 (pg 65). This section implies all federal ownership, but should include the phrase “some private agricultural and state wildlife mitigation lands.”

3e Section 2.6.1.1 (pg 67). Remove the sentence “Kokanee can spawn to a depth of 60 feet according to *Fishes of the Great Basin—A Natural History* (Sigler and Sigler, 1996).” Add (Sigler and Sigler 1996) reference after the sentence, “They spawn from late May through early July, and during this period mature fish move into shallow water 2 to 20 feet in depth.” Also, smallmouth bass were originally stocked to promote growth of rainbow trout, not Kokanee salmon.

3f (pg 128). Higher and more stable reservoir elevations from November through April should benefit kokanee salmon egg incubation by inundation of favorable substrates and reduction of egg desiccation.

3g Section 3.2.1.2 (pg 132). Lower winter flows, particularly January through March, will benefit tailwater trout by more closely providing optimum winter habitat as per Modde et al. (1991) and Johnson et al. (1987).

3h Section 3.2.3.1.2 (pg 142). 55-57° F (13-14° C) should read 55-59° F (13-15° C) to match the table.

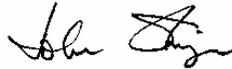
3i (pg 143). More frequent high spring flows should scour sediment deposits resulting from the Mustang Fire and subsequent rain/flood events.

Page 3

- 3j Section 3.3.1 (pg 148). Discussion of 800 cfs minimum flow should reference both the 1974 Interim Operating Criteria and historic operations, which have adhered to this flow except in emergencies.
- 3k Section 3.6.1.1.2 (pg 158). As described in the General Comments, spillway and bypass water can be mixed during the high spring release to optimize temperature.

The Committee appreciates the opportunity to review this proposal. Please direct any other written questions regarding this correspondence to the Resource Development Coordinating Committee at the above address or call Carolyn Wright at (801) 537-9230 or Kim Frost at (801) 538-7326.

Sincerely,



John Harja
Executive Director
Resource Development Coordinating Committee

3. STATE OF UTAH, GOVERNOR’S OFFICE OF PLANNING AND BUDGET

3a

Section 4.4.1 of the EIS accurately characterizes the historic operations. The issues of daily fluctuations and ramp rate restrictions are not part of the proposed action and are, thus, outside the scope of this EIS; that is to say that any proposed changes to the existing agreement would occur through the Flaming Gorge Working Group.

3b

The temperature recommendations apply to the base flows, not to spring peak flows. Spillway use as described in this comment is outside the scope of the EIS and would be more appropriately discussed in the context of ongoing operations under either alternative. The EIS notes that spillway use is an uncertainty and that we may not be able to use the spillway if O&M costs and dam safety are a concern.

3c

Activities at Stewart Lake are undertaken through a cooperative effort by the U.S. Fish and Wildlife Service, Reclamation, and Utah Division of Wildlife Resources. An agreement is in preparation that will address appropriate ongoing monitoring and maintenance activities.

3d

It appears that this comment refers to chapter 3, section 3.6.2. The first paragraph of that section states “lands along the Green River, downstream from the dam, have a variety of ownership and uses as outlined below.”

3e

Comment incorporated.

3f

Please see section 4.7.1.1.2 of the EIS.

3g

Comment incorporated into section 4.7.2.4.1.2 of the EIS.

3h

Comment incorporated into section 4.3.4.1.2 of the EIS.

3i

Comment noted.

3j

It appears that this comment refers to chapter 4, section 4.4.1. While the discussion in section 4.4.1 refers to hydropower economic analysis for the No Action and Action Alternatives, and reference to 1974 operating criteria is made in section 4.16.2, cumulative impacts section, this comment is correct; a minimum flow of 800 cfs has been an operating procedure under an agreement with the State since 1974.

3k

The temperature recommendations apply to the base flows, not to spring peak flows. Spillway use as described in this comment is outside the scope of the EIS and would be more appropriately discussed in the context of ongoing operations under either alternative. Please see response to U.S. Fish and Wildlife Service 2a.

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



MARK L. SHURTLEFF
ATTORNEY GENERAL

RAYMOND A. HINTZE
Chief Deputy

KIRK TORGENSEN
Chief Deputy

November 15, 2004

VIA FAX (801-379-1159)

Peter Crookston
Flaming Gorge EIS Manager
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

Re: Operation of Flaming Gorge Dam Draft Environmental Impact Statement
August, 2004

Dear Mr. Crookston:

I write at the request and authorization of the Daggett County Commission to comment on Daggett County's behalf regarding the above-referenced Draft EIS.

4a As explained more fully in Daggett County's own comments, the Draft EIS preferred alternative aims to release water from the dam at such a high volume, over such a lengthy amount of time, and at such a time during the year, that the release will adversely affect the commercial and private use of the Green River and hence devastate the businesses of approximately 13 commercial river and fishing guide and outfitting companies, whose income depends almost entirely on their customers' experience on the Green River beneath the dam at a time when the preferred alternative will almost entirely negate fishing and other experiences due to high water volume. Most of the owners and employees of the companies threatened by this action are local citizens of Daggett County, and the local economy stands to suffer if these businesses are ruined.

The purpose of this letter is to advise you on behalf of Daggett County, that these river guide companies whose employment and revenues are so important to Daggett County's

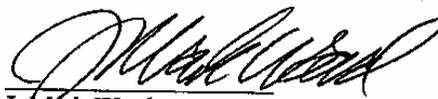
Peter Crookston
Flaming Gorge EIS Manager
Bureau of Reclamation
November 15, 2004
Page 2

4b economy, intend to pursue a Court of Claims action under the Tucker Act, 28 U.S.C. § 1491, to recover compensation for economic loss caused by the actions of the preferred alternative. The United States Court of Appeals for the Tenth Circuit in *Gordon v. Norton*, 322 F. 3d 1213 (10th Cir. 2003), recognized that a Tucker Act remedy is available for loss of business occasioned by a federal action related to species preservation.

4c Please note also that Daggett County reserves the right to pursue Tucker Act and other claims for any other loss or damage that may result from the actions contemplated under the preferred alternative, including but not limited to any damage that high river flows may cause to a bridge on an RS 2477 Daggett County road that crosses the Green River below the dam.

Sincerely,

MARK L. SHURTLEFF
UTAH ATTORNEY GENERAL



J. Mark Ward
Assistant Attorney General
Public Lands Section

cc. Utah Association of Counties
Daggett County Commission
Uintah Basin Association of Governments

4. STATE OF UTAH, OFFICE OF THE ATTORNEY GENERAL

4a

Please see section 4.12 of the EIS and response to Daggett County 1d and 1e.

4b

Comment noted; Reclamation cannot prejudge liability in a NEPA document.

4c

Comment noted; Reclamation cannot prejudge liability in a NEPA document. It is not appropriate to discuss case specific potential litigation in an EIS.

Utah State UNIVERSITY EXTENSION

Uintah County Office
152 East 100 North
Vernal, UT 84078

Phone: (435) 781
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Email: uintah@ext.us

Comment on the Flaming Gorge Dam Environmental Impact Statement
Boyd Kitchen, USU Extension – Uintah County
October 21, 2004

- 5a** Flood control is one of the authorized purposes of Flaming Gorge Dam but is not addressed in this EIS. Several aspects of the Action Alternative are predicted to increase the frequency of flooding in order to assist in the recovery of endangered fish. However, information given in the EIS indicates that the level of flooding called for in the 2000 Flow and Temperature Recommendations for the Green River may not be necessary to recover the endangered fish. In section S.6.5, "Uncertainties Associated with Flood Plain Inundation", reference is made to strategies (e.g., flows exceeding 13,000 cfs versus flows of 18,600 cfs, levee modification, inlet construction) that could meet the needs of the endangered fish without the extreme flooding predicted in wet years under the Action Alternative. Why were these strategies not evaluated as alternatives?
- 5b**
- 5c** Is there a maximum flow in Reach 2 that if exceeded will jeopardize the recovery of endangered fish? Shouldn't the Action Alternative address how to modify flow regimes in order to avoid exceeding harmful maximum flows within the safety limitations of the Dam?
- 5d** One aspect of Socioeconomic/Regional Economics that has not been addressed by the EIS is the damage to irrigation pumps and irrigation systems that will be caused by the higher flows and increased sedimentation predicted by the Action Alternative. The damage includes the equipment, the cost of installation and the loss of crop production caused by the inability to deliver water to upland crops during the time it takes to repair flood caused damaged irrigation equipment. The crop damage could extend for several years if perennial crops like alfalfa die before irrigation can be restored. Damage to irrigation pumps and equipment could be minimized if adequate warning is given to farmers before peak releases are made. However, little can be done if excessive flooding occurs.
- 5e**
- 5f** In dry years, is there any advantage to the endangered fish in making a 4,600 cfs release from Flaming Gorge. If not, then perhaps the water should be saved for later use.

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5. UTAH STATE UNIVERSITY EXTENSION

5a

While flood control is an authorized purpose of CRSP, there are no flood control benefits identified for Flaming Gorge. Therefore, there are no restrictive operational rules imposed by the U.S. Army Corps of Engineers for flood control. However, flood plain inundation has occurred less frequently since Flaming Gorge Dam was built.

5b

The referenced strategies do not meet the purpose and need of this EIS. The EIS notes that through the adaptive management process, refinements to the 2000 Flow and Temperature Recommendations and other actions to benefit the endangered fish are possible. See section 4.19.5 in the EIS and response to the National Park Service 3b-3e.

5c

Native and endangered fish evolved under extreme hydrological conditions which included flows far in excess of those described in either the Action or No Action Alternatives, both of which are subject to constraints for safe operation of Flaming Gorge Dam. See section 2.5.1 in the EIS.

5d and 5e

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

5f

Anticipated benefits to endangered fish from a 4,600-cfs release in dry to moderately wet years include significant channel maintenance (habitat complexity and reworking of sediment deposits) in Reach 1 and achievement of flow recommendations and associated benefits in Reaches 2 and 3. See section 4.7.3.2, Action Alternative subsections in the EIS.

WYOMING
GAME AND FISH DEPARTMENT

Dave Freudenthal, Governor



Terry Cleveland, Director

"Conserving Wildlife - Serving People"

November 15, 2004

WER 9767
Bureau of Reclamation
Upper Colorado Region
Provo Area Office
Draft Environmental Impact Statement
Operation of Flaming Gorge Dam

Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774/BOR
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

Dear Mr. Crookston:

The staff of the Wyoming Game and Fish Department has reviewed the Environmental Impact Statement for the operation of Flaming Gorge Dam. We offer the following comments for your consideration.

Terrestrial Consideration:

- 6a** The Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS) does not address the sport fishery and/or the limnology of Flaming Gorge Reservoir. One of the largest benefits of Flaming Gorge Reservoir is the recreational opportunity created by this large reservoir to people of southwestern Wyoming and northern Utah and to those that travel to the reservoir from across the country. The DEIS needs to address the impacts of releases and draw downs on Flaming Gorge Reservoir and how the Bureau of Reclamation (BOR) plans to mitigate or balance water releases to benefit of all forms of recreation created by the reservoir.
- 6b**

Our comments are as follows (Section and page number are included):

- S.3.1 Brief History of Flaming Gorge Dam and Reservoir. (Page S-3)*
S.3.1.1 Authorized Uses of Flaming Gorge Dam and Reservoir: Colorado River Development. (Page S-4)

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Fax: (307) 777-4610 Web Site: <http://gf.state.wy.us>

Article I.(2) of Section 402(a) of the Colorado River Basin Project Act requires that the Annual Operating Plan for Colorado River reservoirs "...shall reflect appropriate consideration of the uses of the reservoirs for all purposes , including flood control, river regulation, beneficial consumptive uses, power production, water quality control, recreation, enhancement of fish and wildlife and other environmental factors."

- 6c Comment: The DEIS needs to consider the effects of the Operation of Flaming Gorge Dam for the recovery program for endangered fishes to the fishery, limnology, and recreational opportunities as a part of the DEIS. The DEIS does not consider or address the effects of selective temperature withdrawal or the timing and magnitude of draw down for flows in the Green River below Flaming Gorge Reservoir for endangered fishes on the reservoir fishery, limnology of the reservoir, or recreational opportunities provided by the reservoir. According to the Colorado River Basin Project Act, these issues should be studied and addressed in order to consider the effects of the Operational Plan presented in the DEIS.

S.3.1.2 Authorized Uses of Flaming Gorge Dam and Reservoir: Flaming Gorge National Recreation Area. (Page S-4)

The Flaming Gorge National Recreation Area was established by the Flaming Gorge National Recreation Area Act of 1968 (P.L. 90-540). According to that act, the purposes of the Flaming Gorge National Recreation Area include providing public outdoor recreation benefits.

- 6d Comment: The act cited above states that the reservoir shall provide for recreation, which includes fishing, boating, and other forms of recreation as benefits of the reservoir. Again, the DEIS does not consider any of the recreational benefits that the reservoir provides to public.

S.6 Operational Decision Making Process at Flaming Gorge Dam. (Page S-8)

- 6e Nowhere in this section does the DEIS mention how the operation of the dam will protect the Flaming Gorge Reservoir fishery and recreational benefits provided by the reservoir.

S.9 Scope of Analysis for the Environmental Impact Statement. (Page S-9)

The second paragraph states, "If Reclamation operates Flaming Gorge Dam to achieve the 2000 Flow and Temperature Recommendations.....consistent with CRSP purposes, then the effect(s) on the relevant resources/issues, both upstream and downstream from the dam would be....."

Comment: Article I.(2) of Section 402(a) of the Colorado River Basin Project Act requires that the Annual Operating Plan for Colorado River reservoirs "...shall reflect appropriate consideration of the uses of the reservoirs for all purposes, including flood control, river regulation, beneficial consumptive uses, power production, water quality control, recreation, enhancement of fish and wildlife and other environmental factors." The Flaming

Gorge fishery, limnology of the reservoir and all other recreational benefits effected by the withdrawals needs to be addressed in the DEIS.

*S.11 Description of Alternatives. (Page S-14) S.11.1.3 Summary of Alternatives Analyzed in the Flaming Gorge Environmental Impact Statement. (Page S-15)
S.11.1.3.1 No Action Alternative. (Pages S-15 thru S-16)*

Releases from Flaming Gorge beginning July 1 and continuing until November 1 should be the warmest available, approaching 59 degrees F.

6f

Comment: The DEIS does not address how the current release pattern, based on reservoir operations since the adoption of the 1992 Biological Opinion, has effected limnology and productivity of Flaming Gorge Reservoir. Specifically, has a chemocline redeveloped in the Canyon area of the reservoir? How have these releases effected the development of thermoclines, the temperature budget of the reservoir, and productivity? Have releases increased the potential for blue-green algae blooms to occur in the upper portion of the reservoir? None of these parameters have been discussed under the “No Action Alternative” and/or the “Action Alternative.”

S.11.1.3.2 Action Alternative. (Pages S-16 thru S-18)

Comment: The “Action Alternative” would not mimic natural flow events in the Green River sections targeted as well as the “No Action Alternative.”

S.13 Operational Description. (Page S-19)

S.13.1 Safe Operation of Flaming Gorge Dam. (Pages S-19 thru S-20)

Reservoir. It states, “For this reason, the reservoir elevation is intentionally drawn down during the fall and winter months.”

6g

Comments: Draw down prior to the operation of Flaming Gorge Dam under the 1992 Biological Opinion was erratic and varied considerably from year to year (fluctuations up to 25 feet). Since the 1992 Biological Opinion, releases and draw downs, especially between October 1 (kokanee spawning begins) and May 30 (kokanee fry emergence complete) has been less erratic and varied (less than 12 feet). Estimates of emergent kokanee survival after reservoir draw down from depth-adjusted mortality were 8.3% and 38.1% for elevation reductions of 3.3 feet and 16.4 feet, respectively (Modde et al. 1997). Modde et al. also found “that greater number of fry emerged from shallower depths in Flaming Gorge. Therefore, unless bias associated with depth-related mortality is accounted for, estimates of kokanee fry losses due to reservoir draw downs may be underestimated.” Prior correspondence with the BOR from the Department asked the BOR to keep the draw down of the reservoir from October 1 (beginning of spawn) to May 30 (emergence complete) to 8 feet or less. We will continue to request this regardless of which Action Alternative is adopted by BOR for the operation of Flaming Gorge Dam.

6h

S.13.2 Reservoir Operations Process Under the No Action Alternative. (Pages S-20 thru S-22) S13.2.3 (Pages S-21 and S-22)

The first paragraph on page S-22 of the DEIS states, "After September 15, releases from Flaming Gorge Dam could be increased....."

6i Comment: If natural river flows are to be mimicked, why should releases from Flaming Gorge Dam be increased instead of being operated at a base flow? Decreasing reservoir elevation after October 1 will result in the loss of kokanee eggs (recruitment) along the shorelines of the reservoir. The kokanee population in Flaming Gorge Reservoir supports a nationally important sport fishery and is the primary forage sustaining the lake trout fishery in Flaming Gorge Reservoir.

S.13.2.4 Winter Operations (Late Base Flow) (Page S-22)

The first paragraph states, "There are no specific flow recommendations provided by the 1992 Biological Opinion from November to May."

6j Comment: In order to account for kokanee spawning and emergence of fry, the above sentence would better serve the resource if it stated, "There are no specific flow recommendations provided by the 1992 Biological Opinion from October 1 to May 30." Flows during this period need to be reduced, so draw down is slowed by October 1 and no later than October 15 to accommodate spawning kokanee. Flows from Flaming Gorge Dam should not be increased above inflow levels to the reservoir until after May 30 to accommodate maximum survival of emerging kokanee fry, and no earlier than May 15 to accommodate the peak of emergence of kokanee fry. Draw down of the reservoir should be less than 8 vertical feet.

S.13.3.1 Operations in May through July (Spring Period). (Pages S-23 thru S-26)

First paragraph states, "Under the Action Alternative, Reclamation would establish a hydrologic classification for the spring period (May through July) based on the April forecasted unregulated Inflow."

6k Comment: In order to accommodate maximum survival of emerging kokanee fry, the spring period should be classified as June through July.

S.13.3.3 Operations in August through February (Base Flow Period). (Pages S-26 and S-27)

6l Comment: During the base flow period (August through February), it is critical that large releases and therefore large draw downs of the reservoir not occur after Oct. 1. Should the reservoir elevation be above critical levels, releases should be increased and draw down should

occur prior to October 1. Reservoir elevations should not be decreased more than 8 feet until maximum emergence of kokanee fry has occurred (May30).

S.13.3.4 Operations in March and April (Transition period). (Pages S-27 and S-28)

6m Comments: The period of kokanee emergence from the shorelines of Flaming Gorge Reservoir identified above should be addressed in the DEIS. Kokanee and brown trout eggs spawned in the Green River between Fontenelle and Flaming Gorge Reservoirs should be taken into account when releases from Fontenelle are made. Increased flows from Fontenelle after the ice goes off of the Green River is advantageous for emerging kokanee fry and is a key to the timing of emergence and downstream migration to Flaming Gorge Reservoir. However, the timing and volume of early spring flows is critical to the survival and emergence of both kokanee and brown trout fry. Parsons and Hubert (1988) sampled fry in the Green River beginning on March 22 through May 27 when sampling was discontinued due to high flows. The largest numbers of fry were sampled on May 22. Emergence of kokanee fry in the Green River likely continues through the end of May. Flows should remain steady from Fontenelle Reservoir until all ice has left the lower Green River. Increased flows from Fontenelle Reservoir should mimic inflows into Fontenelle Reservoir, with increasing flows taking place in the later part of April or early May.

S.14 Environmental Consequences. (Page S-28)

S.14.2 Water Quality, Water Temperature, and Sediment Transport. (Page S-32)

Paragraph one addresses the effects of draw down on the frequency and severity of algal blooms in Flaming Gorge Reservoir. The conclusion described in this paragraph is correct, "reservoir draw downs during drought conditions cause larger algal blooms."

6n Comment: Blooms of blue-green algae are an annual occurrence on Flaming Gorge Reservoir. The severity and extent of the blooms appears to be tied to drought conditions (poor inflow) and draw down (reservoir elevation). Prolific fish kills in the inflow of the reservoir have occurred during severe algae blooms. Large releases from Flaming Gorge Dam should be minimized during drought years to avoid unusually severe and large scale blue-green algae blooms. Discussion of other limnological parameters of Flaming Gorge Reservoir was not included in this section of the DEIS.

Table S-9. --- Weight and Percent increase in sediment transport under the Action Alternative compared to the No Action Alternative. (Page S33)

6o Comment: Numbers in Reach 1 suggest sediment loading will increase under the Action Alternative. Reach 1 is likely sediment starved because of Flaming Gorge Dam. How will changing the flow regime increase sediment transport by up to 56%? The DEIS needs to explain the mechanism by which sediment transport will increase under the Action Alternative.

S.14.14 Recreation (Page S-37)

6p Comment: There is no mention of impacts to recreational facilities (boat ramps, cut through between the Horse Shoe Canyon and Lower Flaming Gorge, etc.) on Flaming Gorge Reservoir under the No Action or the Action Alternative.

6q Statements in this section are broad and contain little substance. More information needs to be provided in the DEIS to address both positive and negative impacts to both the river below Flaming Gorge Dam and especially the Reservoir above Flaming Gorge Dam. Much of the Reservoir recreation is based on the fishery, which can be significantly impacted by dam operations. An analysis of the Action Alternative's expected impacts on the fishery-based recreation would be appropriate.

S.15 Cumulative Impacts. (Pages S-37 and S-38)

6r Comment: Third paragraph, second sentence ignores the contribution of the sport fishery created in Flaming Gorge Reservoir and the significant benefits the reservoir fishery has to the economy of Sweetwater County, Wyoming and Daggett County, Utah.

6s This fishery can be significantly affected by timing and extent of draw downs. The DEIS needs to address how the pattern of reservoir draw down under the Action Alternative will impact the reservoir fishery.

S.16 Uncertainties. (Page S-38)

6t Comment: The document does not mention the uncertainties the No Action or Action Alternative will have on the Flaming Gorge fishery, limnology of the reservoir, or recreational facilities on the reservoir.

S.17 Addressing Uncertainties Through Adaptive Management. (Pages S-41 and S-42)

6u Comment: Changing the operations at Flaming Gorge Dam has the potential to affect (both positively and negatively) the Reservoir as significantly as the River below. The DEIS should address how the BOR will monitor changes to the limnology and reproductive success and recruitment of kokanee, lake trout, and smallmouth bass found in Flaming Gorge Reservoir.

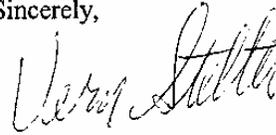
6v Issues associated with the fishery should be monitored by our Department and UDWR by funds made available by the USFW under the Endangered Fishes Recovery Program. The Flaming Gorge Working Group would take under advisement changes to the Operations of Flaming Gorge Reservoir, which would be of value in improving the reservoir fishery.

S.18 Environmental Commitments. (Pages S-42 and S-43)

Mr. Peter Crookston
November 15, 2004
Page 7 WER 9767

6w Comment: A line item concerning the Flaming Gorge fishery and the limnology of the reservoir, as stated above, should be included.

Sincerely,



(w) BILL WICHERS
DEPUTY DIRECTOR

BW:VS:as

cc: Mary Flanderka-Governor's Planning Office
USFWS

REFERENCES:

- Modde, T, R.J. Jerie, W.A. Hubert and R.D. Gipson. 1997. Estimating the impacts of reservoir elevation changes on Kokanee emergence in Flaming Gorge Reservoir, Wyoming – Utah. *North American Journal of Fisheries Management* 17: 470-473.
- Parsons, B.G. and W.A. Hubert. 1988. Reproductive characteristics of two Kokanee stocks in tributaries to Flaming Gorge Reservoir, Utah and Wyoming. *Great Basin Naturalist* 48:46-50.

6. WYOMING GAME AND FISH DEPARTMENT

6a

For detailed descriptions and analysis, please refer to the EIS sections 3.7.1 and 4.7.1. The Executive Summary provides a brief overview and is intended to be concise.

6b

The EIS analyzes and discusses the potential impacts for all resources for Flaming Gorge Reservoir. No significant impacts to the reservoir or mitigation needs were identified. Please see sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11 in the EIS.

6c

Please see sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11 in the EIS for the discussion of these effects.

6d

The recreation section of the EIS (4.11) describes impacts, by recreation activity, to both Flaming Gorge Reservoir and the Green River as a result of differences in reservoir water levels and river instream flows between the alternatives.

6e

The recreation section of the EIS (section 4.11) evaluated impacts to boat fishing based on water level fluctuation between alternatives.

6f

The long-term history and impacts of the reservoir operation on algae and productivity in the reservoir are addressed in section 3.3.2 of the EIS. In general, the combinations of hydrology and operations from 1983 through about 2000 has resulted in higher summer and fall reservoir elevations due to decreased drawdown. This has generally reduced the magnitude of blue-green algae blooms

as explained in section 3.3.2. The conditions under either the Action or the No Action Alternatives would have resulted in very similar conditions over these same time periods. Water quality in the reservoir generally is slightly improved in the post 1992 Biological Opinion operating conditions and would continue under either alternative.

The overall heat budget in Flaming Gorge Reservoir was slightly altered by initiation of operation of the selective withdrawal structure to warm the Green River tailwater in 1978. This resulted in a little colder water in the winter and a little more of Flaming Gorge Reservoir being frozen over. However, no changes that have been made since 1978 would alter the heat budget in a perceivable way. The chemocline has not fully redeveloped since the reservoir turned completely over in the winter of 1981-82. The reservoir has become strongly chemically stratified in the canyons reach nearer the dam, but then turned over again. There is no indication another decadal chemocline will develop with foreseeable future conditions.

6g

Figure 4.1 in the EIS indicates that, on average, drawdown of Flaming Gorge Reservoir under the Action Alternative between October and May (Kokanee incubation period) will be less than the No Action Alternative, the latter being no more than the 8-foot maximum requested by Wyoming Game and Fish Department. See sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11 in the EIS.

6h

Under normal operations, or when inflows are sufficient or great enough to maintain reservoir storage while also maintaining the recommended flows under the Action and No Action Alternatives, drawdown elevations will most likely be within 8 feet of the previous year's peak

elevation. It is, however, possible that the reservoir elevation of Flaming Gorge will be such that a drawdown of greater than 8 feet would be necessary for safe operation of the dam in certain circumstances. Reclamation will always operate Flaming Gorge Reservoir to maintain safe levels given varying hydrologic conditions.

Typical drawdown levels in average years would be about 8 feet under the No Action Alternative and about 4 feet under the Action Alternative as is shown in the Hydrological Technical Appendix.

6i

The No Action Alternative operates Flaming Gorge to achieve the flow objectives of the 1992 Biological Opinion. The 1992 Biological Opinion allows releases to be increased after September 15 when it is necessary to release more water to operate Flaming Gorge Reservoir safely. Reclamation would operate under the No Action Alternative to safely operate Flaming Gorge within the constraints of the 1992 Biological Opinion unless conditions were such that safe operation of the dam could be in jeopardy. As has been done historically, Reclamation would consider the resource needs of the kokanee in the operational decisionmaking based on information provided by the Flaming Gorge Working Group. In such case, operations would be guided to maintain safe conditions of Flaming Gorge Reservoir. See answer 6g and 6h above and EIS sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11.

6j

The conditions imposed by the 1992 Biological Opinion cannot be changed. The No Action Alternative operates Flaming Gorge to achieve the flow objectives of the 1992 Biological Opinion. This opinion does make specific

recommendation for the period from the spring peak release through the end of October. It does not, however, have specific recommendations for the period from November through the spring peak. Under the No Action Alternative, Reclamation would operate Flaming Gorge Dam to use the flexibility during this time to maintain safe levels in the reservoir. See answer to 6g and 6h above.

6k

This classification was not conceived to account for kokanee survival but rather for implementation of the 2000 Flow and Temperature Recommendations for threatened and endangered fish below Flaming Gorge Dam (i.e., Action Alternative).

6l

Reclamation would safely operate Flaming Gorge Reservoir under the Action Alternative to achieve maximum resource benefit within the flexibility provided for in the 2000 Flow and Temperature Recommendations. See answer to 6g and 6h above and EIS sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11.

6m

Operations of Fontenelle Dam are outside the scope of the Flaming Gorge EIS. Kokanee in Flaming Gorge are discussed in sections 3.7.1.1, 4.7.1.1.1, 4.7.1.1.2, and 4.7.2.4.2.2.

6n

It has previously been noted that drought and greater reservoir drawdown result in larger blue-green algae blooms in the inflow area of Flaming Gorge Reservoir. The seasonally adjusted flows as recommended in the 1992 Biological Opinion result in lower summer releases in all years, including and especially in drought years. That has decreased summer draw down, which is why water quality in the inflow area has improved

since implementation of the seasonally adjusted flows as recommended in the 1992 Biological Opinion. See section 3.2 in the EIS.

6o

It is anticipated that higher flows in Reach 1 will increase erosion of bed material and bank material in portions of Reach 1. Channel morphological changes could occur as a result of this increased erosion. For example, local channel widening could result from this increase in bank erosion. Details of the sediment transport analysis for the EIS are found in the Technical Appendix (Effects of Flaming Gorge Operations Under the 1992 Biological Opinion and the 2000 Flow and Temperature Recommendations on Sediment Transport in Green River).

6p

The Flaming Gorge Reservoir recreation visitation analysis was based on a facility availability approach. Information on facility availability is provided in the recreation sections of both the EIS (section 3.11 and 4.11) and Technical Appendix (Recreation Visitation and Valuation Analysis).

6q

Much more detail on the recreation analysis is found in the EIS (section 3.11 and 4.11) as compared to the Executive Summary.

6r

A detailed recreation and socioeconomic/regional economic analysis was developed and described in the EIS (section 4.12).

6s

Please see sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11.

6t, 6u, and 6w

The EIS analyzes and discusses the potential impacts for all resources for Flaming Gorge Reservoir. No significant impacts to the reservoir or mitigation needs were identified; therefore, an uncertainties section and an environmental commitment for the reservoir were not necessary. However, Reclamation limnological studies are currently ongoing in the upper portions of Flaming Gorge Reservoir. See sections 3.2.1.1, 3.3.1, 3.3.2, 3.7.1, 3.11, 4.3.1, 4.3.3, 4.7.1, and 4.11

6v

As stated in section 4.7.1 of the EIS, the Action Alternative would be expected to benefit kokanee because reservoir elevations will fluctuate less between seasons and will tend to be higher. The EIS does not show positive or negative effects to the reservoir fishery of a magnitude that would warrant special actions over and above ongoing management by the States of Wyoming and Utah.



State Engineer's Office

HERSCHLER BUILDING, 4-E CHEYENNE, WYOMING 82002
(307) 777-7354 FAX (307) 777-5451

seoec@state.wy.us

November 8, 2004

DAVE FREUDENTHAL
GOVERNOR

PATRICK T. TYRRELL
STATE ENGINEER

Mr. Peter Crookston
Flaming Gorge EIS Manager, PRO-774
U.S. Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

Re: Wyoming State Engineer's Office Comments on August 2004 "Operation of Flaming Gorge Dam Draft Environmental Impact Statement"

Dear Mr. Crookston:

The Wyoming State Engineer's Office was involved in the negotiation of the Upper Colorado River Endangered Fish Recovery Program (Program) and has actively participated in the Program's conduct since its initiation. Accordingly, we have followed and advised the Bureau of Reclamation (Reclamation) concerning the preparation of the subject "Operation of Flaming Gorge Dam Draft Environmental Impact Statement" (DEIS) since Reclamation proposed preparing a National Environmental Policy Act (NEPA) document subsequent to the issuance of the 1992 Biological Opinion on operation of Flaming Gorge Dam and Powerplant by the Fish and Wildlife Service (Service). The 1992 biological opinion included a requirement for additional studies to address uncertainties and data gaps relative to the life history and habitat needs of the endangered fish species and intended to result in refinement of the Service's 1992 recommendations. The September 2000 *Flow and Temperature Recommendations for Endangered Fishes in the Green River downstream of Flaming Gorge Dam* represents the culmination of the additional studies pursuant to the 1992 opinion.

The Wyoming State Engineer's Office supports the action alternative set forth in this DEIS and urges Reclamation to issue the Record of Decision as promptly as practical. Further, as was the case in 1992 when the prior biological opinion on the operation of Flaming Gorge Dam was issued, the biological opinion to be issued in November and included with the final EIS for the dam's operation will, we believe, continue to acknowledge there are many remaining uncertainties and hypotheses about the dam's effects on the endangered fish and their habitat. Accordingly, the adaptive management approach that has historically and will continue to underlie the Program must continue to be used to guide and further refine operations of the Flaming Gorge Dam and Powerplant. The biological response of the endangered fish species to dam and powerplant-related operations remains the primary guiding determinant of whether

Surface Water
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Interstate Streams
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Mr. Peter Crookston
November 8, 2004
Page 2

Reclamation's dam operations and the Recovery Program's accomplishments are meeting the Program's objectives. The extensive discussions of "Uncertainties" and "Addressing Uncertainties Through Adaptive Management" found in the DEIS recognizes these facts and their ramifications for continuing within the "framework of the ongoing Recovery Program."

Importantly, the "Environmental Commitments" found in this NEPA document note that Reclamation will continue to participate in the Recovery Program and "the adaptive management process would rely on ongoing or added Recovery Program activities for monitoring and studies to test the outcomes of modifying flows and release temperatures from Flaming Gorge Dam." This is, in our view, the prudent and necessary course of action. The Wyoming State Engineer's Office continues to support the adaptive management approach that is advocated as a basic element of the action alternative. Under this approach, further refinement of the flow recommendations will occur to accomplish the objectives of the Federal action while meeting all authorized project purposes of the Flaming Gorge Unit of the Colorado River Storage Project. This necessarily requires a balancing of competing uses of the available water resources – and the providing of reservoir releases that benefit and provide the needed amount of nursery and other fish habitats while maintaining the greatest amount of conservation storage in the reservoir. Specifically, Reclamation is obligated to minimize the quantity of bypass tube and spillway flows to preserve conservation storage consistent with the Colorado River Storage Project Act while, to the extent practical, meeting the flow and temperature conditions specified in the 2000 Temperature and Flow Recommendations. It is fully anticipated that through the Recovery Program's collaborative, adaptive management approach, a reasonable balancing of the competing demands placed upon the water resources can be accomplished.

As you may be aware, the Wyoming State Engineer's Office was approached about being a cooperating agency to assist Reclamation with the preparation of the subject DEIS when the effort was initiated. Our office declined to do so for several reasons. First, re-operation of Flaming Gorge Dam has been a key element of the voluntary and collaborative conduct of the Program. Second, re-operation of the dam was mandated by the 1992 biological opinion, and further, we believe that Reclamation unilaterally decided voluntarily to prepare this EIS based on a desire to inform its constituency once the additional studies mandated by the 1992 opinion had been completed.

Reclamation has had great difficulty in generating alternatives to analyze beyond the "action alternative", because there really is no viable alternative beyond the preferred alternative/action alternative that complies with the Colorado River Storage Project Act, the Endangered Species Act and the mandates imposed by the previously issued biological opinion. There is no other alternative consistent with Reclamation's participation as a partner in the Program. The Wyoming State Engineer's Office has consistently advised Reclamation of our concerns that preparing this EIS could divert Recovery Program personnel and other resources away from ongoing Recovery Program efforts under the pretext of analyzing a decision that realistically had already been reached when the Program was initiated in 1988. Fortunately, the DEIS has finally been developed and released after many delays and difficulties.

Mr. Peter Crookston
November 8, 2004
Page 3

- 7a Discussion of the Recovery Program should include specific mention of the Program's dual objectives to recover the four species of endangered fish while allowing the participating States' to develop their Compact-apportioned water supplies. The Program is intended to provide the reasonable and prudent alternative to offset the depletion impacts of existing water projects as well as new water projects (those occurring after the initiation of the Recovery Program in January 1988). The DEIS has specifically described the individual biological
- 7b opinions that rely upon re-operation of the Flaming Gorge Dam but fails to mention the overall role of the dam's re-operation as a part of the Recovery Program.

Once again, we urge Reclamation to expeditiously move forward with issuing the record of decision to complete this NEPA process and to continue to work cooperatively with its partners in the ongoing, successful Upper Colorado River Endangered Fish Recovery Program. Thank you for the opportunity to provide these comments. Should you have any questions, please don't hesitate to contact this office.

With best regards,



Patrick T. Tyrrell
State Engineer

PTT/jws/jp

7. WYOMING STATE ENGINEER'S OFFICE

7a

See sections 1.4.4 and 4.16.4.1.1 of the EIS regarding the dual role of the Recovery Program in recovering the endangered species while allowing water development to continue.

7b

See sections 1.4.4, 1.4.3 and 1.9.2.1 of the EIS regarding the proposed action and its relationship to the management actions of the Recovery Program.



WYOMING STATE GEOLOGICAL SURVEY

P.O. BOX 1347 • LARAMIE, WYOMING 82073-1347
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STATE GEOLOGIST – Ronald C. Surdam

GEOLOGICAL SURVEY BOARD

Ex Officio

Governor Dave Freudenthal
Don J. Likwartz Randi S. Martinsen
Ronald C. Surdam

Appointed

Ronald A. Baugh Gordon G. Marlatt
John P. Simons John E. Trummel
Wallace L. Ulrich

SECTION HEADS:	GEOLOGIC HAZARDS	GEOLOGIC MAPPING	INDUSTRIAL MINERALS AND URANIUM	METALS AND PRECIOUS STONES	OIL AND GAS	PUBLICATIONS
COAL Robert M. Lyman	James C. Case	Alan J. Ver Floeg	Ray E. Harris	W. Dan Hausel	Rodney H. De Bruin	Richard W. Jones

Mr. Peter Crookston
Flaming Gorge EIS Manager
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

November 8, 2004

RE: PRO-774

Dear Peter,

Ramsey Bentley and Seth Wittke of the Wyoming State Geological Survey Hazards Section would like to make the following comments on the Flaming Gorge Dam Draft Environmental Impact Statement.

8a We have no specific concerns with the proposed action. In fact, the action may serve to improve water quality within the Wyoming reaches of the reservoir.

The geographic areas most affected by the Bureau of Reclamation’s proposed action are in Utah and Colorado, downstream on the Green River. The action involves modifying water releases from Flaming Gorge Dam throughout the year. The modifications do not appear to present any substantial changes to the present operating effects of the dam on Flaming Gorge reservoir, the Wyoming portion of the Green River, or the surrounding areas. In fact, the modifications are predicted to reduce the frequency and extent that the reservoir would be drawn down annually, which in turn should promote improved water quality in the reservoir. This should also prove to reduce the frequency of algal blooms during the fall in the northernmost part of the reservoir.

All pertinent data was checked, including landslide, earthquake, and hydrologic data, for effect by the proposed action. The only other possible detrimental effect is that there are a few landslides along Flaming Gorge Reservoir. That may be influenced by the cycling of water depth. However this happens seasonally, so we’re not sure if the new water level changes will cause any new slope stability problems. The majority of this proposal is outside of Wyoming, so very little of the report is pertinent to the state.

Sincerely,

Ronald C. Surdam
State Geologist

Cc: Governor’s Planning Office

Serving Wyoming Since 1933

8. WYOMING STATE GEOLOGICAL SURVEY

8a

Comments noted.

LOCAL AGENCIES

- 1. Daggett County, State of Utah**
- 2. Rock Springs, Wyoming, Chamber of Commerce**
- 3. Town of Manila, Utah**
- 4. TriCounty Health Department**
- 5. Uintah County, State of Utah**
- 6. Uintah Mosquito Abatement District**



DAGGETT COUNTY

STATE OF UTAH

95 North 100 West
P.O. Box 219
Manila, Utah 84046

November 15, 2004

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement
PRO-774 Bureau of Reclamation
Provo Area Office
302 East 1850 South
Provo, Utah 84606-7317

Dear Mr. Crookston:

Thanks for the opportunity to respond to the Flaming Gorge Dam Operations DEIS.

1a Daggett County was not asked to be a cooperating agency for this project. We wish we would have been since this could greatly impact Daggett County employment, businesses, visitors and the people living here.

1b In 1992 a biological opinion was developed. This was used to recommend operational guidelines for the Dam. Was a study done to determine the effects of this opinion? If so could we get a copy of this?

1c The DEIS proposed action is to increase flows under different conditions. There is a major error in the Document on Page 117. 3.13.2 "River flows in Reach 1 . . ." "The river has exceeded 18,000 CFS five (5) times in the past 10 years and 20 times in the past 20 years." This is misleading, as the highest the river has been since the Dam was completed is 12,300 CFS in 1983.

1d How is this major error in the DEIS on water flows going to be communicated to the public?

When the river flows in Reach 1 exceed 4600 CFS a lot of things change. First, it becomes almost impossible for commercial guides to get people to fish the river under high flow conditions. Therefore, most fishermen stay away under these conditions. Second, with high flows some of the infrastructure becomes threatened and third, the high flows cause a safety issue.

Commissioners:
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Three Areas of Concern

- 1e 1) Socio Economic Impacts
In your opening statements about public concerns, "Socioeconomics" (Tourism related jobs and income) is listed, but we cannot find where loss of jobs and income is specifically addressed.

We have not had time to do surveys or complete analysis to estimate losses with increased flows. We have been able to generate some rough estimates.

The Forest Service allows 50 Commercial Guides to float the river each day in the spring until June 15th. Attachment #1 shows the Guide Launches for 2004. May averages 30/day and June averages 40/day. Attachment #2 shows the effects of high flows. During May of 1999 flows reached 6500 CFS the daily guide trips on the 24th - 29th dropped to between 0 and 7 daily trips.

Over a dozen businesses heavily rely on visitors to the river for their livelihood. Not only the guided fishing trips, but the lodging, restaurant, raft rentals, fishing supplies and R.V. parks, etc.

In the month of May almost all business in the Dutch John area is tied to the river. Very few people have started to visit the Flaming Gorge Reservoir or other areas.

When high flows occur, it greatly affects many businesses in Daggett County. If the Action Alternative is adopted Daggett County and its businesses will seek restitution for losses and damages. Without restitution most of these businesses will not be able to remain in business. Mark Ward from the State Attorney General's office is representing Daggett County on this matter. See attachment #3.

- Estimated Jobs lost during the period of high flows is 80. (16% of the total County employment) See Attachment #4.
- Estimated Sales loss for four (4) weeks over 8600 CFS plus 2 week ramp up and ramp down would be approximately \$1.8 million. See Attachment #5 & #6.

- 1f Will Businesses, the County and employees be reimbursed for economic losses?

2) Infrastructure Damage and Loss

In 1983 the bridge at Taylor Flat was washed out. In 1984 the bridge was replaced. This bridge is the only really good access to the south side of the river between the Flaming Gorge Dam and Jensen. The Swinging Bridge at the Colorado State Line provides some access although it is a suspension bridge and very narrow. The Taylor Flat Bridge provides access to the Taylor Flat Subdivision that has 1000 lots. Most are not

developed but several residents live there year round. Mention is made in the DEIS about possible damage to this structure with high flows. We are not aware of any study to determine what flows this bridge could withstand.

1g Would monies be available to replace this bridge quickly if needed?

In 1999 many of the trail between the Dam and Little Hole. In 1983 the Spillway Road and Boat Ramp were washed out. These things could have longer term effects on businesses and visitors.

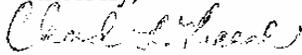
We believe these impacts should have been better addressed in the DEIS.

1h 3) Safety Concerns

With higher flows the velocity of the river would increase greatly (possibly from 2 mph to 8 mph). This increased velocity, plus the high flows would make accidents more serious for those who happen to tip over their boat or raft. People have rafted, and wade fished this river the past few years during the low flows could be caught off guard by the increased depth and speed of the river, which could lead to more serious accidents.

Thank you for considering these comments. Please respond to the questions which are underlined.

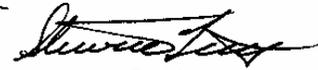
Sincerely,



Chad Reed
Commission Chair



Craig Collett
Commissioner



Stewart Leith
Commissioner

ATTACHMENT #1

SILVER CANYON TOTAL 2004 4/16 TO 9/30								
Month	Guide Launches	Guide Clients	Guide Full Trips	Public Launches	Gen Public # of People	Fishing	Scenic Floating	Trail/Store Use
April	424	798	45	1,195	2,756	2,675	18	187
May	777	1,533	70	1,394	4,101	3,595	169	290
June	883	1,705	50	2,093	7,219	3,535	3,232	583
July	466	938	81	2,525	13,726	2,468	10,641	701
August	396	767	33	1,614	7,898	1,668	5,757	333
September	512	1,016	32	909	2,855	1,654	855	151
October								
TOTAL	3,458	6,757	311	9,730	38,555	15,595	20,672	2,245

Little Hole Monthly Total 2004 4/16 TO 9/30								
Month	Guide Launches	Guide Clients	Guide Full Trips	Public Launches	Gen Public # of People	Fishing	Scenic Floating	Trail/Store Use
April	51	103	4	41	1,865	1,841	18	13
May	122	266	6	70	2,716	2,556	116	53
June	343	672	5	56	3,422	2,997	367	58
July	154	297	12	67	4,041	2,223	1,789	29
August	65	120	8	25	2,709	1,395	1,284	30
September	85	183	4	33	1,785	1,385	379	21
October								
TOTAL	820	1,641	39	292	16,538	12,397	3,953	204

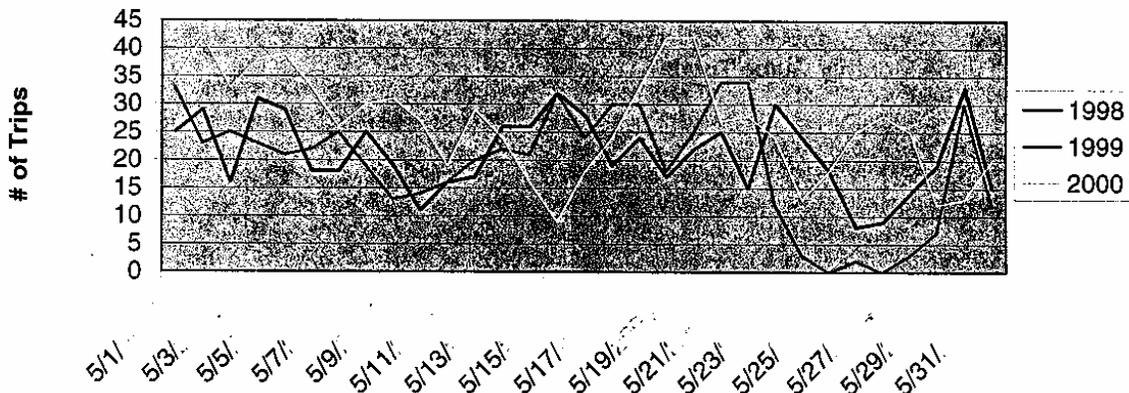
Combined Total	4,278	8,398	350	10,022	55,093	27,992	24,625	2,449
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Booths were Staffed for six hours a day Monday through Thursday
 Booths were Staffed for ten hours a day Friday through Sunday

MAY AVERAGE GUIDE LAUNCHES 30/DAY
 JUNE AVERAGE GUIDE LAUNCHES 40/DAY

	May-98	May-99	May-00		Jun-98	Jun-99	Jun-00
Date	# of Trips	# of Trips	# Of Trips	Date	# of Trips	# of Trips	# of Trips
1-May	25	33	34	1-Jun	24	12	23
2-May	29	23	42	2-Jun	16	12	30
3-May	16	25	33	3-Jun	16	17	32
4-May	31	23	38	4-Jun	18	11	23
5-May	29	21	39	5-Jun	27	23	26
6-May	18	22	33	6-Jun	24	15	28
7-May	18	25	26	7-Jun	20	17	27
8-May	25	19	30	8-Jun	27	9	37
9-May	19	13	31	9-Jun	24	11	37
10-May	11	14	27	10-Jun	27	27	25
11-May	16	16	19	11-Jun	22	7	14
12-May	17	20	29	12-Jun	19	10	36
13-May	26	22	24	13-Jun	30	15	31
14-May	26	21	16	14-Jun	28	21	31
15-May	32	32	9	15-Jun	30	24	33
16-May	28	24	18	16-Jun	15	20	39
17-May	19	30	24	17-Jun	15	13	26
18-May	24	30	33	18-Jun	21	21	17
19-May	17	18	42	19-Jun	30	19	24
20-May	22	25	42	20-Jun	30	16	29
21-May	25	34	27	21-Jun	19	22	32
22-May	15	34	28	22-Jun	25	20	25
23-May	30	12	24	23-Jun	30	15	39
24-May	24	3	13	24-Jun	25	28	27
25-May	18	0	18	25-Jun	20	38	22
26-May	8	2	25	26-Jun	26	29	23
27-May	9	0	28	27-Jun	24	23	22
28-May	14	3	25	28-Jun	17	25	14
29-May	19	7	12	29-Jun	20	24	13
30-May	33	30	13	30-Jun	21	25	11
31-May	15	12	20				
TOTAL	658	593	822	TOTAL	690	569	796

May Guide Trips 1998-2000



_____ Date
 KEVIN CLEGG ASSISTANT RIVER MANAGER U.S.F.S.
 FRAMING GORGE RANGE DISTRICT.

ATTACHMENT #2

ATTACHMENT # 3

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERALMARK L. SHURTLEFF
ATTORNEY GENERALRAYMOND A. HINTZE
Chief DeputyKIRK TORGENSEN
Chief Deputy

November 15, 2004

VIA FAX (801-379-1159)

Peter Crookston
Flaming Gorge EIS Manager
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317Re: Operation of Flaming Gorge Dam Draft Environmental Impact Statement
August, 2004

Dear Mr. Crookston:

I write at the request and authorization of the Daggett County Commission to comment on Daggett County's behalf regarding the above-referenced Draft EIS.

As explained more fully in Daggett County's own comments, the Draft EIS preferred alternative aims to release water from the dam at such a high volume, over such a lengthy amount of time, and at such a time during the year, that the release will adversely affect the commercial and private use of the Green River and hence devastate the businesses of approximately 13 commercial river and fishing guide and outfitting companies, whose income depends almost entirely on their customers' experience on the Green River beneath the dam at a time when the preferred alternative will almost entirely negate fishing and other experiences due to high water volume. Most of the owners and employees of the companies threatened by this action are local citizens of Daggett County, and the local economy stands to suffer if these businesses are ruined.

The purpose of this letter is to advise you on behalf of Daggett County, that these river guide companies whose employment and revenues are so important to Daggett County's

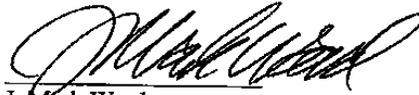
Peter Crookston
Flaming Gorge EIS Manager
Bureau of Reclamation
November 15, 2004
Page 2

economy, intend to pursue a Court of Claims action under the Tucker Act, 28 U.S.C. § 1491, to recover compensation for economic loss caused by the actions of the preferred alternative. The United States Court of Appeals for the Tenth Circuit in *Gordon v. Norton*, 322 F. 3d 1213 (10th Cir. 2003), recognized that a Tucker Act remedy is available for loss of business occasioned by a federal action related to species preservation.

Please note also that Daggett County reserves the right to pursue Tucker Act and other claims for any other loss or damage that may result from the actions contemplated under the preferred alternative, including but not limited to any damage that high river flows may cause to a bridge on an RS 2477 Daggett County road that crosses the Green River below the dam.

Sincerely,

MARK L. SHURTLEFF
UTAH ATTORNEY GENERAL



J. Mark Ward
Assistant Attorney General
Public Lands Section

cc. Utah Association of Counties
Daggett County Commission
Uintah Basin Association of Governments

ATTACHMENT # 4

<<Wed, 10 Nov 2004 09:14:12 -0700>>

Date: Tue, 09 Nov 2004 16:36:28 -0700
From: "Michael Hanni" <mhanni@utah.gov>
To: <braymond@daggett.state.ut.us>
Subject: Re: Economic Development

WORK FORCE SERVICES
EASTERN REGION

Brian,

Funny you should ask, I just ran those numbers yesterday.

Non-farm employment Totals for Daggett County (2004):

Jan	349	7.7% (% Growth over the same month last year.)
Feb	345	3.6%
Mar	392	9.2%
Apr	491	13.9%
May	513	4.1%
Jun	550	2.8%

While these employment numbers are much better than those of last year, they are slightly lower than the numbers for 2002:

Jan	355	18.3%
Feb	340	15.3%
Mar	347	5.2%
Apr	460	14.1%
May	506	5.2%
Jun	567	6.2%
Jul	563	4.1%
Aug	545	1.1%
Sep	525	1.7%
Oct	473	9.2%
Nov	448	10.3%
Dec	398	13.4%

80 JOBS lost
16% of TOTAL EMPLOYMENT

Unfortunately, there isn't enough employment in Dutch John that I could give you specific numbers. I'm bound by privacy laws to not disclose data for an industry in an area that has less than 3 businesses, or where one firm makes up the vast majority of the employment in that sector.

What is the impact of a higher river? Does it hurt fishing, or? Sorry, I didn't know they were considering this.

Cheers,

ATTACHMENT #5

GROSS TAXABLE SALES BY COUNTY AND BY MAJOR INDUSTRY
CALENDAR YEAR 1999 THROUGH 2003

		COUNTY=DAGGETT			
OBS	SICMAJOR	SALES 1999	SALES 2000	SALES 2001	SALES 2002
120	MINING (1011-1499)		\$49,755		
121	CONSTRUCTION (1521-1799)	\$110,756		\$66,294	\$300,050
122	MANUFACTURING (2011-3999)	\$16,592	\$18,907	\$25,995	\$176,797
123	TRANSPORTATION (4011-4789)	\$226,976	\$243,126	\$340,041	\$653,057
124	COMMUNICATIONS (4812-4899)	\$554,234	\$511,493	\$626,233	\$1,184,342
125	ELECTRIC & GAS (4911-4971)	\$143,948	\$427,353	\$1,191,690	\$895,004
126	WHOLESALE-DURABLE GDS (5012-5099)	\$174,503	\$36,711	\$166,873	\$1,035,553
127	WHOLESALE-NONDURABLES (5111-5199)	\$79,001	\$448,121	\$94,230	\$97,164
128	RETAIL-BLDNG & GARDEN (5211-5271)				\$97,540
129	RETAIL-GEN.MERCHNDISE (5311-5399)	\$24,286	\$24,499		
130	RETAIL-FOOD STORES (5411-5499)	\$144,936	\$120,429	\$634,589	\$152,220
131	RETAIL-MOTOR VEHICLES (5511-5599)	\$489,341	\$583,666	\$736,423	\$1,559,796
132	RETAIL-APPAREL&ACCSRY (5611-5699)	\$3,568	\$21,299	\$8,487	\$4,655
133	RETAIL-FURNITURE (5712-5736)	\$10,752	\$11,286	\$5,670	\$15,966
134	RETAIL-EATING&DRINKNG (5812-5826)			\$668,242	
135	RETAIL-MISCELLANEOUS (5912-5999)	\$248,666	\$241,961	\$302,523	\$172,960
136	FIN., INS. & REALESTATE (6011-6799)	\$30,815	\$116,589	\$35,677	\$54,744
137	SERVICES-HOTEL&LODNG (7011-7041)	\$3,779,233	\$4,082,927	\$2,727,582	\$2,667,262
138	SERVICES-PERSONAL (7211-7299)				\$2,041
139	SERVICES-BUSINESS (7311-7389)	\$425,747	\$434,225	\$536,937	\$404,546
140	SERVICES-AUTO&REPAIR (7513-7699)	\$390,941	\$173,090	\$68,667	\$84,055
141	SERVICES-AMUSEMT&REC (7812-7999)	\$690,620	\$1,112,665	\$1,327,694	\$30,754
142	SERVICES-EDUCATION (8111-8999)			\$12,797	
143	PUBLIC ADMINISTRATION (9111-9721)	\$24,595			
144	PRIVATE MOTOR VEHICLE SALES	\$704,550	\$1,068,012	\$1,096,143	\$1,038,807
145	OCCASIONAL RETAIL SALES	\$819		\$731	\$19,630
146	NONDISCLOSABLE \ NONCLASSIFIABLE	\$2,279,074	\$4,125,253	\$2,844,226	\$3,076,797
147	PRIOR-PERIOD PAYMENTS & REFUNDS	\$529,967	\$-149,393	\$1,117,361	\$1,044,850
COUNTRY		\$11,083,920	\$13,701,974	\$14,635,105	\$14,748,590

1.8 MILLION
12% of TOTAL SALES

ATTACHMENT # 6

Dear Daggett County Commissioners;

Should the Bureau of Reclamation choose to adopt the Action Alternative flows, our loss would be substantial. Old Moe Guide Service is our major source of income.

If these flows take place in the spring, May and June, as they have in the past, our losses could be as many as 6 boats per day at \$375 per boat or \$2250 per day. This would mean 6 guide jobs and 3 shuttle driver jobs. If this were to happen for any length of time, it would pretty much put us out of business. We would be forced to sell our home in Dutch John, if we could, and leave the area after being in business here for 25 years.

Thank you,

Terry & Gayle Collier
Old Moe Guide Service

1. DAGGETT COUNTY, STATE OF UTAH

1a

Reclamation extended invitations to the States of Colorado, Utah, and Wyoming with the understanding that the States would coordinate with potentially affected counties and represent their concerns. Of the three States, only the State of Utah wished to be a cooperating agency. In fact, Reclamation notes that the Utah Attorney General has commented on the draft EIS on behalf of Daggett County. Nevertheless, Reclamation would have welcomed any county as a cooperating agency, but no requests for such were received from any counties.

1b

NEPA analysis was not undertaken to determine the effects of the 1992 Biological Opinion. The changes in operations prior to and including 1992 were considered to be within the scope and authority of existing operations. This EIS originated with commitments to the public to undertake NEPA analysis for both the 1992 operational changes stemming from the 1992 Biological Opinion and the 2000 Flow and Temperature Recommendations.

1c

Reclamation agrees with this comment. The EIS text has been corrected in section 3.13.2.

1d

The text has been corrected in the final EIS.

1e

Changes in employment and labor income for the Action Alternative for the three-county area of Daggett, Uintah, and Sweetwater as compared to the No Action Alternative under average, wet, and dry conditions is presented in the

socioeconomic section (4.12) of the EIS. The regional economic analysis is driven by changes in recreational expenditures associated with both river and reservoir recreation. Expenditure information was gathered via recreator surveys which did not provide enough detail for county specific analyses. Based on pretests, it was determined that the survey was already complex (given the need to address visitation, valuation, and expenditure information by alternative), and any attempts to gather more detailed data by county would have significantly added to survey complexity possibly jeopardizing survey usefulness. Attempts to allocate expenditures by county would be highly speculative. The analysis does show the overall effect of losses in Green River recreational expenditures being outweighed by gains in Flaming Gorge Reservoir recreational expenditures during wet and dry conditions. While certain recreation oriented businesses (e.g., lodging, restaurants, and gas stations) could be adversely impacted by losses in Green River visitation under the Action Alternative, many of these same businesses (with the exception of river dependent businesses—e.g., river guides) could also benefit from the additional reservoir recreation visitation and expenditures.

1f

The EIS analysis shows no significant socioeconomic differences between the No Action and Action Alternatives, so no reimbursement would be necessary or required. Lack of appropriate county or community specific data precluded analyses to lower levels of detail. Therefore, since this is a three-county aggregated analysis, we cannot say how individual counties, individual communities, or individual businesses would be affected. It is noted that under either alternative, the same uncertainties regarding future hydrology would continue.

1g

No. As stated in the EIS (section 4.6), there is no significant difference between the Action and No Action Alternatives for structures (bridges and pipelines) crossing the Green River.

1h

Reclamation agrees that as flows vary from the minimum 800-cfs flow to the maximum powerplant flows and occasionally including bypass releases, the velocities will increase as well. However, incremental changes will be made gradually and on an hourly basis. Currently, through efforts of the Flaming Gorge Working Group, the agreed upon ramping rate is established at 800 cfs per hour. This ramping rate has been the agreed upon standard since the Flaming Gorge Working Group meeting of April 11, 1994. It becomes easy to be complacent in the mindset of stable flow regimes during a prolonged drought cycle, but as climate conditions change to more normal hydrologic cycles, rafters and the fishermen are going to have to adapt to the possibility of higher flows in the river under either alternative. If the climactic conditions ever return to a 1983, 1986, or 1992 type hydrologic period, everyone will need to be conscious of the possibility of very high flows in the river. Reclamation will provide notification in advance of projected high release patterns as early as possible to the public through established channels.

Reclamation notes that flows above 4,600 cfs and daily fluctuations have been a normal part of dam operations for over 40 years, and would continue under either the Action or No Action Alternatives.

Attachments 1 and 2

Based on 2004 data on guided launches, commercial guide trips drop essentially to zero by the time flows reach 6,500 cfs. In the text of the letter, Daggett County commissioners suggest that flows in excess of 4,600 cfs makes it “almost impossible for commercial guides to get people to fish the river under high flow conditions.” These data and statements are consistent with the guide boat fishing visitation analysis in the EIS. The recreator survey, conducted by USDA Forest Service in summer of 2001, suggests that guide boat recreators would stop participating on average at flows of 3,731 cfs. Therefore, the analysis used in the EIS is actually somewhat more restrictive and conservative compared to the high end flow threshold that Daggett County is suggesting.

Attachment 3

The State Attorney General’s letter-comment noted; see responses to this letter above.

Attachments 4–6

Daggett County provides data on Daggett County employment by month for 2002 and first 6 months of 2004. They also provide county data for Gross Taxable Sales by industry for 1999-2002. They then claim 80 jobs would be lost (16% of total employment), and \$1.8 million in sales would be lost (12% of total sales). It was unclear how they came up with these estimates of loss; no basis was provided, and it is impossible to say whether these losses correlate to river flows.

November 17, 2004

Mr. Peter Crookston
Flaming Gorge EIS Manager, PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

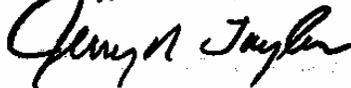
Dear Mr. Crookston:

2a I would like to address some concerns the Rock Springs Chamber of Commerce Board of
2b Directors have about the recently published Draft Environmental Impact Statement
2c (DEIS) on the operation of the Flaming Gorge Dam. It appears one of the major
2d objectives of the proposed release schedule would be to increase water temperature below
the Flaming Gorge Reservoir. With water temperature increasing how will it effect the
upstream migration of Northern Pike and what negative effects will this have on the
current Trout population? Theses populations and their associated economic impact are
worth millions of dollars to the local economies. Furthermore, what impact will Northern
Pike have on the recovery of the endangered species you are trying to enhance?

2e Another area of critical concern is the distribution of the New Zealand Mud Snail. This
non-native invasive species is already present below Flaming Gorge Dam. In your data it
is estimated that this species could make up 95% of the invertebrate biomass in the Green
River system. The DEIS also states that Trout derive very limited nutritional values from
the consumption of the New Zealand Mud Snail. Also, on page 73 of the DEIS it states,
"ultimate distribution, densities, and this invasive species effect on the existing aquatic
community remains uncertain." I find it inconceivable that the U.S. Fish and Wildlife
Service and Bureau of Reclamation would in fact participate in the spread and
2f propagation of an invasive non-native species. What are your plans to mitigate any of the
negative outcomes your agency may produce by its action in this matter?

We look forward to your response on this most urgent of issues.

Sincerely,



Jerry Taylor, Board President
Rock Springs Chamber of Commerce



David Hanks, CEO
Rock Springs Chamber of Commerce

2. ROCK SPRINGS, WYOMING, CHAMBER OF COMMERCE

2a and 2b

See sections 4.19.4 and 4.21 regarding the role of the Recovery Program in addressing this uncertainty. Additionally, the State of Utah currently has an aggressive and successful northern pike management program in place on the Green River below Flaming Gorge Dam, and the Recovery Program is implementing similar measures in the Yampa River.

2c

Reclamation agrees that the fisheries within the reservoir and river are valuable. That is why analyses of both recreation economic value and regional economic impact were provided in the recreation (4.11) and socioeconomic (4.12) sections in the EIS.

2d

Northern pike have been demonstrated to directly and negatively impact nearly every life stage of endangered fish through predation. However, the State of Utah currently has an aggressive and successful northern pike management program in place on the Green River below Flaming Gorge Dam, and the Recovery Program is implementing and expanding similar measures in the Yampa and Colorado Rivers. It is expected that

the Recovery Program will continue to play a significant role in management of nonnative predators such as northern pike in the future under both Action and No Action Alternatives.

2e

The New Zealand mud snail can comprise up to 95% of invertebrate in some aquatic systems, not necessarily the Green River system. See section 4.7.2.1.2, last paragraph.

2f

Reclamation's environmental commitments related to the proposed action are stated in section 4.21 of the EIS. We do not anticipate that the proposed action will result in an increase or spread of the mud snail. After checking with local experts on mud snails in the Green River, we cannot identify any specific mitigation measure that could be implemented, whether or not our action causes an adverse effect. Importation of the New Zealand mudsnail was probably human-caused, and thus prevention measures identified to date pertain to this type of vector. Little (if any) research exists on effects of large-scale perturbations such as dam releases on snail biology. Reclamation encourages all anglers to thoroughly dry or freeze their waders after fishing in one locality to help reduce the spread.



Town of Manila

P.O. Box 189
Manila, UT 84046-0189

Phone: (435) 784-3143
Fax: (435) 784-3356

Mayor
Chuck Dickison

Town Clerk
Judy Archibald

3a

Deputy Clerk
Andrea Scott

3b

Council Members
Ida Marie Twitchell
Lanita Steinaker
Dallene Alvis
Connie Reed

11/10/04
Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774 Bureau of Reclamation
Provo Area Office
302 East 1850 South
Provo, Utah

Dear Mr. Crookston,

The following will address an area of significant concern for Manila. It will also provide a statement of support for the Daggett County Commission and a concern for the economic welfare of Dutch John. It will ask for your reconsideration in the matter.

The Manila Council and this Mayor share a deep concern regarding the substantial economic impact imposed with the facilitation of the EIS for the operation of Flaming Gorge Dam. Those persons who depend upon the fishing and rafting revenue for their existence will lose significant income. Daggett County estimates the loss to that industry and the support services to be in the hundreds of thousands of dollars. Manila will share in that revenue loss to a smaller degree with the impact to tourism.

Surely, the motivation to consider the high water releases cannot equate to the economic losses to a county population already impacted by the government ownership of 90 % of the land. This does not address the certain impact to infrastructure to be sustained below the dam by the high releases. The consequences of such a decision should be a significant part of the process.

In conclusion, the Manila government body and certainly the local constituents willingly provide their support to the request for a decision reconsideration. Subsequently, we respectfully ask that the Bureau of Reclamation consider the legitimate concerns expressed by a significant segment of the affected population.

Cc: Daggett Commission

Sincerely,
Chuck Dickison
Chuck Dickison, Mayor

3. TOWN OF MANILA, UTAH

3a

Reclamation acknowledges and has explained in the EIS that the Action Alternative could create adverse impacts for certain Green River recreation activities and businesses (e.g., commercial operators), particularly under wet and dry conditions as compared to the No Action Alternative. The lack of appropriate county specific expenditure data precluded the development of impacts solely for Daggett County. In anticipation of this data gap, a survey was conducted during the summer of 2001 to specifically identify economic impacts to commercial operators. The results of the survey were presented in a separate subsection under socioeconomics. The EIS analyzed both river and reservoir recreation. While we cannot describe potential impacts specifically for Dutch John, Manila, or even Daggett County due to lack of data, from an overall perspective, it should be noted that expenditure gains on the reservoir

appeared to outweigh losses on the river. Therefore, it is possible that under the Action Alternative, certain recreation oriented businesses (e.g., lodging, restaurants, gas stations) will be adversely impacted by reductions in Green River recreation visitation, but many of these same businesses (with the exception of river dependent businesses—e.g., river guides) could also benefit from the additional reservoir recreation visitation and expenditures.

3b

As stated in the EIS (Section 4.6, “Land Use”) there is no significant difference between the Action and No Action Alternatives for structures (bridges and pipelines) crossing the Green River. In wet years, there may be greater effects under the Action Alternative for campgrounds, boat ramps, and access roads.



Uintah County Office
147 East Main
Vernal, Utah 84078
(435) 781-5475
Fax: (435) 781-5372
W/C (435) 781-5480

Duchesne County Office
50 East 100 South
P. O. Box 210
Duchesne, Utah 84021
(435) 738-2202

Daggett County Office
Flaming Gorge Community
Health Center
P. O. Box 156
Manila, Utah 84046
(435) 784-3494

Roosevelt Office
281 East 200 North
Roosevelt, Utah 84066
(435) 722-5085
W/C (435) 722-3987

TriCounty
Dental Clinic
198 West 200 North
Vernal, Utah 84078
(435) 781-0875
Fax: (435) 781-0975

November 9, 2004

Mr. Peter Crookston,
Flaming Gorge EIS Manager, PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

RE: Operation of Flaming Gorge Dam Draft EIS

Dear Mr. Crookston,

- 4a** Flooding in the Green River bottomlands region presents enormous acreages of productive mosquito habitat. Millions of mosquitoes per acre can be produced and many thousand of acres are involved. Of great concern is the production of mosquitoes which carry West Nile virus. The almost level contour of much of the Green River bottomland scenery with even minor increases in river elevation at high water can translate into huge additional acreages of overflow mosquito habitat. We have had documented cases of West Nile virus in Uintah County and feel we need to do all we can to prevent it. There is no question that more water in the Green River bottomlands means more mosquitoes. More mosquitoes means more mosquito control and that can be very expensive to perfectly time and repeat applications. At this time the money and applications are sufficient for the number of mosquitoes in the county. Additional applications would be more expensive and would result in an increase in property tax. If the Action Alternative
- 4b** is implemented, the taxpayers of Uintah County should be awarded full and fair federal compensation for higher mosquito control expenses. However, financial compensation still does not protect Uintah County citizens from the influx of mosquitoes and potential diseases.

Thank you for the opportunity to comment on the Operation of Flaming Gorge Dam Draft EIS.

Respectfully,



Joseph B. Shaffer, M.A., M.B.A., E.H.S.
Director/Health Officer

BOARD OF HEALTH MEMBERS

Jim Abegglen • Stewart Leith • Larry Ross • John Hullinger • Richard Jolley, D.D.S. • Lynn Morrill, D.O. • Tod Tesar • Dan Goodkind P.H.D. • Ellen Rawlings

4. TRICOUNTY HEALTH DEPARTMENT

4a

Comment noted

4b

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis,

Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

UINTAH COUNTY



STATE OF UTAH

Our past is the nation's future

November 15, 2004

COMMISSIONERS:
David J. Haslem
Jim Abegglen
Michael J. McKee
ASSESSOR - Gayla Casper
ATTORNEY - JoAnn Stringham
CLERK-AUDITOR - Michael W. Wilkins
RECORDER - Randy J. Simmons
TREASURER - Donna Richens
SHERIFF - Rick Hawkins
SURVEYOR - Robert Kay

Mr. Peter Crookston
Flaming Gorge EIS Manager, PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

RE: Operation of Flaming Gorge Dam Draft EIS

Dear Mr. Crookston:

Uintah County takes a strong stance in opposition to the Bureau of Reclamation's proposed action of increased flows of water from the Flaming Gorge Dam.

The following concerns need to be considered and addressed:

- 5a **Uintah County Plan:** Protection of private property is a crucial element of the Uintah County Plan, and any damage caused to agricultural property would not be consistent with the plan. The release of extra water when the river is at its fullest would purposely flood shallow ground on private agricultural property.
- 5b **Noxious Weeds:** The flood water would carry and spread white top, Russian olives and other noxious weeds throughout the agriculture property reducing crop yields, thus income, and it would create a financial burden on the land owners and the county to control the weeds.
- 5c **Flood Control:** Flood control is not addressed in this EIS. The action alternative predicts an increase in frequency of flooding in order to assist in the recovery of endangered fish. In section S.16.5 "Uncertainties Associated with Flood Plain Inundation", reference is made to strategies that could meet the needs of the endangered fish without the extreme flooding predicted in wet years under the Action Alternative. These strategies should have been evaluated as an alternative.
- 5d The Action Alternative should address how to modify flow regimes in order to avoid exceeding harmful maximum flows within the safety limitation of the Dam. Higher flows and increased sedimentation suggested in the Action Alternative would cause damage to irrigation pumps and irrigation systems. This damage would include the equipment, the cost of installation and the loss of crop production caused by the inability to deliver water to upland crops during the time it takes to repair flood caused damaged irrigation equipment. The crop damage could extend for several years if perennial crops like alfalfa die before irrigation can be restored. Flooding and prolonged
- 5e
- 5f

Page 1 of 3

standing water will kill crops, especially long term crops, which are expensive to replant. Standing water and flooding leaves land incompatible for agricultural use.

- 5g Damage to irrigation pumps and equipment could be minimized if adequate warning is given to farmers before peak releases are made. However, little can be done if excessive flooding occurs.

Some of the private lands are diked, which means that flooding elevation would have to be raised to go over the dike and flood the ground.

- 5h It is important to the citizens of Uintah County to preserve their culture. Grazing and livestock are part of this culture that has been in the Basin for over 150 years. Flooding these lands would destroy this culture, use and enjoyment, and would be in conflict with the Uintah County Plan.

- 5i **Release:** The timing of the peak release is a concern. (S-30, table S-7) The releases from Flaming Gorge Dam are based on the peak flow of the Yampa River, however the peaks of the Yampa River and the Green River do not coincide. When the Green River is released based on the Yampa peak, this will result in sediment deposits over the spawning area. These impacts must be analyzed and reported in the document. Releasing water at peak time would destroy the trails, campground and parking lot located below the dam.
- 5j

- 5k **Mosquitos:** Flooding in the Green River bottomlands region presents enormous acreage of productive mosquito habitat. Millions of mosquitos per acre can be produced and many thousand of acres are involved. Of great concern is the production of mosquitoes which carry West Nile Virus. The almost level contour of much of the Green River bottomland topography with even minor increases in river elevation at high water can translate into huge additional acreage of overflow mosquito habitat.

Mosquitos have a substantial impact on livestock by causing weight loss and a deterioration of the general condition of the animals. We have had documented cases of West Nile Virus in Uintah County and feel we need to do all we can to prevent it. There is no question that more water in the Green River bottomlands means more mosquitos. More mosquitos means more mosquito control and that can be very expensive to perfectly time and repeat applications. The land owners will incur a cost associated with mosquito control since mosquitos can only be controlled and not eliminated.

If mosquitos are not controlled, this would prevent enjoyment and use of personal property which is a property right, thus, this could result in a take of this right.

- 5l The Uintah Mosquito Abatement District is funded by local property taxes. When flooding occurs, funds are inadequate to control mosquitos. Additional applications would be more expensive and would result in an increase in property taxes. Uintah County citizens should not be the ones to pay for the Recovery Program for Endangered Fish species. If the Action Alternative is implemented, the taxpayers of Uintah County should be awarded full and fair federal compensation for higher mosquito control expenses. However, financial compensation still does not protect Uintah County citizens from the influx of mosquitos and potential diseases. Now that West Nile Virus has been found in Uintah County, we have to deal aggressively to prevent further incidences. Human life is

by far the most important issue, and loss of life is not worth the possible marginal benefit of increased flow rates.

Page 2, 1.2 Lead and Cooperative Agency. A review of this section confirms the County's position that this Draft Environmental Impact Statement was prepared without the participation of Uintah County as cooperator. The Code of Federal Regulations 40, 1501.6 Cooperating Agencies states, "The lead agency shall: (1) request the participation of each cooperating agency in the NEPA process at the earliest possible time." We object to not being included and not having cooperating status to help develop this plan.

Many of the impacts associated with this proposal are on land within the jurisdiction of Uintah County which has governmental powers over such lands and a responsibility to protect the health and welfare of the people impacted, as well as the land and it's associated economics.

Page 117, 3.13.2 Public Safety Considerations for the Green River. At the end of the first paragraph it states, "The river has exceeded 18,000 cfs 5 times in the past 10 years and 10 times in the past 20 years." Data available to us indicates that the river has not exceeded a flow of 12,300 cfs in the past 42 years. The analysis is flawed and the entire project needs to be re-analyzed, as it has tremendous implications with this flawed data.

Uintah County supports the "No Action Alternative".

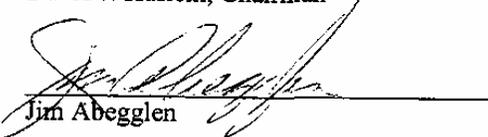
Uintah County has no further comments at this time but reserves the right to comment later, if warranted.

Sincerely,

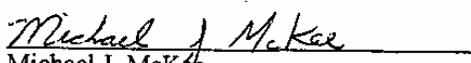
UINTAH COUNTY COMMISSION



David J. Haslem, Chairman



Jim Abegglen



Michael J. McKee

cc: Public Lands Committee

5. UINTAH COUNTY, STATE OF UTAH

5a

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. Section 4.5 of the EIS concludes that in comparing the Action and No Action Alternatives, there is not a significant difference for crop losses due to inundation.

5b

Since the arrival of invasive species in the Uintah Basin (tamarisk was probably present by the 1930s) flooding has facilitated their spread. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years and for the spread of invasive species. That potential will continue under either alternative.

5c

While flood control is an authorized purpose of CRSP, there are no flood control benefits identified for Flaming Gorge. Therefore, there are no restrictive operational rules imposed by the Corps of Engineers for flood control. However,

floodplain inundation has occurred less frequently since Flaming Gorge Dam was built.

5d

The Action Alternative does not include releases that exceed the ability of the dam to safely make releases. All proposed releases are within the historic range of releases from the dam. Please see section 2.5.1 in the EIS.

5e and 5g

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

5f

These issues were analyzed and discussed in the EIS. Section 4.5 of the EIS concludes that in comparing the Action and No Action Alternatives, there is not a significant difference for crop losses due to inundation. Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less

frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative.

5h

Flood plain inundation has occurred along the Green River in the past, though less frequently since Flaming Gorge Dam was built. There has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. The presence of the dam for over 40 years has indeed served to moderate flooding. However, this was never intended to mean that the flood plain would remain permanently dry. It means only that there is increased ability to moderate potentially catastrophic flows. Since the dam was built, there have been a number of wet years where high flows have occurred, such as 1983. Whether or not the proposed action is implemented, high flows would be expected in the future, and none of the high flow targets in the Action Alternative exceed the very high natural flows that have occurred historically.

As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will under either alternative continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

5i

See sections 4.19, 4.20 and 4.21. The 2000 Flow and Temperature Recommendations are intended to aid in recovery of four endangered fish species by restoring a more natural flow regime to the Green River. The authors of the 2000 Flow and Temperature Recommendations recognized that certain aspects of the

flows may affect certain species differently than others. One objective of spring peak flows is to entrain razorback sucker larvae into flood plain depressions, so it is possible that these peak flows would normally occur after spawning activity. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group, which will evaluate criteria listed in table 2-5 when making recommendations. This allows opportunities to refine flow attributes based on an adaptive management process.

5j

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements below the high water mark have always been made by property owners at their own risk. Please see response to 5a and 5h above.

5k and 5l

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1 and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and a threat from West Nile virus or other mosquito-borne diseases.

5m

Reclamation extended invitations to the States of Colorado, Utah, and Wyoming with the understanding that the states would coordinate with potentially affected counties and represent their concerns. Of

the three States, only the State of Utah wished to be a cooperating agency. Nevertheless, Reclamation would have welcomed any county as a cooperating agency, but no requests for such were received from any counties.

5n

Reclamation agrees with this comment. The EIS text has been corrected.

Uintah Mosquito Abatement District

Director
Steven V. Romney

P.O. Box 983
Vernal, Utah 84078

Phone: 435-789-4105
Fax: 435-789-1891

Peter Crookston
Flaming Gorge EIS Manager
PRO-774 Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

November 8, 2004

Dear Mr. Crookston:

This for the Public Record commentary addresses the "Operation of Flaming Gorge Dam Environmental Impact Statement" as applies to Green River Bottomlands Reach 2 of Project Area 1.

When seasonally flooded with river sub-up or overflow water the Green River bottomlands region, as referenced, is transformed into enormous acreages of some of the most productive aquatic mosquito habitat in North America. This is a fully documented biological fact. Literally **millions** of mosquitoes per acre can be produced. Many **thousands** of acres of such habitat are involved. Some floodwater mosquito species can migrate in staggering numbers as far as 20 miles from their bottomlands points of origin and are a very real threat to public health, veterinary health, ranching and agriculture, outdoor recreation, outdoor commerce and the economically vital tourist industry in Uintah County, Utah.

Of new and deepest concern is the ongoing potential for the large scale river bottomlands production of the mosquito species, Culex tarsalis, an extremely abundant and superbly competent local vector of West Nile Virus (WNV). Ecologically, the additional mosquito habitat to be activated with the proposed artificially enhanced and prolonged flooding of the Green River periphery presents a reproductive bonanza for this now critically important species. Due to the flattened, almost level contour of much of the Green River bottomlands topography, even "minor" increases in river elevation at high water can translate into huge additional acreages of prime mosquito habitat.

Since the first documentation of the presence of WNV in the Western Hemisphere (New York City, 1999), the virus has rapidly spread westward to encompass 48 U.S. States and the District of Columbia. In 2003, the first human and equine WNV infections ever recorded in Utah were acquired in Uintah County. The same year, the state of Colorado suffered an incredible 2,947 human WNV infections. Sixty-three were fatal, while many more proved to be permanently debilitating. With the ongoing westward expansion of WNV, "only" ten human infections were recorded for Utah in 2004.

The widest spectrum of critical yet often subtle environmental conditions which must fall into place in order to trigger a major WNV event are not yet sufficiently understood to provide an absolute and consistently reliable predictive scenario for the future. Notwithstanding, a **hard biological fact** now confronts our citizens: West Nile Virus is a new, extremely dangerous and thoroughly established **permanent resident** of Uintah County, Utah. There is very sound medical justification for acting in accordance with the distinct possibility that the 2005 and future seasons will prove pivotal in fully defining the long term public health and economic impact of that pathogen. At present our County is in every way unequivocally "primed" for what may well prove to be a major epidemic event. The greater dynamics of WNV amplification in the environment with its ultimate expression in human and

other vertebrate populations can though, with certainty, be profoundly influenced by the timely **prevention** and effective **control** of vector mosquito populations.

Large scale river bottomlands mosquito control is extremely expensive and is, for innumerable logistical and biological reasons, immensely challenging. It demands perfectly timed and repeated low level aerial applications of biological control larvicides to flooded mosquito sources randomly dispersed throughout some 50 linear miles of remote, often densely vegetated nearly impenetrable river periphery. Perfect mosquito control in every instance is essentially impossible.

6a The Uintah Mosquito Abatement District is funded with local property taxes. Should Uintah County taxpayers be forced to pay for the critically essential control of the soon to be much larger and **medically important** mosquito populations when their otherwise simple **prevention** is wholly dependent on the whim of the Recovery Program For Endangered Fish Species? Should the same citizens then bear the inevitable medical and economic consequences exacted upon them by such environmental policy decisions? Succinctly stated, artificially sustained, higher than would otherwise seasonally occur Green River flows equal **far more mosquitoes**, some of which the next time around will be carrying WNV with the capacity to kill human beings, equines and a diversity of avian species.

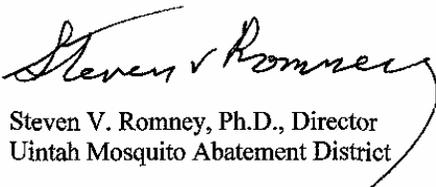
6b There is little doubt that the Flaming Gorge Dam "Action Alternative" will be implemented. The Recovery Program with its ongoing and inexorable agenda is thoroughly entrenched and supported by far reaching legal powers and huge sums in budgetary resources. Accordingly, I am formally requesting that immediate preparatory steps be taken wherein by mutual negotiation the Uintah Mosquito Abatement District (and thus the taxpayers of Uintah County) at the least be awarded full and "fair" federal compensation (such funds **can** be found) for those additional and far higher public health mosquito control expenses which will inevitably result from the policy implementation above. Such totally justified federal supplemental monies would, at least to some limited extent I believe, serve to elevate our citizens above the status of hapless victims in this matter. From the mosquito's perspective, federal support in exchange for Uintah County's blood is no doubt a good deal.

6c Consider this: Do the conjecture based Recovery Program research benefits to be achieved by the "let's see what happens if we flood the river bottomlands" option in fact outweigh the **for certain** adverse consequences to be exacted upon **us** and other vertebrate species?

I am eager, as the need will surely arise, to vigorously address any questions pertaining to the utter **validity in science** of my observations and deepest concerns, above. **Please** perceive this most urgent statement with every prudent care and consideration.

I thank you sincerely for your valuable time and attention.

Respectfully,



Steven V. Romney, Ph.D., Director
Uintah Mosquito Abatement District

6. UINTAH MOSQUITO ABATEMENT DISTRICT

6a and 6b

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1 and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases, such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

Proposed flows are intended to produce a more natural hydrograph, not "an artificially sustained flow." In Reach 2, where the Uintah Mosquito Abatement District sprays, dam operations supplement flows from the Yampa River, to greater or lesser degrees depending on the hydrology of the respective basins.

6c

We do not anticipate adverse consequences to humans if the 2000 Flow and Temperature Recommendations are implemented. The river flood plain is likely to be inundated in wet years under either alternative.

WATER USER AGENCIES AND ORGANIZATIONS

- 1. Central Utah Water Conservancy District**
- 2. Colorado River Energy Distributors Association**
- 3. Colorado River Water Conservation District**
- 4. Duchesne County Water Conservancy District**
- 5. Sweetwater County Conservation District**



Central Utah Water Conservancy District

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TELEPHONE (801) 226-7100, FAX (801) 226-7107
TOLL FREE 1-800-281-7103
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Don A. Christiansen, General Manager
Secretary/Treasurer

November 15, 2004

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation
302 East 1860 South
Provo, Utah 84606-7317

Sent Via Fax and Mail

Subject: Draft Environmental Impact Statement (August 2004) – Operation of Flaming Gorge Dam

Dear Mr. Crookston,

Thank you for the opportunity to comment on the August 2004 Draft Environmental Impact Statement for operation of Flaming Gorge Dam. We recognize the importance of Flaming Gorge Dam operations in providing the flexibility in flow and temperature management to protect and assist in recovery of endangered fish populations.

We understand that Flaming Gorge Dam plays an important role in offsetting depletions to the Green River resulting from the operation of federal and non-federal projects in the basin. As stated in Section 1.1, "Modifying the operation of Flaming Gorge Dam will also serve as the RPA, as defined by the ESA, to offset jeopardy to endangered fishes and their critical habitat that could result from the operation of numerous other existing or proposed water development projects in the Upper Colorado River Basin."

1a Even though there are numerous references to the Upper Colorado River Endangered Fish Recovery Program (RIP) program, we believe that it is important to emphasize the important role that the Upper Colorado River Endangered Fish Recovery Program (RIP) plays in the work to recover the fish and in allowing water development to continue.

As to proposed or future water development, the Central Utah Water Conservancy District, the Duchesne County Water Conservancy District, and the Uinta Water Conservancy District are working together to study future water demands in the Uinta Basin and ways to meet those demands. Key factors in this regard include change of use of water, development of new tributary water supplies, conservation, and the utilization

BOARD OF TRUSTEES

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- 1b of the Flaming Gorge direct flow water rights that have been conveyed from Reclamation to State of Utah. The Flaming Gorge water rights will be used in the future as Utah continues to develop its share of the Colorado River. This should be recognized in the document. Furthermore, the document should recognize, perhaps in Section 4.16.1.1, that
- 1c as depletion increases, the role of the RIP will become even more important in meeting its objective of recovery of the fishes while providing for new water development.

If you have any questions, please contact Rich Tullis, at 801-226-7122.

Sincerely yours,



Richard L. Tullis, P.E.
Assistant General Manager

1. CENTRAL UTAH WATER CONSERVANCY DISTRICT

1a

Comment noted. See sections 1.4.4 and 4.16.4.1.1 of the EIS regarding the dual role of the Recovery Program in recovering the endangered species while allowing water development to continue.

1b

The possible effects of the proposed action on water rights were analyzed and, as stated in section 1.8.4 of the EIS, there

is no effect to water rights from either the Action or No Action Alternative. Clarification has been added to section 1.8.4 of the EIS.

1c

As stated in sections 1.4.4 and 4.16.4.1.1 of the EIS, the Recovery Program recognizes future depletions in the Upper Basin States.



CREDA
Colorado River Energy Distributors Association

ARIZONA

Arizona Municipal Power Users Association

Arizona Power Authority

Arizona Power Pooling Association

Irrigation and Electrical Districts Association

Navajo Tribal Utility Authority (also New Mexico, Utah)

Salt River Project

COLORADO

Colorado Springs Utilities

Intermountain Rural Electric Association

Platte River Power Authority

Tri-State Generation & Transmission Association, Inc. (also Nebraska, Wyoming, New Mexico)

Yampa Valley Electric Association, Inc.

NEVADA

Colorado River Commission of Nevada

Silver State Power Association

NEW MEXICO

Farmington Electric Utility System

Los Alamos County

City of Truth or Consequences

UTAH

City of Provo

Strawberry Electric Service District

Utah Associated Municipal Power Systems

Utah Municipal Power Agency

WYOMING

Wyoming Municipal Power Agency

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 Executive Director
 CREDA
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 Email: creda@qwest.net
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2a

November 8, 2004

Mr. Peter Crookston
 Flaming Gorge Environmental Impact Statement Manager
 PRO-774, Bureau of Reclamation, Provo Area Office
 302 East 1860 South
 Provo, UT 84606-7317 email: fgeis@uc.usbr.gov

RE: Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS), September 1, 2004

Dear Mr. Crookston:

The Colorado River Energy Distributors Association (CREDA) offers the following comments on the above-referenced document. These comments should be considered supplementary to the verbal comments provided at the October 13, 2004 public hearing in Salt Lake City, Utah, and to CREDA's August 4, 2000 comments on the Notice of Intent to Prepare a Draft Environmental Impact Statement (June 6, 2000). Fundamentally, the National Environmental Policy Act (NEPA) process must achieve "a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities." 42 U.S.C. Section 4331(b)(5). NEPA requires informed decisions—not ideal decisions.

CREDA is a non-profit organization founded in 1978, whose members are all firm electric service contractors of the Colorado River Storage Project (CRSP). CREDA members serve approximately three million consumers in six western states. As CRSP contractors, CREDA members have a direct interest in this process. CREDA is also represented in the committees of the Upper Colorado River Endangered Fish Recovery Program (RIP), and participated in the development of the Flow and Temperature Recommendations for Endangered Fish in the Green River Downstream of Flaming Gorge Dam (published in September 2000 by the RIP). Lastly, CREDA members Utah Associated Municipal Power Systems and Utah Municipal Power Agency are cooperating agencies in this process.

- I. **General comment about hydropower and drought situation:** The Bureau's power program is the caretaker for some of the Nation's most important electrical resources. Hydropower has been labeled the "most successful form of renewable energy." It provides the only way to "store" electricity (in the form of water) for later use. We are concerned that additional changes in operation of Flaming Gorge will reduce water storage benefits and hydroelectric power supplies as the West suffers from historic droughts and Nation is facing energy shortages and escalating energy costs. In recent years, Utah, and many parts of the West, have reported record-breaking draws on the power grid. 2003 wholesale power prices were at record highs. And demand for electricity is projected to grow substantially over the next two decades. President George W. Bush has directed any agency that takes an action with a "significant adverse effect" on the supply of domestic energy resources to comply with Executive Order No. 13211. The President, in that order, directed the agencies to "appropriately weigh

- and consider the effects of the Federal Government's regulations on the supply, distribution, and use of energy." We urge Reclamation not to operate Flaming Gorge in a way that continues to reduce its 1974 historic generating capacity or its ability to store water for multiple uses. Flaming Gorge should be operated to avoid jeopardy to endangered species while maintaining the congressionally authorized purposes of, and the requirement to produce the "greatest practicable amount of power and energy..." from, the Colorado River Storage Project (CRSP) (Sec. 7, CRSP Act of 1956). It should be noted that nothing in the 1968 CRBPA affects this section of the CRSP. Moreover, the Supreme Court has held that the discussion of alternatives required by NEPA is limited by an agency's statutory purposes.
- 2b
- 2c II. **Purpose and Need**, 1.1, and 1.4.1, pages 2-4: Why is "the development of water resources" called out specifically as an authorized purpose here and in the transmittal letter? This distinction could lead one to believe that this purpose "trumps" the other authorized purposes (as identified verbatim in S.3.1. Reference is made to the Colorado River Basin Project Act of 1968. However, reference should also be made to section 601(a) of that Act, which expressly provides that nothing in it "shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of", among other things, the compacts, the treaty with Mexico or the Colorado River Storage Project Act. The section 308 references to fish and wildlife and recreation purposes are "in connection with the project works authorized pursuant to" the 1968 Act. In addition, the language contained in the first paragraph of Section 1.4.1, page 4, implies that endangered fish recovery efforts can "hold hostage" the CRSP Section 7 obligation to produce "the greatest practicable amount of power and energy..." (see comment I.) by impacting water resource development. Endangered fish recovery efforts are the express purview of the RIP, and to impose a standard other than the requirement of Reclamation to "avoid jeopardy" is inconsistent with NEPA and ESA.
- III. **Hydropower**, 2.6.3, pages 41-42: We understand the need to develop an economic analysis attributable to any alternative. However, an economic analysis should not be the sole indicator of power resource impacts. It is our understanding that the economic analysis indicates generation of 11,374.3 GWH in the Action Alternative, which, when compared to the No-Action Alternative, is a reduction of 529.8 GWH. The analysis is based on market prices, which may lead one to believe that the economics are based on a snapshot of Western's selling the energy on the spot market. Western's contractual obligations to deliver CRSP resources to its firm power contractors assume an integrated CRSP resource. Depending on the availability by hour of the Flaming Gorge resource, the actual financial impact to Western and its customers may be much greater than is portrayed in a market economic analysis. Did the power resource analysis and modeling take into account Western's contractual obligations CRSP-wide as opposed to analyzing spot market impacts and costs based solely on Flaming Gorge's operations?
- 2d
- 2e IV. **Description of CRSP customers**, 3.4, page 60, last paragraph: On October 1, 2004, 54 tribes have the opportunity of becoming CRSP firm electric service contractors.
- V. **Environmental Consequences**, 4.2.1.2. Action Alternative, page 126: The Action Alternative increases the use of spillways to about 15 days per year in 7% of all years. How does this compare to expectations for original project use of the spillways FOR EMERGENCIES ONLY? CRSP contractors are responsible for the operation, maintenance and repair costs of the Project. The estimated \$12,000 annual inspection cost, along with \$30,000 repair cost should be factored into the financial impacts to CRSP customers. The Colorado River Basin Fund is in dire straits due to drought, environmental and market conditions. Any action which potentially draws funds from the Basin Fund must be critically scrutinized. The costs attributable to any spillway use resulting from changed operations for endangered fish should be non-reimbursable and provided by appropriations. Historical spillway use both prior to and
- 2f

- 2g post-1992 should be assessed for cumulative impact purposes. This same comment applies to increased operation costs as a result of added selective withdrawal adjustments
- 2h VI. **Financial Analysis Results, 4.4.3.3.:** This section indicates insignificant CRSP rate impact but does not address potential Basin Fund cash implications. In order to meet its contractual obligations to the CRSP firm power customers, Western Area Power Administration at times must make firming purchases to accommodate changed operations. Long-term rate impacts are certainly an essential analysis for the DEIS; however, the DEIS is lacking a cash flow analysis based on the Action Alternative and its potential impact on Western's contractual obligations and potential firming purchase requirements. If CRSP Basin Fund impacts are significant enough, this could result in an emergency rate increase. The Action Alternative indicates that the proposal would "lessen Western's ...purchase requirements by an average of approximately \$950,000". Did this analysis take into account changed patterning of the Flaming Gorge resource as it is integrated into the Salt Lake City Area Integrated Projects (SLCA/IP) resource in total? How current is the market price analysis, and does this take into account the potential of an increased CRSP rate (process beginning this month).
- 2i VII. **Flow recommendations/flooding, 4.13, page 224:** the flow recommendations are simply one way to meet the endangered fish needs. It is CREDA's opinion that the intent of the recommendation is to obtain an AVERAGE of flows, not to meet specific flows contained in the recommendations. They may be options, such as levee removal, which would serve to meet the intent of the recommendations without causing additional impact to power production. The Biology Committee of the RIP has recently discussed (August, 2004) a report (Hayse, et al. 2004) suggesting refinement of flow recommendations put forth by Muth et al. (2000) to take into consideration two concepts: 1) larval endangered fish may survive nonnative fish predation if the floodplain site has been reset (i.e. gone through a sequence of drying and filling) and 2) the utility of floodplains as nursery sites are likely a function of their site specific features (e.g., depression, terrace) and location. According to a recent study by Valdez and Nelson (2004), for a given volume of water, maintaining inundation of priority depression floodplains could be achieved by removing or modifying levees so the magnitude of flows needed is reduced (e.g., from 18,600 to 14,000 cfs). Sites chosen for this treatment would be depression floodplains closest to spawning areas. In contrast, when flow recommendations were developed, levels were based on the relationship between flow and total area of inundated floodplains with levees in place. Also, they did not differentiate between depression and terrace floodplains or the length of time these habitats would hold water.
- 2j Benefits of the Argonne approach, using surplus or spilled water in good hydrologic years to achieve environmental purposes, not only would be to achieve floodplain inundation at lower flows but it would: 1) increase the number of years floodplains are connected to the main channel; 2) increase the duration of floodplain connectivity in a given year; and 3) improve entrainment of larvae into floodplain nursery habitats. Another significant benefit of this proposal would be a reduction in the need for bypass and spill at the dam. The DEIS should take into consideration this significant new information, through implementation of the flow recommendations in accordance with the Argonne approach. In fact, the law requires the use of the best available science in this process. The lead agency must use, to the maximum extent practicable, the environmental analysis and recommendations of cooperating agencies consistent with its own responsibilities as the lead agency. 40 C.F.R. Section 1501.6(a)(2); See also CEQ FAQs at 14(b)(A). Further, if relevant data are known to be available to the agency or will be available as the result of ongoing or imminent studies, the FWS should request that data or any other analyses required by the regulations as part of the consultation. Argonne's work clearly meets these standards and should be considered and incorporated as the best available science. If the needs of the species can be met through non-operational alternatives, it appears prudent to do so, to not only preserve the power purpose of the projects, but to avoid an evacuation situation near Jensen, Utah "because notification of potential high flows will allow
- 2k

2l ample evacuation time." Notwithstanding health and safety issues, what about property
2m damage? Prevention of flooding must be addressed during this process, as it is also an
authorized purpose pursuant to the CRSP.

VIII. **Hydrology, Cumulative Impacts**, 4.16.2, page 231-232: Please confirm if the cumulative
2n impacts from changes in operations since 1974 is \$98 M. Cumulative impact assessment and
incorporation is critical in understanding the true impacts to CRSP power customers resulting
from 30 years of changed operations. Interim operation criteria for the dam were established
in 1974. As a result of initial evaluations of the effects on endangered fish, operations were
2o modified from 1985 to 1991 to benefit the endangered fish. Operations of the dam were
further modified beginning in 1992 to benefit the endangered fish and to conduct a five-year
research program. To our knowledge, NEPA compliance was not completed on either of these
Federal actions. The base from which impacts of the proposed action should be measured
must be the 1974 operations. Changes in operations since 1974 are substantial and must be
adequately addressed in this process. The DEIS should clearly and succinctly identify these
impacts, which are significant in scope. Otherwise, the combined effects of these related
actions will not be discussed and evaluated. "Cumulative effects to power generation have
2p been negative due to past operational changes, and would continue to be negative on balance."
(S-38). Any and all efforts to mitigate increased impacts on power production should be
undertaken.

In the event Reclamation extends the deadline by which comments on the DEIS are to be
received, we would like the opportunity to supplement these comments. Thank you for the opportunity
to comment and to participate in the public meeting process.

Sincerely,

/s/ Leslie James

Leslie James
Executive Director
Cc: CREDA Board

2. COLORADO RIVER ENERGY DISTRIBUTORS ASSOCIATION (CREDA)

2a

Executive Order No. 13211 relates to actions concerning regulations that significantly affect energy supply, distribution, or use. The proposed action in comparison to the No Action Alternative does not significantly affect the production of electricity at Flaming Gorge Dam.

2b

Reclamation agrees Flaming Gorge should be operated to avoid jeopardy to endangered species while maintaining the congressionally authorized purposes of the dam, and believes that the proposed action as analyzed in the EIS is consistent with this comment.

2c

Development of water resources was highlighted in the EIS narrative to illustrate the close connection between this authorized project purpose, the proposed action, and the Recovery Program. Avoiding jeopardy to listed species and assisting in their recovery is consistent with both statute and the agreements of the Recovery Program.

2d

Western's contractual obligations were not a specific input to the modeling for the economic analysis; however, the market prices that were used implicitly reflect supply and demand conditions for the entire grid. Reclamation did not pursue further detailed CRSP system-wide analysis due to the relatively insignificant economic impact on power. The financial analysis performed by Western, separate from the economic analysis, did explicitly include Western's contractual obligations CRSP-wide. The financial analysis, in section 4.4.3.2 of the

EIS, concluded that the Action Alternative would not have a significant effect on the rate CRSP customers pay.

2e

Comment noted. Text was added to section 3.4 of the EIS.

2f

Reclamation agrees that incremental O&M costs should be non-reimbursable.

2g

As stated in the EIS, use of the spillway in the past has been rare. There are uncertainties associated with increased use of the spillway as discussed in section 4.19.3. Reclamation agrees that incremental O&M costs should be non-reimbursable.

2h

The information in section 4.4.3.2, along with the estimate of reducing Western's purchase requirements by \$950,000, was calculated and provided by Western. Based on input from Western, although a cash flow analysis of the Basin Fund was not conducted, such an analysis would have shown a small favorable effect on the Basin Fund's liquidity. The \$950,000 estimate did reflect the changed patterning of the Flaming Gorge resource. The market price analysis was current at the time of the analysis but was several years old at the time the draft EIS was released to the public. As acknowledged in the draft EIS in section 4.4.2, a more current or different price set could result in a negative impact versus the positive impact displayed in the report; but, in either case, Reclamation and Western believe the impact on the Basin Fund would be small relative to its projected balance. This conclusion would be accurate even with a potential increase in the CRSP rate which is being considered for unrelated reason.

2i

Reclamation does recognize in the EIS that achieving the 2000 Flow and Temperature Recommendations as written is one of several requirements to recover the endangered fish. Reclamation is committed to using the best available information when making decisions regarding the operation of Flaming Gorge Reservoir. If better information becomes available for this purpose, Reclamation will utilize it in an adaptive management approach to making operational decisions. To this point, Reclamation has relied on the 2000 Flow and Temperature Recommendations as the best available information regarding endangered fish recovery in the Green River in the EIS process. Both the 2000 Flow and Temperature Recommendations and the EIS describe spring peak flows as “greater-than-or-equal-to” a given flow, implying a minimum peak flow, not an average. Regarding flood plain inundation uncertainties, see section 4.19.5 and 4.21.

2j

See sections 4.19.5, 4.21, and response to CREDA comment 2h above. The 2000 Flow and Temperature Recommendations of the Action Alternative were the result of 7-8 years of peer-reviewed data collection and analysis. The Argonne report is still the subject of much discussion and has not been fully peer reviewed, however its significance has been addressed in section 4.19.5 alongside other hypotheses for flood plain inundation and endangered fish recruitment outlined in the 2000 Flow and Temperature Recommendations.

2k

The EIS states (section 1.4.4) that the proposed action cannot by itself lead to recovery of the endangered fish. Section 1.4.4 describes the five main elements of the Recovery Program, and

states further that operation of the dam relates to two of these five Recovery Program elements.

2l

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative.

2m

The authorized purpose of flood control remains in effect under either the Action or No Action Alternatives.

2n

The cumulative impact estimated for hydropower represents the difference between the alternatives and a scenario without the biological constraints. The economic value resulting from the analysis determined a value under the scenario of limited biological constraints over the same 25-year timeframe as the two alternatives, for comparison purposes.

The estimated cumulative impacts hydropower economic value does not represent what the economic value would have been since 1974 as prices and generation (under the alternatives) from the last 29 years were not available or used in the model. Generation estimated in the cumulative impacts scenario is less than 3 percent greater than under the No Action Alternative.

2o

Reclamation, in consultation with the eight cooperating agencies, defined the

No Action Alternative to include operations to achieve the flow and temperature regimes recommended in the 1992 Biological Opinion. In making that definition, it was also recognized by Reclamation and the cooperating agencies that hydropower impacts associated with changes made between 1974 and 1992 should be recognized in this EIS as cumulative impacts. Operational changes made prior to 1992 are described in section 1.4.2. Hydropower impacts associated with changes made prior to 1992 have been addressed in section 4.16.2.

2p

Cumulative impacts to hydropower have been addressed in section 4.16.2. As stated in the description of the proposed action, Reclamation intends to continue all authorized purposes of Flaming Gorge Dam, including hydropower, if the Action Alternative is implemented.



November 15, 2004

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
U.S. Department of Interior
Bureau of Reclamation
Provo Area Office
302 E. 1860 South
Provo UT 84606-7317

SUBJECT: Comments on Operation of Flaming Gorge Dam Draft Environmental Impact Statement, dated August 2004

Dear Mr. Crookston:

3a The Colorado River Water Conservation District (River District) was created by the Colorado Legislature in 1937 to protect and develop Colorado's Colorado River entitlements. The Green River in Colorado is within the River District boundaries. The River District is very concerned with the potential effect re-operation of CRSP projects like Flaming Gorge will have on the ability of Colorado to develop its Colorado River entitlements.

The River District is an active participant in the Recovery Program for the Endangered Fishes of the Upper Colorado (Recovery Program). We understand the purpose of the re-operation considered in the Operation of Flaming Gorge Dam Draft EIS (DEIS) is to meet the flows recommended by the U.S. Fish and Wildlife Service in 2000 for the explicit purpose of recovering the listed fishes.

We have considered the DEIS and offer the following comments:

3b The DEIS does not appear to consider how the proposed changes in operations at Flaming Gorge Dam will impact the authorized original and continuing purpose of meeting downstream compact delivery requirements.

Operations of Flaming Gorge Dam have been adjusted significantly over time as the purported

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3c flow needs of the listed fishes have been estimated. In the DEIS the USBOR has considered the most recent operations as the baseline and not recognized the impacts of operational changes which have already been made to benefit the listed fishes.

3d The DEIS says in paragraph 3.7.2.4.2.3 "Efforts to increase the availability of flood plain habitats (*presumably through meeting the 2000 flow recommendations*) to benefit razorback sucker will have to account for the potential benefit to non-natives as well." We could not find in the DEIS where USBOR has accounted for the potential benefit to non-natives (and related impacts to the listed species) created by the implementation of the recommended flows although, the superior exploitation of the flood plain habitats by non-native fishes is well documented in the DEIS ("In the flood plain habitats, in excess of a million fish were collected with non-native species accounting for over 99% of the total catch in most areas." Paragraph 3.7.2.4.4.2; and in Paragraph 3.7.2.4.4.3 "The nonnative species greatly outnumbered native fish in these important habitats every year." and "As the river flows receded, many of their larvae were flushed out to the main channel.") The non-native fish issue is also not included in the summary of uncertainties which USBOR proposes to address through adaptive management. We request that the USBOR include in the final EIS and Record of Decision the uncertainty for the success of any operational scenario for Flaming Gorge Dam aimed at benefitting the listed fishes in the presence of the non-native fishes.

3e
3f
3g The DEIS recognizes in Section 4.19.5 that additional information generated since the 2000 flow recommendations which reveals that most of the flood plain habitats in reasonable proximity to the razorback spawning sites can be flooded at 13,000 cfs rather than the recommended 18,600 cfs (Valdez and Nelson, 2004) contributes significantly to the uncertainty that the 2000 flow recommendations as considered by the DEIS are necessary to meet the stated objectives. This uncertainty and the potential that the purposes of Flaming Gorge Dam might be better served by conservation of water in the reservoir need to be addressed more completely in the final EIS and Record of Decision.

The River District looks to USBOR to continue to operate its facilities, including Flaming Gorge Dam, in a manner which is consistent with their original and continuing authorized purposes and with the objectives of the Upper Colorado River Recovery Program, while maintaining the highest standard of scientific integrity. We look forward to continuing our cooperation with the USBOR in this regard.

If you have any questions concerning these comments please contact me at your convenience.

Sincerely,

Ray D. Tenney, P.E.
Senior Water Resources Engineer

3. COLORADO RIVER WATER CONSERVATION DISTRICT

3a

The proposed action is consistent with Recovery Program efforts to recover the four endangered species. The Recovery Program was created specifically to recover the endangered species while providing for the continuation of water development.

3b

Section 1.1 of the EIS states that the proposed action is to protect and assist in recovery of the populations and designated critical habitat of the four endangered fishes, while maintaining all authorized purposes of the Flaming Gorge Unit of the CRSP, particularly those related to the development of water resources in accordance with the Colorado River Compact.

3c

The Flaming Gorge EIS captures the existing environment (baseline) as including changes due to the construction of the dam as well as its operations prior to 1992. Changes and effects resulting from the construction of the dam and its pre-1992 operations are considered in the cumulative impacts analysis in section 4.16 of the EIS.

3d

Section 4.19.4 in the EIS has been revised in response to this comment.

3e

Presence of nonnative fish was added to the uncertainties section 4.19. See response to Colorado River Water Conservation District 3d.

3f

Section 4.19.4 in the EIS has been revised based on this comment.

3g

The EIS states Reclamation's intent to implement all of the 2000 Flow and Temperature Recommendations as described in the Action Alternative. Section 4.19 explains the uncertainties associated with implementing the Action Alternative, including in section 4.19.5 those uncertainties associated with flood plain inundation. Both the EIS and the 2000 Flow and Temperature Recommendations acknowledge that, over time, as additional information becomes available, refinements to the flow and temperature recommendations may prove to be warranted if data suggests that tradeoffs between peak flow magnitude and duration provide greater benefits to endangered fish. Reclamation believes that if such refinements are proposed at some as yet unknown point in the future, based upon information developed through adaptive management or through ongoing Recovery Program research, there will be ample opportunity to obtain appropriate review and input from all Recovery Program participants as well as the interested public.



Duchesne County Water Conservancy District

855 East 200 North (112-10)
Roosevelt, Utah 84066

General Manager: Randy Crozier
Assistant Manager: Don W. Winterton
Admin. Assistant: Adrienne S. Maret

Board Members:

Art Taylor, Chairman
Keith Mortensen, Vice-Chairman
Ed Bench, Member

Office: (435) 722-4977
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Lynn Burton, Member
D. Brad Hancock, Member
Craig Thomas, Member
Max Warren, Member

Upper Chain Lake

November 15, 2004

Mr. Peter Crookston
Flaming Gorge EIS Manager
PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 840606

Dear Mr. Crookston:

When the Ultimate Phase of the Central Utah Project was dissolved, the U.S. Bureau of Reclamation was left with a 430,910 acre-foot storage filing in the Flaming Gorge Reservoir. The Utah Division of Water Resources was given control over the water right in order to preserve the 1956 priority date. The Division of Water Resources segregated the water right to conservancy districts, irrigation companies, and individuals for beneficial use. In 1999, the Duchesne County Water Conservancy District (DCWCD) was approved for 47,600 acre-feet of this Flaming Gorge water (with 3,200 acre-feet of the allocation for municipal and industrial use (M&I) use and 44,400 acre-feet for supplemental irrigation).

4a We recently reviewed the Draft Environmental Impact Statement for the Operation of Flaming Gorge Dam and wish to voice our concerns that the operation of said dam not impact the delivery of DCWCD's allocated water right. We felt that the comments made in Section 1.8 of the Flaming Gorge DEIS were too brief and did not fully explain how the water rights allocated to the above entities would be protected. As DCWCD is in the process of putting our allocated water rights to beneficial use, we are very concerned that these rights be protected. DCWCD would like to see this issue addressed in more detail, rather than by general reference in Section 1.8.

We appreciate the opportunity to comment on this DEIS. For any further questions, please feel free to call me at the Duchesne County Water Conservancy District office at (435) 722-4977 or my cellular phone at 823-5726.

Sincerely,

Randy Crozier *by Don Winterton*

Randy Crozier
General Manager

4. DUCHESNE COUNTY WATER CONSERVANCY DISTRICT

4a

In accordance with the Council on Environmental Quality regulations implementing NEPA (40 Code of Federal Regulations [CFR] 1500.1), the EIS is intended to fully disclose significant information while remaining as concise as possible. Since there are no effects to water rights under either the Action or No

Action Alternatives, the disclosure of this fact in section 1.8.4 of the EIS is sufficient and appropriate treatment of the issue. Clarification has been added to this section. The statement of purpose and need in section 1.1 provides for the continuation of authorized purposes, including development of water resources.



SWEETWATER COUNTY CONSERVATION DISTRICT

Mary E. Thoman, Chairman Randy Shipman, Vice Chairman Jean Dickinson, Secretary Tom Burris, Treasurer George Stephen, Member

79 Winston Drive, Suite 110
Rock Springs, Wyoming 82901 (307) 362-3062 (307) 362-1459 Fax

November 9, 2004

Flaming Gorge EIS Manager, PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

Re: Comments regarding the Operation of Flaming Gorge Dam Draft
Environmental Impact Statement

Dear Mr. Peter Crookston,

The Sweetwater County Conservation District ("District" or "SWCCD") submits the following comment with respect to the Operation of Flaming Gorge Dam Colorado River Storage Project Draft Environmental Impact Statement.

The District is established pursuant to Wyoming law to promote the conservation and management of natural resources within the district, including soil and water. State law defines the term "conservation" broadly to include "development, improvement, maintenance, preservation, protection and use of natural resources, and the control and prevention of floodwater and sediment damages, and the disposal of excess waters." Wyo. Stat. §11-16-102(iv). The District is also granted authority to assist, promote, and protect public lands and natural resources, soil, water, and wildlife resources, to develop water and to prevent floods, to stabilize the ranching and agriculture industry, to protect the tax base, and to provide for the public safety, health, and welfare of the citizens. The District is charged with conserving, protecting, and developing these resources on all lands within the District, including federal, state, and private land. The District boundaries include all of Sweetwater County. For these reasons, the District has a direct interest in the U.S. Department of the Interior (USDOI) Bureau of Reclamation (BOR) operation of Flaming Gorge Dam.

5a The District was not contacted regarding cooperating agency participation in this EIS process. Due to the limited amount of time the District has had to familiarize with the draft, our comments are limited at this time. The District reserves the right to supplement the comments when additional information is made available.

5b The District hereby requests that the USDOI BOR consider the 2001 Green River Basin Plan in all aspects of the Operation of Flaming Gorge Dam Colorado River Storage Project Environmental Impact Statement.

CONSERVATION ● DEVELOPMENT ● SELF-GOVERNMENT

5c

The District hereby requests the consideration of the Sweetwater County Conservation District interim policy October 2004 Draft Land and Resource Use Plan and Policy in all aspects of the Operation of Flaming Gorge Dam Colorado River Storage Project Environmental Impact Statement, in particular the policies on pages 37 through 41 (see enclosed draft Plan).

Very truly yours,

Mary E. Thoman

Mary E. Thoman, Chairman
Sweetwater County Conservation District

epc

5. SWEETWATER COUNTY CONSERVATION DISTRICT

5a

Reclamation extended invitations to the States of Colorado, Utah, and Wyoming with the understanding that the states would coordinate with potentially affected counties and represent their concerns. Of the three States, only the State of Utah wished to be a cooperating agency. Nevertheless, Reclamation would have welcomed any county as a cooperating agency, but no requests for such were received from any county.

5b

As requested, Reclamation reviewed the 2001 Green River Basin Plan, which presented current and future (projected to 2030) recreation use within the Green River and Bear River Basins of Wyoming. As stated in section 1.8.1 of the EIS, the proposed action would not affect the Green River upstream of Flaming Gorge Reservoir. Recreational effects to Flaming Gorge Reservoir were estimated as generally positive (please see section 4.11.3.2.1 and 4.11.3.2.2 of the EIS).

Regarding water quality, Reclamation did not see anything to address or that was of concern in this plan.

Chapter 4.0, Environmental Consequences, clearly describes how the analysis of future water demands within the Upper Green and Little Snake River Basins in Wyoming was performed. Reclamation did not find projected water use data specific to the Upper Green and Little Snake River Basins. The data is combined for both basins into a single value, which makes it difficult to determine how any differences between the data presented in the Wyoming report and the depletions of the Flaming Gorge

Model would affect the results of the Flaming Gorge Model.

However, Reclamation has determined that the depletions used in the Flaming Gorge Model are very similar to the depletions reported in the Wyoming report. The report gives three scenarios (low, moderate, and high) of development to the year 2030. Reclamation compared these values to the values presented in the Upper Colorado River Commission (UCRC) Report (dated 1999) which gives estimates of future depletions in the Upper Division States. The depletions used in the Flaming Gorge Model were derived from the UCRC Report.

Reclamation found that the depletions in the Wyoming Report are slightly higher than those in the UCRC Report but well within the range of those values. We do not believe that the difference between these sources is significant enough to have any meaningful impacts on the results of the Flaming Gorge Model under any of the alternatives that were modeled.

The UCRC is Reclamation's source for projected depletion information. Wyoming is an active member of the UCRC. If the Wyoming State Engineer has obtained updated information regarding projected depletions, he should encourage UCRC to share this new information with Reclamation so that Reclamation's modeling efforts on the Colorado River can be updated to the most current projected depletions schedules.

5c

As requested, Reclamation has reviewed the Sweetwater County Conservation District Land and Resource Use Plan and Policy. We do not find anything in that plan that would be of concern relative to the proposed action as analyzed in the EIS.

ORGANIZATIONS

- 1. Living Rivers, Colorado Riverkeeper**
- 2. Trout Unlimited**
- 3. Uintah Mountain Club**
- 4. Water Consult Engineering and Planning Consultants**
- 5. Utah Waters**
- 6. Western Resource Advocates and The Nature Conservancy**

LIVING RIVERS

COLORADO RIVERKEEPER®

November 15, 2004

Mr. Peter Crookston
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606

RE: Comments on Draft Environmental Impact Statement on operations at
Flaming Gorge Dam

Dear Mr. Crookston,

Living Rivers and Colorado Riverkeeper submit the following comments on the Draft Environmental Impact Statement (DEIS) for the re-operation of Flaming Gorge Dam to benefit endangered fish, as released on September 7, 2004.

While the four-year effort to produce this document has proved useful in generating a better understanding of the challenges facing the recovery of endangered fish below Flaming Gorge Dam, the analysis is not yet sufficient to support the proposed action. The water supply and hydrograph assumptions do not correlate with present trends. The role of endangered fish recovery relative to other operational objectives has yet to be properly clarified. The proposed action fails to address the pitfalls in the structure and mandate associated with the proposed Adaptive Management Program as experienced with Reclamation's recovery efforts for endangered fish at Grand Canyon. The DEIS did not properly review the merits of recovery efforts through a dam decommissioning alternative. Lastly, as noted in our scoping comments of July, 2000, Colorado River endangered fish recovery should be tiered to a programmatic EIS that evaluates recovery needs and barriers throughout the historic range of these endangered fish species. We hope these matters will be properly addressed prior to completion of the Final EIS (FEIS).

1. Water availability

1a

The DEIS failed to sufficiently address how long-term water availability will impact fish recovery in the lower Green River, and as a result did not sufficiently demonstrate whether the proposed recovery efforts can be successful in this limited stretch of river.

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www.livingrivers.org

- 1b Flow scenarios did not take into consideration the prospect of how climate change will affect river flows. The present drought has demonstrated that flows may be significantly lower than forecasted as precipitation patterns for the Green River watershed may be changing. The Department of Energy has forecasted how western rivers as a whole may experience a 30 percent reduction in flows over the next 50 years due to climate change.

2. Action Alternative is not consistent with the natural hydrograph

The DEIS acknowledges the recommendation to manage the recovery of endangered fish species on a dam-controlled river by mimicking the historic natural hydrograph and thermograph, as much as possible. We believe that the flow recommendations of the DEIS departs from this prescribed treatment. We believe the spring peak flow of the Action Alternative is much reduced and therefore diminishes the success in achieving the goal to recover endangered fish. We also believe that the Action Alternative's base flow, from the summer to winter season, is higher than the historic hydrograph and too does not reflect compliance with the biological data.

- 1c Furthermore, instead of timing releases from Flaming Gorge Dam with the natural flow of the Green River, the flow recommendation of the Action Alternative is timed to meet the natural hydrograph of the Yampa River, a tributary of the Green River downstream of the dam. We believe this too diminishes the recovery of endangered fish in the Green River, especially in Reach One (Flaming Gorge Dam to the confluence with the Yampa River).
- 1d We believe the DEIS overlooked the benefits associated with the Run of the River Alternative, as suggested by the National Park Service. We encourage Reclamation to scrutinize further the possibilities of implementing such an action plan. We believe strongly that matching the historic attributes of the river is what will eventually provide a greater measure of success in the recovery of endangered fish species, until which time the dam can and will be successfully decommissioned, as is inevitable.

3. Clarify the priority of satisfying the Endangered Species Act

- 1e The DEIS sometimes refers to the recovery of endangered fish as distinct from the authorized purposes of Flaming Gorge Dam (Sec.1.1). At other times the DEIS implies that the authorized purpose of Flaming Gorge Dam does include the improvement of critical habitat for fish and wildlife. The FEIS must make clear that fish recovery is paramount as the Bureau of Reclamation must comply with the Endangered Species Act first and foremost, then allow for other dam operational benefits to be pursued accordingly.

4. Adaptive Management Program protocols

The DEIS indicates that the Action Alternative includes the implementation of an Adaptive Management Program concerning the future operations at Flaming

Gorge Dam. This program will consist of the Flaming Gorge Working Group and a Technical Working Group. The purpose of the Flaming Gorge Working Group is to provide a check and balance system for the purposes that authorized Flaming Gorge Dam, including the recovery of endangered fish. The purpose of the Technical Working Group is to provide scientific expertise for the program.

Such a program has been underway for nearly ten years at Glen Canyon Dam, but the results have been disastrous. One more species has gone extinct, the Razorback Sucker, and the Humpback Chub has declined to nearly irreversible numbers. This has occurred for the lack of: a) a clear mandate for independent, peer-reviewed science that is removed from politics, b) to guide the decision making process by placing fish recovery at a priority below power generation, c) not ensuring there are sufficient funds to operate the program.

1f Reclamation must identify how the Flaming Gorge Dam Adaptive Management Program will avoid the pitfalls that have plagued the program at Grand Canyon.

1g Reclamation must also outline how this program will address uncertainties associated with the operations at Flaming Gorge Dam, and how future supplemental National Environmental Policy Act compliance will be required.

We believe that such uncertainties could include, but not limited to: progressive global warming, extended and prolonged drought, extreme flood events, higher sediment transport, increased human consumption, modifying selective withdrawal (temperature control), and the control and removal of exotic fish.

This should also include a call by the Lower Basin to deliver the minimal annual requirement of 8.23 million acre-feet at the Compact Point (Lee's Ferry, Arizona). As well as dam operations that further compromise the ecosystem values that authorized the creation of Dinosaur National Monument, Ouray National Wildlife Refuge, and Canyonlands National Park.

1h We also believe that another management decision of the immediate future should include a fish passage at the Tusher Wash Diversion Dam near Green River, Utah. This would include a device that prevents mortality of endangered fish from entrapment in the irrigation and hydropower projects associated with this diversion dam.

Therefore, we do expect that the working groups and the general public will have comprehensive access to all information that pertains to the operations of the Green River and Flaming Gorge Dam. This should be accomplished through the web pages of the Bureau of Reclamation and through a regular newsletter that is mailed to all interested parties.

For the agencies, scientists and the general public to be well informed, it is imperative that all program information is made available promptly and that this information is disseminated liberally and is not discretionary. It is also

imperative that adequate time be allowed for the public to process this information in a timely manner so as to maximize public outreach opportunities in the NEPA decision making process.

5. The Decommissioning Alternative

- 1i The DEIS dismissed the decommissioning alternative without sufficient justification or analysis, other than to say, “[decommissioning] does not meet the purpose and need for the proposed action.” The principle objective in fish recovery programs is to restore natural processes, which include seasonal flows, temperature, sediment, nutrients and migration.

Decommissioning Flaming Gorge Dam can best meet these objectives and thus should be thoroughly evaluated. While the dam makes some contributions to water storage, power generation and recreation, these contributions are not significant regionally, and are replaceable, whereas the endangered fish are not.

The DEIS also did not fully evaluate the potential for dam failure, and the impacts this may have on endangered fish recovery, as well as other downstream impacts to Dinosaur National Monument and Canyonlands National Park.

6. Basin-wide concerns

- 1j Reclamation continues to address fish recovery in the Colorado River watershed in a piecemeal fashion without consideration of the natural species’ range, or macro-social and environmental changes that may be affecting the watershed. It’s critical for Reclamation to develop a programmatic EIS involving all the recovery needs of endangered fish species in the watershed and the best approaches to resolve them.

We believe the overarching problems that must be thoroughly studied in such a system wide, programmatic approach would include, but not limited to:

- Diminished water supply and water quality
- Increased water demand
- Over allocation of water rights
- Quantifying the water rights of the First Nations
- Impacts to national wildlife refuges, parks and monuments (including the international biosphere at the Colorado River delta)
- Removal of exotic species
- Sedimentation in the reservoirs
- Dam safety
- Modernizing the Law of the River
- Alternative energy production and conservation
- Water storage and conservation alternatives

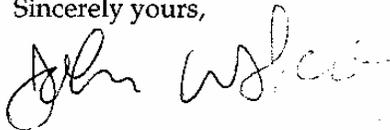
We believe such a study would show conclusively that the Colorado River system would benefit by having some of its infrastructure removed and that alternative storage strategies, such as the artificial recharge in depleted aquifers, can provide:

- Increased habitat for endangered species
- Restore the natural attributes of the river and its tributaries
- Reduce water loss from evaporation
- Reduce salinity
- Provide protection from extended drought
- Eliminate the consequences of high dam failure
- Prompt a sediment management plan

7. Closing statement

Thank you for this opportunity to comment on the DEIS for Flaming Gorge Dam. We encourage the Bureau of Reclamation to proceed in producing a Final Environmental Impact Statement and we look forward to the subsequent Record of Decision. Please feel free to contact us at any time should you require any additional information or assistance from us.

Sincerely yours,



John Weisheit
Living Rivers, conservation director
Colorado Riverkeeper

1. LIVING RIVERS, COLORADO RIVERKEEPER

1a

Reclamation has used the best available source of information for estimating “long-term water availability” in Reaches 1, 2, and 3 of the Green River as described in the EIS. The Flaming Gorge Model indicated that the 2000 Flow and Temperature Recommendations could be met, given the increasing depletions schedules and the assumption that future hydrology is similar to the historic hydrology used in the Flaming Gorge Model.

1b

Reclamation did not attempt to project specific climate changes into the future as these projections are considered speculative and difficult to quantify from a hydrologic standpoint. If climate change does occur, it will impact the inflow statistics and the hydrological year classification that will be used for making decisions about how to operate in a given year.

1c

Comment noted.

1d

The scope of this EIS is to assess operation regimes for Flaming Gorge that achieved the 2000 Flow and Temperature Recommendations, while continuing and maintaining the authorized purposes of Flaming Gorge Dam. It was determined through modeling that a run of the river approach to operating the dam would not achieve the peak flows and durations specified in the 2000 Flow and Temperature Recommendations. Specifically the recommended durations were not achieved. For this reason, the Modified Run of the River Alternative was not analyzed further.

1e

Implementation of RPAs is Reclamation’s responsibility as part of Section 7(a)(2) of the ESA consultation process with the U.S. Fish and Wildlife Service, but it should be noted that ESA compliance, like compliance with other statutes and regulations, is part of the Federal regulatory construct under which Reclamation operates Flaming Gorge Dam. Reclamation is committed to upholding its responsibilities under the ESA, as well as meeting authorized project purposes.

1f

Reclamation does not agree with this assessment of the Glen Canyon Dam Adaptive Management Program. The razorback sucker has always been rare in Grand Canyon and has not been declared extinct. The Grand Canyon humpback chub population, although experiencing recent decline, has not declined to nearly irreversible numbers. Rather, this population is still the most robust of all humpback chub populations in the Colorado River Basin. The Glen Canyon program has successfully applied adaptive management concepts to develop a better understanding of the relationship between dam operations and resource responses since its inception in 1997. Major experiments utilizing Glen Canyon Dam as an instrument to manipulate hydrology have been successfully completed through the recommendations of program stakeholders to the Secretary of the Interior.

1g

Please see section 4.20 of the EIS regarding the adaptive management process for Flaming Gorge Dam. Future NEPA compliance will be undertaken whenever there is a major Federal action with the potential to affect the human environment, in accordance with 40 CFR 1500-1508.

1h

A decision as to the necessity and feasibility of a fish passage at Tusher Wash Diversion is a responsibility of the Recovery Program and is outside the scope of the Flaming Gorge EIS.

1i

Section 2.2.2.2 of the EIS states why decommissioning Flaming Gorge Dam does not meet the purpose and need for which the EIS was prepared.

1j

A Federal action requiring a programmatic EIS has not been defined.



November 15, 2004

By Fax and Email

Peter Crookston
Flaming Gorge EIS Manager
PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

Re: Operation of Flaming Gorge Dam Draft Environmental Impact Statement

The Utah Water Project of Trout Unlimited would like to comment on the August 2004 Operation of Flaming Gorge Dam Draft Environmental Impact Statement (the "Flaming Gorge Draft EIS" or the "Draft EIS").

Trout Unlimited is the largest non-profit organization dedicated to preserving and restoring North America's trout and salmon fisheries and their watersheds. As the Green River below Flaming Gorge Dam is a world-class trout fishery, Trout Unlimited and its members have a strong interest in the way the dam is operated. Though Trout Unlimited focuses its conservation efforts on cold water fisheries, it supports the Bureau of Reclamation's (the "Bureau's") efforts to assist in the recovery of native warm water species identified in the Flaming Gorge Draft EIS to the extent those efforts do not impair the cold water fishery below Flaming Gorge Dam.

Trout Unlimited supports the flow restrictions and temperature recommendations in the Draft EIS.

In general, Trout Unlimited commends the Bureau on the Flaming Gorge Draft EIS. The Draft EIS addresses in detail the potential impacts on the trout fishery of the Action and No Action Alternatives. In particular, Trout Unlimited commends the Bureau for incorporating into its economic analysis two restrictions on the rate of water released from the dam: (1) the up- and down-ramp rate limit of 800 cfs per hour and (2) the single daily peak "hump" restriction. See Draft EIS at 149. These time-honored restrictions have been important in establishing and maintaining the quality of the trout fishery below the dam.



Similarly, Trout Unlimited supports the Action Alternative recommendation that releases not exceed 55°F during dry and moderately dry years and 59°F in moderate to wet years. As the Draft EIS recognizes, these temperature regimes should be followed to protect trout habitat down to the Utah/Colorado State Line. See Draft EIS at 164.

Although we generally support the flow restrictions and temperature recommendations in the Draft EIS, we would like to raise three concerns:

(1) The Draft EIS mischaracterizes the nature of the up- and down-ramp rate limit and single daily peak “hump” restriction.

- 2a The newly added second full paragraph on page 149 of the Draft EIS appears to minimize the importance of the release restrictions described above by asserting that there are no “formalized restrictions,” and that these informal restrictions have been in place only since 1993. In fact, these restrictions were the result of lengthy investigations and negotiations by the Flaming Gorge Dam Working Group and have been followed, except for emergencies, since well before 1993.

- 2b Our concern is that, by suggesting that the flow restrictions are recent and purely voluntary, the Draft EIS (perhaps inadvertently) lays the groundwork for arguments that power generation can or should be pursued at the expense of other uses generally and fishing in particular. We believe it would be inappropriate to elevate power generation at the expense of fishing and other uses, particularly in that the authorizing legislation (both the CRSP Act of 1956 and the Colorado River Basin Project Act of 1968) describes power generation as “an incident” to the primary listed purposes, which include “providing for basic public outdoor recreation facilities” and “improving conditions for fish and wildlife.” See Draft EIS at 3-4.

(2) The Draft EIS fails to address the timing of daily up- and down-ramp rates and the potential impact of such rates on the cold water fishery below Flaming Gorge Dam.

- 2c Although we support the flow restrictions contained in the Draft EIS, we are concerned that the Draft EIS does not address the timing of those flows and the potential impacts that timing can have on the coldwater fishery below the dam. For example, if peak flows occur in the middle of the day (as has happened in the past with test flows), it can have a significant impact on the quality of the fishing as well as the overall quality of the experience (significant fluctuations in flows make fishing unpredictable; high flows also stir up a lot of sediment and organic



2d

matter). Moreover, significant flow increases during the day compromise the safety of fishermen who wade the river.

2e

Because people travel from all over the United States and even other countries to fish the Green River below the dam, any operational change that impairs the quality of the fishing experience has a negative economic impact as well. Anglers who have a bad experience are unlikely to return.

We believe that the Final EIS should address these issues, and, more importantly, that significant increases or decreases in ramp rates should occur during non-fishing hours.

(3) The Draft EIS fails to address adequately local economic impacts of changes to the tailwater fishery.

2f

We are also concerned that the Draft EIS may underestimate the effects of operational changes on the local economy. In particular, the Draft EIS uses a three county model to estimate economic impacts. Doing so may obscure serious impacts to the economy of Dutch John, Utah, and Daggett County, Utah, where the vast majority of economic activity associated with Flaming Gorge occurs.

2g

For example, the Bureau estimates that under the Action Alternative, employment in the "Amusement and Recreation Services" industry may fall 8.3 percent in wet years (*see* Table 4-26) and 6.6 percent in dry years (*see* Table 4-27). These losses may appear insignificant when spread over three counties and mitigated by gains in other areas, but could be devastating to the community of Dutch John, where the vast majority of residents are employed by the recreation industry or associated with it. The same is true for Daggett County generally, which lacks the economic and employment diversity of Uintah and Sweetwater Counties.

Again, we applaud the Bureau's efforts to put together a comprehensive and balanced Draft EIS and appreciate the opportunity to comment on the proposed action. If you have questions or would like to discuss these comments further, please contact us at (801) 747-0747.

Sincerely,


Timothy Hawkes
Western Water Project
Trout Unlimited

2. TROUT UNLIMITED

2a

Section 4.4.1 accurately describes the limitations of ramp rates.

2b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

2c

Within-day fluctuations are outside the scope of the EIS. It is noted that the changes in flows, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Meeting peak demands is currently tempered, however, by the need to meet environmental concerns. This operational detail would be the same under either the Action or No Action Alternative.

2d

Reclamation agrees that the safety of fishermen and others along the Green River is very important. Currently, through efforts of the Flaming Gorge Working Group, the agreed upon ramping rate is established at 800 cfs per hour. This ramping rate has been the agreed upon standard since the Flaming Gorge Working Group meeting of April 11,

1994. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increase dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so it is common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to Daggett County 1g.

2e

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of ramp rates, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

2f

The EIS acknowledges that the Action Alternative could create adverse impacts for certain Green River recreation activities and businesses (e.g., commercial operators), particularly under wet and dry conditions as compared to the No Action Alternative. The lack of appropriate county specific expenditure data precluded the development of impacts solely for Daggett County. In anticipation of this, a survey was conducted during the summer of 2001 to specifically identify economic impacts to commercial river guide operators. The results of the survey were presented in a separate subsection under

socioeconomics. Attempts have been made, and will continue to be made, to display the adverse impacts to commercial operators prior to the final decision. Finally, recall the analysis was looking at both river and reservoir recreation. While we cannot describe potential impacts by county due to lack of data, from an overall perspective, expenditure gains on the reservoir appeared to outweigh losses on the river. Therefore, it is possible that under the Action Alternative certain recreation oriented businesses (e.g., lodging, restaurants, gas stations) will be adversely impacted by reductions in Green River recreation visitation, but many of these same businesses (with the exception of river guides) could also benefit from the additional reservoir recreation visitation and expenditures.

2g

The EIS shows that Green River commercial operators could experience adverse impacts, particularly under wet and dry conditions. While we cannot definitively describe impacts to Daggett County given the lack of county specific expenditure data, we acknowledge your point and included more discussion in section 4.12 in the EIS. While these impacts could indeed create problems if concentrated in Dutch John (not an unreasonable assumption), we would like to point out that wet and dry conditions were each estimated to occur about 10 percent of the time.

From: "Tom and/or Ann" <taelder@easilink.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 6:41 PM
Subject: Flaming Gorge Draft EIS

To Whom It May Concern:

November 14, 2004

3a

We, as the elected representatives of the Uintah Mountain Club (a local grassroots conservation organization centered in Vernal, Utah), would like to express our strong support for the Action Alternative as described in the "Operation of Flaming Gorge Dam DEIS".

As we understand the document, in most years, (about 9 out of 10), the high flows will not differ much from the current flows we experience. These other 9 years, the Green will not be very different from what we experience now. What will be the benefit of that 10th wet year? Species that have evolved in the pre-dam environment, will experience better conditions. Wildlife generally will benefit (and all those people who enjoy a healthy river ecosystem).

We believe the 4 endangered fish are currently declining, and that this action will help their recovery. But the fish are only "flagship species" for all of the species present in the river corridor. Such occasional high water conditions are also when boxelders and cottonwoods establish on high enough ground to be relatively safe for a long, reproductive life-span. Cottonwood and boxelder gallery floodplain forests are a vanishing habitat type in Utah and throughout the West, and one that is important to deer, beaver, migrating birds, bald eagles, and (not least importantly) humans. Beaches and sediment bars are also built up as the fine sediments that have sifted down into the main channel, are mobilized and re-deposited on the banks.

The exotic plant big whitetop disperses in such high-water events, and this is a legitimate concern. But not an overarching concern, since the weed is already established up and down the river corridor, and we're not even sure how much new habitat they would be able to colonize, that they aren't already present on. Additionally, whitetop does not compete well with alfalfa so it is primarily a problem with grazing land. There are effective aggressive grazing operations to deal with white top infestations (heavy early grazing by sheep).

The economics of recreation on the river is an important point. People come to Vernal to float the stretches of river that will be impacted by the Action Alternative. On any given day during boating season, hundreds of paying customers, tourists eager to experience the Old West, are scattered up and down the 400 mile stretch of Green River, that stretches from Flaming Gorge dam to the confluence with the Colorado River in Canyonlands National Park. The beaches, cottonwood groves, and wildlife that the Action Alternative will encourage, are part of the allure of the Green River Canyons.

The most serious charge concerns increasing the risk of West Nile virus. In short, we don't think the main issue that determines how an entire, 400 mile-long river is managed should be mosquito control. We do agree that WNV is a serious concern, but should this concern dictate how the entire Green River ecosystem is managed?

Our point is, mosquito management is only one consideration when deciding how to manage a river, but it takes its place alongside water delivery, wildlife management, and a host of other considerations.

Thank you for the opportunity to comment.

Uintah Mountain Club Board of Directors

Tom Elder

Lorna Condon

Chad Hamblin

Mickey Allen

3. UTAH MOUNTAIN CLUB

3a

Thank you for your comments.

From: "Water Consult" <h2orus@WaterConsult.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 4:13 PM
Subject: Comments on Draft Flaming Gorge Environmental Impact Statement

Water Consult Engineering and Planning Consultants
Water Consult Engineering and Planning Consultants

535 N. Garfield Avenue, Loveland, Colorado 80537
E:mail: h2orus@waterconsult.com

Phone: 970-667-8690 FAX: 970-667-8692

November 15, 2004

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
Bureau of Reclamation
Provo Area Office
302 E. 1860 South
Provo UT 84606-7317

SUBJECT: Comments on Draft Flaming Gorge Environmental Impact Statement

Dear Mr. Crookston:

On behalf of the Upper Basin Water Users participating in the Upper Colorado River Endangered Fish Recovery Program, I wish to offer the following comments on the draft Flaming Gorge EIS:

- 4a**
1. The draft EIS emphasizes meeting the flow recommendations (Muth, et al, September 2000). The flow recommendations represent the best available information as of September 2000. The EIS overly emphasizes meeting the flow recommendations, rather than implementing an adaptive management process, which was strongly recommended in the flow recommendations:

4b "Although it is beyond the scope of this report to provide a detailed description of research and monitoring needs, we suggest that the collection of additional data on endangered fishes and their habitats focus on the evaluation and possible modification of our recommendations by following an adaptive management process . . ." (p.5-39)

4c 2. New information has been developed and was not available at the time the *flow recommendations* were completed. This includes the report by Valdez and Nelson (April 2004) regarding management of flooded bottomlands in the Green River. This report points out the importance of depression of bottomlands, rather than terrace bottomlands. A recent draft report by Hayes, et al (2004) shows that as many depression bottomlands can be flooded at 13,000 cfs as can be flooded at 18,000 cfs. Had this information been available in 2000, it is likely the flow recommendations would not be written as they are.

4d 3. The final EIS and the record of decision both need to recognize these recent reports and findings, and emphasize the need for consideration of this information in an adaptive management process that is implemented as part of implementation of the flow recommendations. Furthermore, the final EIS and record of decision also need to include a specific time period for review of the effectiveness of the flow recommendations in achieving goals, in consideration of the information and the results of a trial modification of the flow recommendations during the adaptive management process over the next few years.

4e The flow recommendations developed by the Recovery Program for the last several years represent a "first cut". These recommendations need to be tested for their effectiveness, modified based on the information gained, and revised as new information becomes available. The Recovery Program has adopted this approach, which needs to be included in the EIS and in the record of decision.

If you have any questions regarding these comments, please contact me at your convenience.

Sincerely,

Tom Pitts

Upper Basin Water Users Representative,

Recovery Implementation Program for

Endangered Fish Species in the Upper Colorado

River Basin

(1802-30-03-03)

4. WATER CONSULT ENGINEERING AND PLANNING CONSULTANTS

4a and 4b

The proposed action is to implement the 2000 Flow and Temperature Recommendations, therefore their emphasis in the document is appropriate. The use of adaptive management to implement the proposed action is described in section 4.20 of the EIS.

4c

The new information referenced in the comments is discussed in section 4.19.5 of the EIS. See also response to the National Park Service 3b-3e.

4d

Comment noted.

4e

Comment noted.

Utah Waters

*Improving communication and expertise
on water issues among Utah outdoor groups.....
United advocacy in reforming water law and policy
for the protection of wildlife and sustainable ecosystems*

November 15, 2004

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

SENT VIA FAX

Dear Mr. Crookston,

Utah Waters is conservation group dedicated to protecting the state of Utah's natural water resources through public advocacy and education. In accordance with that mission, we are pleased to provide the following brief comments on the draft EIS on the "Operation of Flaming Gorge Dam." Generally speaking, we think the draft offers a great deal of useful information and quality analysis; however, we have several major criticisms, which are the focus of our comments.

5a

Our first objection relates to the lack of alternatives presented in the draft EIS. Although NEPA regulations clearly state that an EIS must analyze all "reasonable" alternatives, your draft evaluates only the Proposed Action and the No Action alternative. We note that in Section 2.2 you have made an attempt to explain this dramatic departure from standard NEPA practice; however, we find the explanation unconvincing. Furthermore, since the No Action Alternative, which is to continue current practice, has already been shown to be inadequate to meet the needs addressed by the DEIS, there is only one plan, and no alternatives, offered for public consideration. We are aware that other conservation groups have already suggested alternatives that should be analyzed in the document, including an alternative that maintains steady flows during daylight hours in support of a quality fishery and for the safety of the fishermen. At a minimum this alternative should be evaluated, and arguably others as well. Not only would this make the draft EIS more useful as guide for policymakers and the public, it would also help to insulate the EIS against potential legal challenges. As you know, the adequacy of alternatives is one of the more common issues in the arena of NEPA litigation.

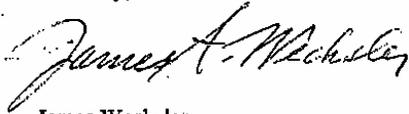
5b

A second objection we have is that the document does not contain "significance criteria". Again, this appears to be a departure from standard NEPA practice which undermines the strength of the analysis. Given that a NEPA document must define "significant impacts to the human environment", it appears impossible to draw meaningful conclusions unless 'significance' is first defined. We are aware that 'significance criteria' can be among the most subjective and controversial aspects of a NEPA document, but we don't think that relieves the authors of an EIS of the burden of making an honest attempt at offering such criteria. It is our opinion that they should be provided and integrated into the analysis in the usual manner.

We appreciate your attention to our concerns and look forward to additional dialogue on this important undertaking.

Comment Letter of Flaming Gorge Draft EIS, November 15, 2004

Sincerely,

A handwritten signature in cursive script that reads "James A. Wechsler".

James Wechsler
Assistant Coordinator, Utah Waters
2480 E. Fisher Lane
Salt Lake City, UT 84109
801-583-2090

5. UTAH WATERS

5a

Reclamation acknowledges that a full range of reasonable alternatives is desirable. However, despite considerable effort to develop additional alternatives that meet the purpose and need of the EIS, additional viable action alternatives could not be identified. Analyzing the No Action Alternative in the EIS is required by CEQ and NEPA regulations. Please see section 2.2 of the EIS. The EIS uses the best available information as called for by the CEQ regulations implementing NEPA.

5b

The criteria for determining significance are integrated into each resource analysis and discussion, and Reclamation believes that the methodologies and conclusions are sufficiently clear. The resource analysis is based on the issues and indicators described in section 1.8.3 of the EIS.

From: "Bart Miller" <bmill@westernresources.org>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 5:27 PM
Subject: Comments on Flaming Gorge Draft EIS

To Peter Crookston:

Please accept the attached comments in the Draft EIS for re-operation of Flaming Gorge.

They were generated by Western Resource Advocates and The Nature Conservancy and also endorsed by the following organizations:

- * American Rivers,
- * Colorado Environmental Coalition,
- * San Juan Citizens' Alliance, and
- * Sierra Club's Colorado River Task Force.

I have also placed a hard copy of these comments in today's mail.

Please feel free to call with any questions.

Bart Miller
Water Program Director
Western Resource Advocates
Advancing Solutions for the Western Environment
2260 Baseline Road, Suite 200
Boulder, CO 80302
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**COMMENTS OF
WESTERN RESOURCE ADVOCATES, THE NATURE CONSERVANCY, along
with AMERICAN RIVERS, COLORADO ENVIRONMENTAL COALITION,
SAN JUAN CITIZENS' ALLIANCE, and SIERRA CLUB (COLORADO RIVER
TASK FORCE)
ON
OPERATION OF FLAMING GORGE DAM
DRAFT ENVIRONMENTAL IMPACT STATEMENT
NOVEMBER 15, 2004**

I. INTRODUCTION

We appreciate the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the re-operation of the Flaming Gorge Dam and Reservoir (Flaming Gorge) to benefit endangered fish in the Green and Colorado Rivers. The following comments were generated by The Nature Conservancy and Western Resource Advocates and their long-time representatives to the Upper Colorado River Recovery Program. Both of these organizations have been committed for many years to working collaboratively on the operation of Flaming Gorge and the recovery of endangered fish species through the Recovery Implementation Program for the Upper Colorado River Basin. These comments are also endorsed by each of the organizations noted above.

In general, we support the fundamental finding of the DEIS and its technical appendix, i.e., that of the two options presented, the Action Alternative is far better able to assist in the long-term recovery of endangered fish in the Green and Colorado rivers. We are encouraged that the DEIS concludes that implementing the U.S. Fish and Wildlife Service flow recommendations (i.e., the Action Alternative) can be achieved while at the same time meeting the other authorized purposes of Flaming Gorge. Going forward, the most critical issues will be how to quickly and effectively implement the Action Alternative to achieve the best potential result for the endangered fish.

6a The DEIS sometimes implies, however, that meeting the temperature and flow recommendations through the Action Alternative is separate and distinct from other authorized purposes of Flaming Gorge. See, e.g., at pp. S-2, S-23 (sec. S.13.3); DEIS at pp. 1, 31 (sec. 2.5.3). Properly framed, however, and as correctly noted elsewhere in the DEIS, the authorized purposes of Flaming Gorge Dam and Reservoir and other applicable federal law expressly include improving and enhancing conditions for fish and wildlife. S-3; DEIS at 3-4 (sec. 1.4.1.1).¹ As a result, there is no conflict in authorization between implementing the flow recommendation and meeting the other project purposes

¹ See CRSPA, 43 U.S.C. § 620g (Secretary is to maintain CRSP projects to “mitigate the losses of, and improve conditions for, the propagation of fish and wildlife”); Colorado River Basin Project Act, 43 U.S.C. § 1501 (amending CRSP purposes to include “improving conditions for fish and wildlife”); Federal Water Project Recreation Act, 16 U.S.C. § 4601-12 (requiring Bureau to give full consideration to ways to enhance fish and wildlife); Fish and Wildlife Coordination Act, 16 U.S.C. § 661 (where legislative history makes clear that wildlife conservation shall receive “equal consideration” with other water project features, see S. Rep. No. 1981, 85th Cong., 2d Sess. 5 (1958)).

of Flaming Gorge Dam and Reservoir. The final EIS (FEIS) should specifically and consistently note that meeting flows for endangered fish is among the project purposes of Flaming Gorge.

- 6b Moreover, since meeting the flow recommendations is not a subordinate purpose and there is agency discretion, the needs of listed species should not be “balanced” against other purposes. Tennessee Valley Authority v. Hill, 437 U.S. 153, 185 (1978) (endangered species legislation reveals a conscious decision by Congress to give endangered species priority over the “primary missions” of federal agencies); Carson-Truckee Water Conservancy District v. Clark, 741 F.2d 257, 262 (9th Cir. 1984) (the Endangered Species Act directs the Secretary to give priority to endangered fish until such time as they no longer in need of protection). The FEIS should, therefore, clarify that Flaming Gorge operations needed to meet the flow recommendations are not balanced against discretionary operations, including hydropower production. Certainly, the impact on hydropower production should be minimized, but hydropower production cannot override operations for the purpose of meeting the flow recommendations.
- 6c Although we generally support the Action Alternative, we have some continuing concerns, first expressed in our original scoping comments on September 5, 2000 (see Attachment 1 to these comments), that are primarily related to the revision of the flow recommendations. We suggest these concerns (Section II, below) be re-considered in the context of adaptive management to revise the flow recommendations, similarly to any revision to address floodplain inundation, as committed in Section 4.19.5 of the DEIS. We are also concerned about how the implementation of the current flow recommendation will be adaptively managed (Section III, below). Finally, we offer comments about the extent to which the implementation of the current flow recommendations might offset new depletions in the Green River Basin (Section IV, below) and about a few remaining modeling issues (Section V, below). We appreciate your close consideration of all of these comments and look forward to seeing them addressed in the FEIS.

II. REVISION OF FLOW RECOMMENDATIONS

A. Base Flows

- 6d As we pointed out in our scoping comments, a comparison of pre- and post-dam average flows for the August through February base flow months showed that the recommended maximum base flows mimic post- rather than pre-dam magnitudes for the average hydrologic conditions, and that the recommended minimums for the moderately wet and wet categories depart much more significantly from pre-dam magnitudes than in the other hydrologic categories. Consequently the base flows in the DEIS for the Action Alternative are much higher than natural magnitudes for the drier average years, and for the moderately wet and wet years.

Some of these departures from natural base flow magnitudes appeared to have been driven by the selection of the hydrologic categories and not the biological data. The

Action Alternative does de-couple the selection of hydrologic categories from the run-off period, but these categories are adjusted to account for closer time hydrologic conditions indicated by the prior month, only when necessary to meet the May 1 draw down target, again without regard to any biological or natural flow indicators.

We also pointed out that there are significant differences in natural base flow magnitude between the summer/fall and winter months. One reason that the recommended base flows then diverge from natural magnitudes is simply because the base flow period is not broken into two sub-periods. Although the base flow period is now broken up into two sub-periods for the Action Alternative, this segregation only distinguishes greater or less variation of the recommended flows around significantly elevated mean flow magnitudes ($\pm 40\%$ of target flows for the summer fall months and $\pm 25\%$ for the winter months). Such variability around unnaturally elevated base flow magnitudes departs significantly from natural flow patterns, and may only allow for greater flexibility in other project operations.

6e We remain concerned that the range and categories for the magnitude of the base flow recommendation are driven by the draw down target or simply allow for greater operational flexibility around a greatly elevated mean flow magnitude during the summer/fall and winter months. We believe two basic concepts should be considered and tested: 1) that base flow period be broken in two sub-periods for flow magnitudes, and 2) that the maximum base flows for each currently recommended hydrologic category be scaled down towards the pre-dam magnitudes so that they are elevated by only 400 cfs in comparison to pre-dam average flows. The incorporation of these two basic concepts would much better mimic natural base flow magnitudes, but would still vary those magnitudes in accordance with hydrologic categories, and would still improve the river habitat as indicated by the biological data.²

B. Peak Flows

In the case of peak flows, we continue to believe that natural flow patterns could be better simulated by tracking the duration and timing of peak inflows to Flaming Gorge reservoir rather than keying off Yampa peak flow patterns, per the flow recommendations. We recognize that this operational alternative might reduce the maximum amplitude of peak flows in Reach 2, but we hypothesize that the natural combination of an earlier peak on the Yampa with a later one on the Green would more naturally extend the duration of peak flows in this reach. In our scoping comments we noted the National Park Service (NPS) found that Flaming Gorge would re-fill and natural inflow patterns could be closely mimicked if storage was limited to 10% of the unregulated daily inflows during

² See Pucherelli, *et al.* (1990), Rakowski and Schmidt (1999), Tyus and Haines (1991), and Bell *et al.* (1998). Rakowski and Schmidt did find that backwater habitat was maximized at 5,000 cfs in 1993, and at 4,200 cfs in 1994, but that the flow that maximized the habitat in 1993 produced no habitat in 1994. They did not present these flows as within an "optimum" range, however, and these flows are also outside of the recommended range of 900-3000 cfs. This report and Bell *et al.* establish that flows that optimize backwater habitat vary from year to year and that a single recommended base flow across a range of hydrologic conditions is inappropriate. A more naturally scaled range of base flows is consistent with this finding.

the run-off period from April 1 – July 31 while releases from storage during the rest of the year were limited to 22% of the daily inflows.

- 6f The DEIS failed to examine whether this basic concept might meet the flow recommendations. Instead the DEIS presents a “Modified Run of the River Alternative” under which a greater percentage of unregulated daily inflows (13%) is stored from March to July, while releases during the base flow period are only constrained by the broad ranges and rigid categories for base flow magnitudes that are quite divergent from natural patterns, as noted above. Although the DEIS dismisses this alternative because it did not achieve all of the peak flow recommendations, DEIS App. at 84, it comes close in most instances. See Table 1, DEIS App. at 71. There is only one big exception and that is meeting a peak of at least 18,600 cfs for two weeks or more. *Id.*
- 6g A more consistent run-of-run river concept that also incorporates more natural base flow patterns should be re-considered in the adaptive management process, especially if the peak flow recommendations are otherwise revised. Alternatively, a key element of this concept, such as timing peak flow releases based on Green River inflow patterns but not attempting to mimic their magnitude, should be examined in seeking to improve the peak flow recommendations.

III. IMPLEMENTATION OF CURRENT FLOW RECOMMENDATIONS

A. Elevated Late Summer Base Flows

- The DEIS reports that the average flows for the base flow months of August and September are about 200-300 cfs higher for the Action Alternative than for the No Action Alternative based on the 1992 Biological Opinion. DEIS at 135, Figure 4-6. A fundamental concern of that opinion was that the abundance and growth of young pikeminnow were negatively correlated with high, cooler late summer and fall flows. See 1992 Opinion at 15. We are concerned that the elevation of base flow magnitudes for these two months well above the maximum recommended by the 1992 Opinion could be a step backward and that urge that this expected result of the Action Alternative be carefully monitored and rigorously evaluated. The plan for tracking compliance with the recommended flow temperature regimes during this critical summer and fall base flow period should also be clearly laid out in the FEIS.
- 6h
- 6i

B. Real-Time Operations and Monitoring

We are concerned that the Flaming Gorge Model assumes some knowledge (e.g. the timing of the Yampa peak and quantity of future Green River inflows) that may allow target flows to be met in the modeling environment, and which will not be known in the real-time operational environment. It will be important to monitor the compliance with the flow recommendations in the real-time environment, which we recognize will differ from the computer-generated modeling.

- 6j We suggest that the flow recommendations for any hydrologic condition be posted on the web page for the Flaming Gorge Work Group and compared against the daily hydrology and temperatures from the gages for all three reaches. Where a flow recommendation has duration or frequency parameters, compliance with those parameters should be reported on this web page, along with the methodology for determining compliance with frequency parameters over an extending period of time. Deviations from the releases scheduled in the 24 Month Study should be reported on the web page as soon as they are requested. A summary of how the flow and temperature recommendations have been met to date should then be a standing agenda item for each meeting of the Flaming Gorge Work Group.

- The DEIS indicates that Reclamation will first consult with a Technical Work Group of biologists and hydrologists in developing operational plans to meet the flow recommendations, and would then gather information and input from the broader Flaming Gorge Work Group to refine the plan. DEIS at 31 (sec. 2.5.3). This process should provide for the written statements of the hypotheses that will be considered in the refinement of any operational plan and that will guide the collection of information or data monitoring. Reclamation should keep an administrative record of the meetings of both work groups, which should be posted on the same web page.
- 6k

C. Purpose of Technical Working Group

- 6l The DEIS makes the false distinction between the implementation of the flow recommendations and the authorized purposes for Flaming Gorge in describing the purpose of the Technical Working Group. DEIS at 31 (sec. 2.5.3). The purpose of this work group cannot be to balance the implementation of the flow recommendations with the other authorized purposes for Flaming Gorge. The DEIS already discloses how the flow recommendations will be met while minimizing the impact on discretionary operations, and this work group will be bound by the scope of the FEIS. The very important function of this work group is to offer biologic and hydrologic expertise to Reclamation on how the flow recommendations can be met from year to year without re-balancing other discretionary operations. Any re-balancing of other authorized purposes must be done by Reclamation outside the Technical Working Group and is likely to require supplemental compliance and further disclosure and analysis under NEPA and the ESA.

IV. DEPLETION COVERAGE

- 6m The DEIS seems to assume that implementation of the flow recommendations will offset all new depletions in the Green River Basin.³ The basis for this assumption, however, is

³ The DEIS makes several assertions about water depletions whose context and implications are unclear:

- “The 2000 Flow and Temperature Recommendations (Flow Recommendations) as implemented under the Action Alternative would offset the impacts of water depletions [of] these other projects” (page 6). These other projects are listed as the Upalco, Jensen, Uinta, Strawberry Aqueduct and Collection System, all units of the Central Utah Project; all other projects on the Duchesne Rive Basin; the Narrows Project on the Price River; and the Price-San Rafael Salinity Control Project.

conflicting, poorly disclosed, and never fully analyzed. See, e.g., Attachment 2 to these comments. Because this assumption is so speculative and not ever fully analyzed, the DEIS is unable to conclude that the Flow Recommendations will be met by the operation of Flaming Gorge under the Action Alternative if substantial new depletions do occur in the Green River Basin. DEIS at 241.

6n We believe the issue is much more clear-cut. Unless specific, new water depletion projects that are reasonably likely to occur can be identified, unless such new projects are also likely to offset the downward trend in existing depletions, and unless such depletions are fully and consistently incorporated into the hydrologic modeling, the FEIS should straightforwardly assume only current depletions. If significant new depletions do become reasonably foreseeable, they can be addressed as part of the adaptive management approach to Flaming Gorge operations or in separate biological opinions for specific projects or groups of projects.

V. REMAINING MODELING ISSUES

In a conference call with Reclamation staff on November 5, 2004, we had almost all of our questions about the Flaming Gorge Model answered. We wish to thank Reclamation for their efforts to clarify many of the questions we raised. However, a few modeling questions remain.

A. Letter of Review Issues

6o The authors of “Review of the Green River Model Developed for Flaming Gorge,” DEIS App. at 61-67, make several suggestions for reducing bypass flows by operating Flaming Gorge model differently from the run set described in the DEIS. They find that the mass balance rule used in the model results in a higher frequency of bypass flows than needed to meet the flow targets. They also suggest that extending the peak period in certain years and increasing the allowable down-ramping rate would reduce bypasses. We understand from our November 5th conference call that Reclamation has not made any of the suggested changes to the model, but we think that in the FEIS it should at least offer its reaction to these proposed changes. In such a response Reclamation could include its view on whether any of the suggestions imply a level of foresight that real time operators will not have. We also believe it is critical that these changes should be adopted only if it is proven they will have, at worst, a neutral effect on the native fish.

-
- “Historic and reasonably foreseeable future” depletions for all three reaches of the Green River to which the Flow Recommendations apply are listed in Table 4-31 (page 233).
 - “The Flaming Gorge Model assumed that water development in the Upper Green River and Yampa River Basin would continue at the rate projected by the Upper Colorado Basin Commission” (page 241).

B. Hourly Ramping Rates

In the “Power System Analysis Technical Appendix,” DEIS App. at 115-202), the application of the “single hump per day” rule appears to mitigate some of the impacts of hourly fluctuations in hydropower releases. Although this rule has not been formalized, relaxing it will entail supplemental NEPA and ESA analysis.

6p With the application of the single hump per day rule, however, it is not clear whether the
hourly ramping rate of 800 cfs per hour assumed for the hydropower analysis is
consistent with the recommended daily, down ramping rates that are less, e.g., 500 cfs per
6q day for the average hydrologic category. Nor it is clear whether the other daily limits
from the flow recommendations --- the change in daily flows at Jensen may not exceed
3%, may not exceed 25% of the monthly mean during the summer and fall, and may not
6r exceed 40% during the winter, were incorporated into the hydropower analysis. See
Table 3.2, DEIS App. at 118. Finally, it is not clear whether the biological impacts of
the hourly fluctuations have been adequately addressed. As indicated by Figures 8-3
through 8-7 of the hydropower analysis, see DEIS App. at 187-92, and even after being
dampened by the recommendation that the flow stage not exceed 0.1 meter per day, the
6s fluctuation in flows at Jensen still range from about 250 to 800 cfs per day. The FEIS
should directly address the biological implications of these hourly fluctuations.

VI. CONCLUSION

We again express our appreciation for the tremendous amount of effort that has been expended in generating the DEIS and for the opportunity to submit these comments. Please feel free to contact representatives of The Nature Conservancy or Western Resource Advocates with further questions.

ATTACHMENT 1: SCOPING COMMENTS SUBMITTED IN 2000.

Via Email (kschwartz@uc.usbr.gov), Hard Color Copy to Follow

September 5, 2000

Mr. Kerry Schwartz
Environmental Protection Specialist
U.S. Bureau of Reclamation
Provo Area Office, 302 East 1860 South
Provo, Utah 84606-7317

Re: Comments on the Scoping of Operational Alternatives to Meet the Endangered Fish Flow Recommendations Below Flaming Gorge Dam

Dear Mr. Schwartz:

These comments by Environmental Defense offer several straightforward illustrations of one basic principle: given the broad range of the flow recommendations in the January 2000 draft report (draft flow report) and the substantial scientific uncertainty about many of their features, operational alternatives that both meet the flow recommendations and better mimic natural flow pattern should be preferred.

Base flows. Figure 1 compares the pre- and post-dam average flows for the August-February base flow period (based on Table 3.8 of the draft flow report) with the recommended minimum and maximum base flows for each hydrologic category in Reach 2. This figure shows that the recommended maximum base flows mimic post- rather than pre-dam magnitudes for the average hydrologic conditions, and that the recommended minimums for the moderately wet and wet categories depart much more significantly from pre-dam magnitudes than in the other hydrologic categories. Figures 2A-2G compare the unregulated daily flows for Reach 2 with the recommended minimum and maximum base flows for the operational alternative illustrated in the draft flow report (flow report alternative), which includes three different operational scenarios for the average hydrologic category. These figures show that the base flows in the flow report alternative are much higher than natural magnitudes for the drier average years (1991 and 1964), and for the moderately wet (1980) and wet (1983) years, than for the dry (1992), moderately dry (1981) and wettest average (1974) years. The most significant departures from the natural pattern are in the average and wet hydrologic categories.

Some of these departures from natural base flow magnitudes appear to be driven by the selection of the hydrologic categories and not the biological data. A comparison of Figures 3 and 4 (based on Table 3.8 of the draft flow report) also suggests that there are important differences in natural base flow amplitudes between the summer and winter months of the base flow period. These differences create greater departures in the

recommended base flows simply because the base flow period to which the recommendations apply is not broken into two sub-periods.

There are at least four operational alternatives for meeting the recommended range of base flows (900-3000 cfs) that better mimic natural patterns than the flow report alternative:

A. The maximum base flows for each currently recommended hydrologic category could be scaled down towards the pre-dam magnitudes as shown in Figure 5. This scaling simply makes the operational concession that the maximum base flows for each hydrologic category can be elevated by 400 cfs in comparison to pre-dam average flows. This operational alternative better mimics natural base flow magnitudes, but still varies those magnitudes in accordance with hydrologic categories, and still improves the habitat as indicated by the biological data.⁴ The operational concession of elevating pre-dam base flow magnitudes by 400 cfs is no less arbitrary than simply partitioning the 900-3000 cfs recommended range of base flows in accordance with the flow exceedance percentages for each hydrologic category.

B. The 30-70% flow exceedance width of the recommended average hydrologic category is much wider than the others and its exceptional width elevates the maximum (2400 cfs) and depresses the minimum (1500 cfs) base flows recommended for this category. It is no less arbitrary and entirely within the recommended range of base flows to partition the hydrologic categories equally, as shown in Figure 6. More natural magnitudes for the drier average years could be achieved simply by breaking the recommended average hydrologic category in two (30-50% and 50-70%), as was done for the Aspinal flow recommendations.

C. More natural base flow magnitudes could also be achieved by simply splitting the base flow period into summer and winter sub-periods as an operational alternative, and assigning more naturally scaled magnitudes to the generally lower winter period as compared with the recommended range of base flows in Figures 7 and 8.

D. Within any recommended base flow hydrologic category, the actual base flow could be based on the magnitude of unregulated inflows to Flaming Gorge. When inflows were low, the low end of the recommended hydrologic category would be the operational alternative, while operations at the high end of the hydrologic category would be triggered by high inflows. Such an operational alternative better mimics natural magnitudes than the flow report alternative in 1991, 1964, 1980, and 1983, as shown in Figures 2A-2G.

⁴ See Pucherelli, *et. al.* (1990), Rakowski and Schmidt (1999), Tyus and Haines (1991), and Bell *et. al.* (1998). Rakowski and Schmidt did find that backwater habitat was maximized at 5,000 cfs in 1993, and at 4,200 cfs in 1994, but that the flow that maximized the habitat in 1993 produced no habitat in 1994. They did not present these flows as within an "optimum" range, however, and these flows are also outside of the recommended range of 900-3000 cfs. This report and Bell *et. al.* establish that flows that optimize backwater habitat vary from year to year and that a single recommended base flow across a range of hydrologic conditions is inappropriate. The more naturally scaled range of base flows is consistent with this finding.

One feature of all base flow alternatives that should be specified operationally is how the hydrologic categories will be adjusted if the run-off volumes do not turn out as predicted. The hydrologic categories for base flow recommendations should be determined based on actual run-off volumes, and adjusted in response to actual base flow volumes mid-way through the base flow period.

Peak Flow Duration and Timing. Natural peak flow duration and timing could be better mimicked within the peak flow recommendations by tracking the duration and timing of peak inflows to Flaming Gorge reservoir instead of keying off of Yampa peak flow patterns. This operational alternative may reduce the maximum amplitude of peak flows in Reach 2, but this potential trade-off could still provide a net benefit to the endangered fishes.

Inflow Driven Alternative. The greatest extent to which natural flow patterns can be mimicked, while still operating to store water and fill Flaming Gorge Reservoir over time, should be considered as an operational alternative that also can meet the flow recommendations especially when the base flow recommendations are more naturally scaled or partitioned. The U.S. National Park Service (NPS) examined a number of operational scenarios that were based on a simple set of percentages for storing inflows and making releases and that would result in the filling of the reservoir at least once over the 1963-1996 period of record, assuming the same system loss that occurred over that period. The NPS found that natural flow patterns could best be mimicked, while still operating to fill the reservoir, if storage was limited to 10% of the unregulated daily inflows to Flaming Gorge during the run-off period from April 1 -- July 31 while releases from storage during the rest of the year were limited to 22% of the daily inflows.

In Figures 2A-2G and 9A-9G, this operational alternative is compared with the flow report alternative and unregulated flows in Reaches 1 and 2. The reduction in the departure from natural patterns is most dramatic in Reach 1, but this reduction translates directly to Reach 2, because the major flows into this reach from the Yampa River are almost completely unregulated. This inflow driven alternative could be further constrained to fill the reservoir more frequently, on a different pattern, or to produce more hydropower or other benefits, but could be considered as the minimally constrained operational alternative and used to *illustrate the impacts of further operational constraints that limit the restoration of more natural flow patterns.*

Respectfully,

Dan Luecke, Director
Rocky Mountain Office for Environmental Defense

Attachments: Figures 1 to 9

[Attachments OMITTED from November 15, 2004, comments but available upon request]

ATTACHMENT 2: DEPLETION ASSUMPTIONS

The programmatic biological opinion for the Duchesne River Basin supercedes the earlier referenced biological opinions for the Central Utah Project and directly addressed depletions within that basin, not on the Green River. The hydrologic modeling for the Action Alternative for operating Flaming Gorge appears only to consider new depletions above Flaming Gorge, and possibly the Yampa River, but not on other tributaries. The DEIS therefore provides no disclosure or analysis of the offset of future depletions on the White, Duchesne, Price, or San Rafael rivers.

The DEIS also does not provide any disclosure or specific analysis that the Action Alternative for operating Flaming Gorge will offset the set of depletions listed in Table 3-1, DEIS at 233, because these depletions do not appear to be incorporated into the hydrologic modeling analysis. Moreover, some of the assumptions about depletions in that table are questionable:

- One reason for rejecting the Modified Run of River Alternative, was that it did not meet the Flow Recommendation if current depletions above Flaming Gorge were assumed to be about 450,000 acre feet. Table 3-1, however, indicates that current depletions above Flaming Gorge are only about 372,331 acre feet.
- The Modified Run of River Alternative was also rejected because depletions were assumed to increase in the future beyond 450,000 acre feet. The depletion schedule from the Upper Colorado River Basin Commission shows an increase in depletions in Wyoming of 263,000 acre feet, all which would occur above Flaming Gorge except for a small percentage on the Little Snake. Table 3-1, however, indicates that reasonably foreseeable future depletions above Flaming Gorge are only 42,100 acre feet. (The footnoting for Table 3-1 suggests that this latter depletion figure is taken from the 1992 biological opinion for the operation of Flaming Gorge, but that figure is nowhere to found in that opinion or its depletion appendix.)
- Table 3-1 implies that 53,562 acre feet of new depletions are reasonably foreseeable on the Yampa River Basin, including the Little Snake River subbasin in both Colorado and Wyoming. That figure is the amount of new depletions that the U.S. Fish and Wildlife is proposing to find will not jeopardize endangered fish without any certainty of a positive endangered fish population response. But there is hardly any basis for assuming that 53,562 acre feet of new depletions is reasonably foreseeable to occur in the Yampa River Basin any time soon.
- Table 3-1 asserts that the total current depletions for Reach 3 and everything upstream is 1,583,960 acre feet, based on the depletion schedule from the 1992 biological opinion for the operation of Flaming Gorge. The estimate of such depletions for the year 2000 from the Consumptive Uses and Losses Report by the U.S. Bureau of Reclamation, however, is substantially less at 1,275,900 acre feet, suggesting a decrease in total depletions for the Green River Basin. That report indicates a downward trend in total depletions since the year 1995.

The assumption for the hydrologic modeling in the DEIS that future depletions for the Upper Green River Basin and the Yampa Basin will increase at the rate projected by the Upper Colorado River Basin Commission is even more questionable. As noted above, the increase assumed for Wyoming is 263,000 acre feet. The increase for all of Colorado is assumed to be 393,000 acre feet, for Utah the increase is assumed to be 369,000 acre feet, and for the entire Upper Colorado River Basin, it assumed to be 1,194,000 million acre feet.

The DEIS fails to disclose anything about how these exceedingly expansive state-by-state assumptions made by the Upper Colorado Basin Commission are broken down into specific projects depleting any of the three reaches of the Green River within the scope the hydrologic modeling or how these very substantial future depletions are distributed within any year or over all the years in the period of record for that modeling. This lack of disclosure and the recent downtrend in depletions reported by the U.S. Bureau of Reclamation compound the speculative nature of this assumption about future depletions in the Green River Basin.

6. WESTERN RESOURCE ADVOCATES AND THE NATURE CONSERVANCY

6a

The proposed action is not intended to be portrayed as an authorized purpose. Rather, the proposed action is implementation of the 2000 Flow and Temperature Recommendations while maintaining the authorized purposes of the Flaming Gorge Unit of the CRSP. Implementation of the 2000 Flow and Temperature Recommendations to the extent possible is part of Reclamation's responsibility to comply with the Endangered Species Act. It is an action which originated with the Reasonable and Prudent Alternative of the jeopardy 1992 Biological Opinion.

6b

Reclamation recognizes its responsibility to comply with all applicable Federal laws and regulations, including the Endangered Species Act. The proposed action is consistent with that responsibility.

6c

These scoping comments were considered in preparing the draft EIS.

6d

The primary purpose and need of this EIS process is to assess operation regimes for Flaming Gorge Dam that achieve the 2000 Flow and Temperature Recommendations while continuing and maintaining the authorized purposes of Flaming Gorge Dam. Revision of the flow recommendations is not a part of the proposed action. Reclamation recognizes that the base flow ranges recommended in the 2000 Flow and Temperature Recommendations are higher than pre-dam levels.

6e

Comment noted.

6f

The "Modified Run of the River Alternative" that was modeled did achieve many of the flow objectives of the 2000 Flow and Temperature Recommendations; however, it did not achieve all of the flow objectives. It did not meet the purpose and need for this EIS.

6g

Comment noted.

6h

Seasonal base flows are described as "mean base flows," implying that some flexibility is afforded in determining what the base flow will be from year to year during August and September. Additionally, those mean base flows may vary up to +/- 40%, making the differences between the No Action and Action Alternatives for the August and September periods minimal. Uncertainties associated with operating Flaming Gorge Dam under the Action Alternative would be monitored and addressed through an adaptive management process as explained in section 4.20 of the EIS. Therefore, adjustments to seasonal flows can be made overtime within the limits set by the 2000 Flow and Temperature Recommendations and based on sound accumulated information. Based on information gathered since the 1992 Biological Opinion, slightly higher flows during the August and September period may actually be necessary to maintain large, deep, and stable backwater habitats for young-of-the-year and age-1 pikeminnow.

6i, 6j, and 6K

Comment noted. Reclamation intends to maintain an administrative record that will be available to the public. Reclamation is considering use of a web page and other means to keep the public informed on implementation of the proposed action.

6l

Section 2.5.3 of the EIS has been revised to clarify.

6m

Section 1.4.3 of the EIS, referenced by the commenter, is not an assumption but a statement, in the context of compliance with the Endangered Species Act, that the U.S. Fish and Wildlife Service determined the re-operation of Flaming Gorge Dam to be a Reasonable and Prudent Alternative for a number of jeopardy biological opinions.

The Flaming Gorge Model included the best available data regarding future depletions in Wyoming, Colorado and Utah as provided by the Upper Colorado River Commission (memo dated December 23, 1999). The results of the Flaming Gorge Model indicated that the 2000 Flow and Temperature Recommendations for Reaches 1 and 2 could be met with the projected increases in future depletions. However, there is some uncertainty regarding Reach 3.

6n

Section 4.19.1 referenced by the commenter states that the hydrology model (Flaming Gorge Model) used in the EIS assumes that water development in the Upper Green and Yampa River Basins will continue at the rate projected by the Upper Colorado River Commission. The inclusion of reasonably foreseeable conditions in the analysis of the potential effects of the proposed action is essential to the analysis in compliance with NEPA. In the context of hydrology uncertainties, which is the topic of discussion in section 4.19.1, it is appropriate to disclose that future water development could reasonably be expected to affect how, or whether, the 2000 Flow and Temperature Recommendations are met.

6o

Reclamation believes that this issue is adequately addressed in section 2.4 of the EIS.

6p

The ramp rates that apply to the Action and No Action Alternatives are based on average daily flows and apply to seasonal operations between the spring, baseflow, and transitional periods (see section 2.5.3 in the EIS). That is, a ramp rate of 500 cfs actually means that the daily average release should not change by more than 500 cfs from one day to the next. In the hydropower analysis, hourly ramping rates of 800 cfs are used to evaluate power system flexibility within the daily flow change restriction of 500 cfs. Hourly ramping rates limited changes of flows through the powerplant within the daily flow constraints.

6q

The other potential daily flow changes (3%, 25%, and 40% in tables 2.6, 2.7, 2.8, and 2.9 of the EIS) that are a consideration in operations of the releases from the reservoir within the Action Alternative were not included in the modeling (Flaming Gorge Model). Since the hydrology team did not consider these potential operational changes, the hydropower team also did not consider these potential changes.

6r and 6s

Text was added to section 4.7.3.1.1.2 in the EIS to clarify. The extent of the aquatic food base in Reach 2 should increase as minimum discharge increases and daily fluctuations decrease under the Action Alternative. Higher base flows and decreased daily flow fluctuations in average and wetter years should lessen the extent of dewatering (exposure) and increase the extent of habitat available for food base organisms.

The attachment to this letter, scoping comments submitted in 2000, was considered during the preparation of the draft EIS.

BUSINESSES

- 1. Eagle Outdoors Sports**
- 2. Franson Noble Engineering**
- 3. Green River Outfitters**
- 4. Green River Outfitter and Guides Association (GROGA)**
- 5. Old Moe Guide Service**
- 6. Thunder Ranch, LLC.**
- 7. Burnell Slaugh Ranch**
- 8. Trout Bum 2**
- 9. Trout Creek Flies**
- 10. Western Rivers Flyfisher**

EAGLE OUTDOORS SPORTS

1507 S. HAIGHT CREEK, KAYESVILLE, UT. 84037

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO 774 Bureau of Reclamation
Provo Area Office
302 East, 1860 South
Provo, UT. 84606-7317

November 15, 2004

Dear Mr. Crookston: We would like to submit our comments on the Draft *Operation of Flaming Dam Draft Environmental Impact Statement* and its *Technical Appendices*.

As a member of GROGA we fully support the comments submitted by them concerning this DEIS.

As a business, Eagle Outdoor Sports has been a Green River guide and outfitter service full time since 1987 and hold a U. S. Forest Service/BLM permit to provide fishing guided, fishing walk wading, scenic float rafting trips. Our customers include guided fishermen, boy scout groups and church groups. We provide many multi-day overnight excursions that include camping on the river. Our business is totally dependent on the recreational dollars generated on the Green River.

Comment 1.

We are very disappointed in the treatment of the economical impacts of this EIS as they pertain to us. A more localized analysis is appropriate in light that the largest economical impacts center around Reach 1 of the Green River and the Flaming Gorge Reservoir. To do an analysis over a 3 county area does not show the real impacts of the recommendations contained within this EIS. We would like to see this EIS fully address the impacts to our businesses. We feel that it has not.

- 1a Question 1. Is it not possible to prepare an adequate economic analysis surrounding the EIS recommendations as they pertain to our businesses?

Comment 2.

- While the GROGA letter states many of our concerns, we must reinforce the points that the ramping up process, flows exceeding 4600 cfs and daily fluctuating flow operations impact our businesses negatively by reducing the quality of the recreational experience for fishermen and other river users that use our services and buy our products. In addition we have safety concerns for fishermen and other water based recreations while these flows are being performed.

Comment 3.

- 1d Furthermore, we support GROGA's position that power generation takes a lower priority when compared to the other "authorized purposes" of the Flaming Gorge dam. Operational considerations should be given to recreation and fishing in particular by reducing the impacts of daily fluctuations and their effects on these activities. Daily fluctuations performed during fishing daylight hours are an erosion of local economics one day after another with their daily negative
- 1e

impacts.

1f Comment 4.

We support the recommendations for a 55 degree F release temperature during the dry and moderately dry years, maintaining adequate river temperatures for trout at the Colorado/Utah state line.

Comment 5.

- 1g We strongly support BOR recommendations of flow fluctuations limitations with the following exception. Power generation in the form of fluctuating flows should not be at the expense of other authorized purposes, "and for the generation of hydroelectric power, as an incident of the foregoing purposes" (Vol. 1, pg 3 and 4, 1.4.1.1).

Comment 6.

- 1h We strongly support the 800 cfs ascending and descending ramp rates. We would support a formalization agreement for these ramp rates.

Comment 7.

- 1i We fully support the maintaining of the minimal flow agreement between UDWR and Reclamation for the maintenance of river flow supporting the tailwater trout fishery and furthermore request the formalization of this agreement as stated in Vol. 1, pg 5, second full (italicized) paragraph.

Comment 8.

- 1j Except in emergencies, flows should not exceed the capacity of the power plant of 4600 cfs, bypass flows should only occur as a last resort, and the frequency of such events should be kept at an absolute minimum.

Comment 9.

- 1k We share GROGA's opinion that in general we found this DEIS complicated to review based on its overlapping of the treatment of subjects. So many references that seemed to contradict previous statements were made clearer only after rereading them in the context of their specialized subject. It required a lot of time spent in the effort to discover this EIS's overall direction. In light of our comments, you know that we were disappointed with the overall economic analysis. We would be happy to answer any questions you have on our comments or assist in any manner possible. We can be reached at 801-721-2677. Once again thanks for this opportunity.

Rex Mumford
Doug Smith
Dennis Breer
Eagle Outdoor Sports
1507 S. Haight Creek
Kayesville, UT. 84023

1. EAGLE OUTDOORS SPORTS

1a

To estimate regional economic impacts associated with changes in river and reservoir recreation, information was collected from surveys of recreators as to their expenditures. The expenditure information gathered via the recreator survey did not allow for county specific analyses. Based on pretests, it was determined that the survey was already complex (given the need to address visitation, valuation, and expenditure information by alternative), and any attempts to gather more detailed data by county would have significantly added to survey complexity, possibly jeopardizing survey usefulness. Attempts to allocate expenditures by county would be highly speculative. As a result, the decision was made to use the three-county model utilizing both river and reservoir expenditures and to supplement that analysis with specific commercial river guide operator survey information.

Even if we had enough detail to estimate economic impacts for Daggett County alone, the aggregated nature of the regional model would preclude estimation of impacts for individual businesses. This is because the lowest level of detail provided by the model reflects the economic sector which typically combines information across a range of somewhat similar businesses. Reclamation believes that the economic analysis in the EIS is sound and provides sufficient information to assess potential impacts.

1b

Flows above 4,600 cfs and daily fluctuations have been a normal part of dam operations for over 40 years and would continue under either the Action or No Action Alternative.

1c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increase dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. See response to Daggett County 1g

1d and 1g

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

1e

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of ramp rates, and other daily operational details, would remain substantially the same under either the Action or No Action

Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

1f

Comment noted.

1h and 1i

Comment noted.

1j

Under either alternative, flows above powerplant capacity would be expected as a normal part of dam operations.

1k

Comment noted.



October 28, 2004

Mr. Peter Crookston
Flaming Gorge EIS Manager
PRO-774
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

Dear Mr. Crookston,

The purpose of this letter is to comment on the *Operation of Flaming Gorge Dam Draft Environmental Impact Statement*.

When the Ultimate Phase of the Central Utah Project was dissolved, the U.S. Bureau of Reclamation was left with a 430,910-acre-foot storage filing in the Flaming Gorge Reservoir. The Utah Division of Water Resources was given control over the water right in order to preserve the 1956 priority date. They have since segregated the water right to conservancy districts, irrigation companies, and individuals for beneficial use. Please refer to the enclosed table.

Some of the entities who were allocated a portion of the Flaming Gorge water right are our clients. As they have planned to implement their Flaming Gorge water rights, they have inquired as to how the flow recommendations for the endangered fish would affect their projects. We have, therefore, been anxious to review the Flaming Gorge DEIS with respect to this issue.

To our disappointment, Section 1.8 of the Flaming Gorge DEIS, quoted below, dismisses the water rights issue without much explanation.

1.8 Scope of Analysis for This Environmental Impact Statement

1.8.4 Issues Raised During Scoping Which Are Not Analyzed in Further Detail in This EIS

During the scoping process for this EIS, concerns were expressed regarding how the Proposed Action might affect water rights. A review of the hydrology modeling of both alternatives confirms that neither operational alternative would affect water rights within the context of the authorized purposes of Flaming Gorge Dam.

- 2a To me this seems like a token statement to appease existing downstream users that their rights will be protected. However, the water rights with which we are concerned have not yet been put to beneficial use and are not Green River rights, but are actually part of a Flaming Gorge storage right.



- In addition, Section 1.8 mentions hydrology modeling and that the modeling showed that water rights would not be affected. The hydrology modeling appendix, however, did not explain how existing or future rights were taken into consideration. Were the Flaming Gorge rights considered in the model? If so, how?
- 2b

The only other section in the DEIS from which we could imply anything about future water development was Section 4.16 as quoted below.

4.16 Scope of Analysis for This Environmental Impact Statement

4.16.1 Water Resources and Hydrology

4.16.1.1 Water Consumption

The 2000 Flow and Temperature Recommendations for Reaches 1, 2, and 3 are based on the needs of the endangered fish, and they do not account for any future change in water consumption. As consumption increases over time, it may become more difficult to achieve the 2000 Flow and Temperature Recommendations through the re-operation of Flaming Gorge Dam. Because of increasing water consumption in the tributaries of the Green River below Flaming Gorge Dam, it is anticipated that releases from Flaming Gorge Dam will have to be greater in the future than what would be required now to achieve the 2000 Flow and Temperature Recommendations under similar hydrologic conditions. Increasing release requirements would reduce the ability of Flaming Gorge Dam to store water during wet periods. During dry periods, drawdown conditions would become more severe as a result of increased release requirements to meet downstream flow recommendations.

With increased water consumption in the basin, flows in Reaches 2 and 3 during the base flow period might achieve the 2000 Flow and Temperature Recommendations at lower levels than would occur at current water consumption levels. Increased pressure on reservoir storage could cause Reclamation to target lower flows within the range of acceptable flows for Reaches 2 and 3 to reduce the impact to reservoir storage. During the transition period, releases potentially could be lower in the future than they would be now as a result of increasing water consumption.

Water consumption above Flaming Gorge Reservoir is also expected to increase, and this could reduce the inflows to Flaming Gorge Reservoir. With less water flowing into Flaming Gorge Reservoir, pressure on water storage could increase in the future.

- 2c From Section 4.16.1.1, we infer that the Flaming Gorge water rights allocated to the conservancy districts and irrigation companies can be developed without consideration for the endangered fish and the 2000 Flow Recommendations. We also infer that in the future, as water is developed out of the Green River, meeting the flow recommendations will become increasingly more difficult and may even be unfeasible.

- 2d We feel that this water rights issue should not be dismissed in the DEIS with one token statement. If water rights truly will not be affected, there should be a section explaining the reasoning behind that conclusion. Included in that section should be reference to the *Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (RIPRAP)*, whose main objective is to ensure recovery of listed species while providing for new

water development. This is accomplished through a one-time per acre-foot depletion charge for each water project.

We appreciate this opportunity to comment on the DEIS and look forward to the final document.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay W. Franson". The signature is written in a cursive style with a large initial "J".

Jay W. Franson, P.E.
President

SUMMARY OF FLAMING GORGE WATER RIGHT APPLICATIONS						
No.	Assignee	Intended Use	Place of Use	Board Award AF		Balance AF Depletion
				Diversion	Depletion	
						158,890
1	Uintah WCD	Agricultural	19 mi south of Vernal	8,400	4,745	154,145
2	Eastside High Ditch Irr Co	Agricultural	5 mi north of Green River	2,900	1,769	152,376
3	Dead Horse Point Water Co	Municipal	Dead Horse Pt State Park	50	26	152,350
4	Trust Lands	Municipal	Resort at Buifrog Marina	600	313	152,037
5	Western Water Assoc	Industrial	40 mi NE of Moab	120	12	152,025
6	Sheffer, Brent D	Agricultural	3 mi SW of Jensen	120	68	151,957
7	K Ranch Water Co	Agricultural	5 mi east of Jensen	2,400	1,356	150,601
8	Green River City	Municipal	Green River City	2,000	899	149,702
9	Wilson Arch Water & Sewer Co	Municipal	25 mi south of Moab	100	56	149,646
10	Red Cut Water Co	Agricultural	1 mi east of Escalante	2,000	1,160	148,486
11	Cannonville Town	Municipal	Cannonville Town	724	326	148,160
14	Henrieville Town	Municipal	Henrieville Town	930	419	147,741
15	Kane County W C D	Municipal	Kanab vicinity	6,000	4,000	143,741
17	Tropic Town	Municipal	City of Tropic	1,100	616	143,125
18	Boulder Farmstead Water Co	Municipal	Boulder Town	300	132	142,993
23	Garfield County School District	Municipal	Escalante	50	29	142,964
24	Washington County W C D	Municipal	St George vicinity	69,000	69,000	73,964
29	Escalante City	Municipal	20 mi. north of Escalante	550	391	73,573
31	Grand County W C D	Municipal	SE of Moab in Spanish Valley	652	339	73,234
35	Duchesne County W C D	Municipal	Central & Eastern Duchesne Co.	3,200	2,300	70,934
39	Daggett County	Municipal	12 mi SE of Dutch John	200	68	70,866
1A	Uintah W C D	Sup. Agricultural	20 mi. SW of Vernal	8,400	5,370	65,496
21	Pine Creek Irr Co	Sup. Agricultural	2 mi. north of Escalante	240	158	65,338
22	Gardner, Leo J	Sup. Agricultural	2 mi. SE of Boulder	560	325	65,013
32	WW Water Co	Sup. Agricultural	43 mi. NE of Moab	3,655	2,230	62,783
35	Duchesne County W C D	Sup. Agricultural	Central & Eastern Duchesne Co.	44,400	28,860	33,923
1A	Uintah W C D	Agricultural	20 mi. SW of Vernal	35,000	14,630	19,293
2A	Eastside High Ditch Irr Co	Agricultural	5 mi. north of Green River	4,900	2,989	16,304
25	Nelden C Nielsen Enterprises	Agricultural	20 mi. SW of Vernal	1,280	820	15,484
26	Clark, Glen & Esther	Agricultural	4 mi. north of Green River	100	61	15,423
27	Goff, James S	Agricultural	14 mi. SE of Vernal	440	280	15,143
37	Gunnison Butte Mutual Irr Co	Agricultural	Green River vicinity	24,825	15,143	0
36	Trust Lands	Agricultural	Emery & Grand Counties	0	0	0
12	Larson, Stanley L	Agricultural	SE of Jensen	0	0	0
13	Minchey Construction, Inc.	Municipal	1 mi. north of Escalante	0	0	0
19	Fryer, Colin	Agricultural	14 mi. east of Moab	0	0	0
20	Rio Colorado at Dewey Wtr Co Inc	Municipal	40 mi. NE of Moab	0	0	0
30	Sand Mountain Mutual Water Co	Agricultural	6 mi. south of Hurricane	0	0	0
33	Green River Supplemental WUA	Agricultural	Green River Corridor	0	0	0
34	Manila Town	Municipal	Manila Town	0	0	0
38	Reynolds, Adrian K	Municipal	12 mi. SE of Dutch John	0	0	0
40	Green River Canal Co	Agricultural	Green River City	0	0	0
41	Daggett County W&S District	Municipal	4 mi. east of Manila	0	0	0

2. FRANSON NOBLE ENGINEERING

2a

In accordance with the CEQ regulations implementing NEPA (40 CFR 1500.1), the EIS is intended to fully disclose significant information while remaining as concise as possible. Since there are no effects to water rights under either the Action or No Action Alternatives, the disclosure of this fact in section 1.8.4 of the EIS is sufficient and appropriate treatment of the issue. Clarification has been added to this section. The statement of purpose and need in section 1.1 provides for the continuation of authorized purposes, including development of water resources.

The United States segregated the undeveloped portion of Water Right No. 41-2963 (A30414) and assigned it to the Utah Board of Water Resources on March 12, 1996. This segregated Water Right No. 41-3479 (A30414b) is commonly referred to as the “Flaming Gorge Right” and is being reserved for future water development.

Both the segregation application that created Water Right No. 41-3479, and the assignment documents that gave it to the Department of Water Resources, subordinate Water Right No. 41-3479 to Water Right No. 41-2963. These documents clearly show Water Right No. 41-3479 is not entitled to storage in Flaming Gorge Reservoir and is entitled to divert water only as it is being released under Flaming Gorge Dam operations.

2b

Water rights were not a consideration in the Flaming Gorge Model. That is to say that none of the rules that govern the Flaming Gorge Model under either the Action or No Action Alternative are activated based on water rights. There was a minimum release restriction of 800 cfs that was enforced throughout the model run. The results of the Flaming Gorge Model indicated that the 800 cfs minimum release could be maintained through foreseeable drought conditions while maintaining adequate storage in the reservoir to service downstream diversion requirements.

2c

This EIS does not relieve agencies or individuals of the obligation to comply with the Endangered Species Act for future actions. Available information on future water development was factored into the Flaming Gorge Hydrology Model. Section 4.19.1 articulates uncertainties associated with meeting the 2000 Flow and Temperature Recommendations in the future.

2d

Clarification has been added to section 1.8.4 of the EIS. See sections 1.4.4 and 4.16.4.1.1 of the EIS regarding the dual role of the Recovery Program in recovering the endangered species while allowing water development to continue. Please see response to Franson Noble 2a above.

GREEN RIVER OUTFITTERS

P.O. BOX 200, DUTCH JOHN, UTAH 84023

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO 774 Bureau of Reclamation
Provo Area Office
302 East, 1860 South
Provo, UT. 84606-7317

November 15, 2004

Dear Mr. Crookston: We would like to submit our comments on the Draft *Operation of Flaming Dam Draft Environmental Impact Statement* and its *Technical Appendices*.

As a member of GROGA we fully support the comments submitted by them concerning this DEIS.

As a business, Green River Outfitters has been a Green River guide and outfitter service full time since 1987 and hold a U. S. Forest Service/BLM permit to provide fishing guided, fishing walk wading, scenic float trips. We share a 7000 square foot facility with Trout Creek Flies that provides us with a base of operations for these recreational services. Our customers include guided fishermen and scenic rafters. We are totally dependent on the recreational dollars generated on the Green River and Flaming Gorge Reservoir. We operate 12 months of the year although we have a seasonal business that is most active from April through October annually. We employ 8 plus river fishing guides full time. We are employers, full time residents, property owners and taxpayers.

We live in Daggett County and the town of Dutch John. Like us, this County, town and region is extremely dependent on the recreational dollars. With the exception of government workers, we are the only industry in Dutch John. Within Daggett County there are 12 outfitters, 80 guides, 4 lodges, restaurants, 2 snack bars, 4 convenience stores, 3 gas stations, 3 raft rental services and their associated employees just on the east side of the reservoir alone. On the west near Manila and north around the reservoir there are many more businesses that too depend on recreational visitor dollars. Our county has less than 800 full time residents and is only 682 square miles in size.

Comment 1.

3a

We are very disappointed in the treatment of the economical impacts of this EIS as they pertain to us. A more localized analysis is appropriate in light that the largest economical impacts center around Reach 1 of the Green River and the Flaming Gorge Reservoir. To do an analysis over a 3

county area does not show the real impacts of the recommendations contained within this EIS. We would like to see this EIS fully address the impacts to our businesses. We feel that it has not.

- 3b Question 1. Is it not possible to prepare an adequate economic analysis surrounding the EIS recommendations as they pertain to our businesses?

Comment 2.

- 3c While the GROGA letter states many of our concerns, we must reinforce the points that the ramping up process, flows exceeding 4600 cfs and daily fluctuating flow operations impact our businesses negatively by reducing the quality of the recreational experience for fishermen and other river users that use our services and buy our products. In addition we have safety concerns for fishermen and other water based recreations while these flows are being performed.

Comment 3.

- 3e Furthermore, we support GROGA's position that power generation takes a lower priority when compared to the other "authorized purposes" of the Flaming Gorge dam. Operational considerations should be given to recreation and fishing in particular by reducing the impacts of daily fluctuations and their effects on these activities. Daily fluctuations performed during fishing daylight hours are an erosion of local economics one day after another with their daily negative impacts.

Comment 4.

- 3g We support the recommendations for a 55 degree F release temperature during the dry and moderately dry years, maintaining adequate river temperatures for trout at the Colorado/Utah state line.

Comment 5.

- 3h We strongly support BAR recommendations of flow fluctuations limitations with the following exception. Power generation in the form of fluctuating flows should not be at the expense of other authorized purposes, "and for the generation of hydroelectric power, as an incident of the foregoing purposes" (Vol. 1, pg 3 and 4, 1.4.1.1).

Comment 6.

- 3i We strongly support the 800 cfs ascending and descending ramp rates. We would support a formalization agreement for these ramp rates.

Comment 7.

- 3j We fully support the maintaining of the minimal flow agreement between UDWR and Reclamation for the maintenance of river flow supporting the tailwater trout fishery and furthermore request the formalization of this agreement as stated in Vol. 1, pg 5, second full (italicized) paragraph.

Comment 8.

- 3k Except in emergencies, flows should not exceed the capacity of the power plant of 4600 cfs, bypass flows should only occur as a last resort, and the frequency of such events should be kept at an absolute minimum.

Comment 9.

31

We share GROGA's opinion that in general we found this DEIS complicated to review based on its overlapping of the treatment of subjects. So many references that seemed to contradict previous statements were made clearer only after rereading them in the context of their specialized subject. It required a lot of time spent in the effort to discover this EIS's overall direction. In light of our comments, you know that we were disappointed with the overall economic analysis. We would be happy to answer any questions you have on our comments or assist in any manner possible. We can be reached at 435-885-3338. Once again thanks for this opportunity.

Emmett Heath- Manager
Green River Outfitters
P.O. Box 200
Dutch John, UT. 84023

3. GREEN RIVER OUTFITTERS

3a

To estimate regional economic impacts associated with changes in river and reservoir recreation, information was collected from surveys of recreators as to their expenditures. The expenditure information gathered via the recreator survey did not allow for county specific analyses. Based on pretests, it was determined that the survey was already complex (given the need to address visitation, valuation, and expenditure information by alternative), and any attempts to gather more detailed data by county would have significantly added to survey complexity, possibly jeopardizing survey usefulness. Attempts to allocate expenditures by county would be highly speculative. As a result, the decision was made to use the three-county model utilizing both river and reservoir expenditures and to supplement that analysis with specific commercial river guide operator survey information.

3b

Even if Reclamation had enough detail to estimate economic impacts for Daggett County alone, the aggregated nature of the regional model would preclude estimation of impacts for individual businesses. This is because the lowest level of detail provided by the model reflects the economic sector which typically combines information across a range of somewhat similar businesses. Reclamation believes that the economic analysis in the EIS is sound and provides sufficient information to assess potential impacts.

3c and 3f

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of ramp

rates, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

3d

Please see section 4.11.5 of the EIS for the discussion of safety as it relates to recreation activity in the Green River. See also response to Daggett County 1g.

3e and 3h

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

3g, 3i, and 3j

Comment noted.

3k

Under either alternative, flows above powerplant capacity would be expected as a normal part of dam operations.

3l

Comment noted.

GREEN RIVER OUTFITTER AND GUIDES ASSOCIATION GROGA

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO 774 Bureau of Reclamation
Provo Area Office
302 East, 1860 South
Provo, UT. 84606-7317

November 15, 2004

Dear Mr. Crookston: We would like to submit our comments on the Draft *Operation of Flaming Dam Draft Environmental Impact Statement* and its *Technical Appendices*.

INTRODUCTION

The Green River Outfitter and Guides Association (GROGA) consists of ten guided fishing and two scenic rafting outfitters operating under Ashley National Forest Service permits on the Green River (Reach 1) below the Flaming Gorge (FG) dam. Many of the outfitters have been providing services to visitors of the Green River for nearly twenty years, others longer. We are a huge “stakeholder” in how the FG dam is operated. Our interests are twofold:

1. The protection of and wherever possible, enhancement of the Flaming Gorge tailwater trout fishery.
2. The economic survival of our businesses. With dedication and perseverance we have spent many years and dollars in the building of our businesses. Our industry provides great recreational experiences to our visitors while making value contributions to our areas economies and employment opportunities. Our needs are simply to protect our investments and secure our ability to survive.

COMMENT 1.

- 4a Thank you for the opportunity to comment on the *Operation of Flaming Dam Draft Environmental Impact Statement* and its *Technical Appendices*. We have been a part of the Flaming Gorge Work Group (FGWG) since its inception after the release of *The Final Biological Opinion on the Operation of Flaming Gorge Dam* (1992 FBO) in November 1992. GROGA has taken an active role as representatives of its members and trout issues within that work group. We know how difficult the management issues surrounding the operation of Flaming Gorge Dam by the Bureau of Reclamation (BOR) has been, we were there. The BOR is to be complimented on its efforts to be inclusive to all the interests that have evolved around the operation of the FG dam. From that effort, we believe there has developed a greater understanding and a sharing of the issues by all the participants. We feel the FGWG has been extremely effective and we encourage the BOR to follow the same formula wherever possible.

COMMENT 2.

In our comments, we will refer to “Operation of Flaming Dam Draft Environmental Impact Statement” as Vol. 1 and “Operation of Flaming Dam Draft Environmental Impact Statement Technical Appendices” as Vol. 2 to simplify discussions, i.e. (Vol. 1 pg_, paragraph/line).

COMMENT 3.

A promise was made to us by the BOR that when the EIS for the Flaming Gorge dam came out, it would address all impacts of the Action Alternatives recommendations (including economic) on all who are effected by their impacts, to include fishing outfitters. Having spent a great deal of time reviewing this document, we see many examples of keeping that promise while recognizing some serious shortfalls. We would like very much to make a positive contribution to the EIS in our comments whether they are positive or negative. While we don’t believe for our part that any of the shortfalls were intentional, past experiences make us vigilant wherever there are a lot of groups competing around the operation or management of any resource. We have been a solid partner in the FGWG, *considerate of all the parties with interests revolving around the operation of FG dam*. We support many of the flow and water temperature recommendations for the recovery of T&E fishes (see below). We believe that some of these recommendations may provide biological benefits to the tailwater trout fishery.

COMMENT 4.

We support the recommendations for a 55 degree F release temperature during the dry and moderately dry years, maintaining adequate river temperatures for trout at the Colorado/Utah state line.

COMMENT 5.

- 4b** We strongly support BOR recommendations of flow fluctuations limitations with the following exception. Power generation in the form of fluctuating flows should not be at the expense of other authorized purposes, “and for the generation of hydroelectric power, as an incident of the foregoing purposes” (Vol. 1, pg 3 and 4, 1.4.1.1).

COMMENT 6.

- 4c** We strongly support the 800 cfs ascending and descending ramp rates. We would support a formalization agreement for these ramp rates.

COMMENT 7.

We fully support the maintaining of the minimal flow agreement between UDWR and Reclamation for the maintenance of river flow supporting the tailwater trout fishery and furthermore request the formalization of this agreement as stated in Vol. 1, pg 5, second full (italicized) paragraph.

COMMENT 8.

- 4d** Except in emergencies, flows should not exceed the capacity of the power plant of 4600 cfs, bypass flows should only occur as a last resort, and the frequency of such events should be kept at an absolute minimum.

COMMENT 9.

- 4e Select sections of the current document somewhat minimizes the agreements and recommendations of the FGWG, as evidenced by the addition of the second full paragraph in Vol. 1, page 149 on this DEIS. This paragraph incorrectly implies that the ramp rates and single-hump operations are not strictly followed. In reality, these recommendations were the result of intensive investigations and discussions by the diverse interests of the work group, and reflect historical operation except in the times of an emergency. While minimizing these operational constraints may benefit the incident authorized purpose of power generation, the authorized purposes and associated resources would be negatively impacted by further liberalization of these release parameters. Inaccurate portrayal such as this should be avoided.

COMMENT 10.

- 4f It is important for us to report that, following the release of the 1992 FBO, a five year study of flow recommendations from the preliminary research provided by the Upper Colorado Endangered Fish Recovery Program (RP) were performed. (After twelve years we haven't seen the end of the 5 year study). These were advertised as "test flows" designed to further refine flows for the T&E fishes recovery program. "Test flows" do not require going through the NEPA process, therefore, Recovery Program proponents gave no considerations to impacts of such actions on recreation and sport fishing. Nor has there been any economical considerations given to local businesses since the 1992 FBO was started, up to the release of this DEIS. Only biological issues concerning trout survival were considered. As complaints from the public, fishing guides and impacted businesses were expressed about the dirty water and flows that impacted their fishing, their complaints were ignored. The negative economic (losses) resulting from these flows to the "fishing outfitter community" came in the form of canceled or a depression of guided fishing trips and other businesses losses came as related expenditures of lodging, food, services and retail. These are not just perceived impacts, but real. GROGA Chart 2 demonstrates this point with guided boat number declines on 5/9/99 as flows reach upward, look at 5/25 and 5/27/99 where the values are zero as flows go above 4600 cfs and the remaining suppression of boat numbers until the flows start to recede 6/25/99 and after. This chart shows an extreme wet hydrological year, but it is perfect in showing (by the magnification of) the impacts during flows changes that occur even during the smallest of flow changes. These various forms of "test" flows were most often performed in the heart of our (identified as "guided boat fishing" in the EIS) busiest time of year (April, May, June). They rarely come with little advance notice, commonly as little as 24 hours, then delays or changes are made that are hard to adjust to (see COMMENT 17. EXAMPLE). (This has not changed despite applaudable efforts by BOR to provide information). We have experience with the FGWG and can relate to the unpredictability of mother nature in planning flow releases. However, the fishing public and our guided fishing guests seldom understand finding poor river conditions effecting their fishing productivity, especially when man made. The Recovery Programs objective (Vol. 1, pg 70, first full paragraph) of "gaining public support for all these activities through an information and education program" has fallen extremely short of its goals in the sport fishing community. But then, maybe there is a reason for that in light of its stated agenda (Vol. 1, pg 70, first full paragraph). These "test flows" lasted longer than the 5 year study. We have been experiencing the refinements of T&E flows for twelve years now, but the negative economic impacts on "guided boat fishing and shore fishing" until

this EIS have never been considered. So what we are looking for here is that this EIS addresses all the impacts to fishing and businesses that depend on the use of the Green River within Reach 1. Through your comments (Vol. 1, 4.19 Uncertainties (particularly under 4.20) it is very plain to us that, the Recovery Program will go on indefinitely with tests, emergencies and modifications to the recommendations for some time to come. Consequentially, so will the impacts to us and our businesses. This built in flexibility without further NEPA makes us nervous.

- 4g Question 1. What are the Recovery Program, its recommendations and programs liabilities in addressing the negative economic impacts of its actions as identified in this EIS ?
- 4h Question 2. If it is liable, how would it mitigate damages?

COMMENT 11.

We have heard that landowners near Jensen, Utah are financially compensated for the loss of use of their flooded fields.

- 4i Question 3. Is this true, if so how are the losses calculated?

COMMENT 12.

We are concerned that some elements within the Recovery Program would like to eliminate all competition for the Flaming Gorge resources. The FG tailwater trout fishery is an attractive target. In the promotion of T&E issues, we are hopeful that attempts were not and are not being made to negatively impact our businesses. But there seems to be little concern about it. Within the FGWG we have been able to address trout issues, but have been dismissed in any conversations of the economic impacts to our businesses. The mood was and is Recovery Program at any costs. Great, if you are not the one paying. We are very small in economical picture when compared to the money being spent on the Recovery Program. The number of governmental jobs that are solely dependent on this program and losses in power generation alone is worth multi-millions of dollars annually. At Glenn Canyon, Arizona, gateway to the Grand Canyon, there are millions of dollars in private contracts studying Recovery Program goals. Within the scientific community, Glen Canyon is known as an “economic goldmine” for anyone wishing to perform an experiment of some kind. Flaming Gorge, though slightly smaller in scale is no different. As of the date of this letter, despite Lake Powells historical storage depletion from the current drought, they are sending huge amounts of water through big releases to “build beaches” (a big “test flow”) within the Grand Canyon. The EIS (Vol. 1, pg 70, first full paragraph) speaks to the Recovery Programs goals and is very revealing to us. “In addition to identifying the flow needs of the endangered fish, the Recovery Program has directed effort at developing habitat, reducing nonnative species, reducing the impacts of sport fish and sport fishing, raising and stocking endangered species, and gaining public support for all these activities through an information and education program.” While we would like to interpret this as impacts of sport fish and sport fishing directly on the T&E fishes themselves, the wording could easily be interpreted differently by those whose ambitions would like to see the demise of the FG tailwater trout fishery. The Recovery Program “has directed effort” at “reducing the impacts of” who? Rainbow and Brown trout are nonnative species, trout are a sport fish, and river fishing guides and the fishing public are sport fishermen. We know that at Glenn Canyon (Colorado River) that eradication of rainbow trout has been performed in lower river sections. We have also heard that some spring flows there may be timed to scour the spawning redds of the rainbow trout to reduce spawning productivity. There are

groups there actively pursuing the removal of the Glenn Canyon tailwater trout fishery. We fully anticipate that there will be a similar program of non-native fish removal on Reach 2 and 3 of the Green River. So our concern is that, there are no formalized agreement protecting the FG tailwater trout fishery.

4j We know that T&E issues “trump” all the other “authorized purposes”(Vol. 1 pg 3 and 4, italicized text)of the FG dam, but it disappoints us that there is a potentially stated bias (DEIS Vol. 1, pg 70, first full paragraph) towards specific Green River inhabitant and users. Let us say that we are disappointed with language that creates uncertainties as to intent, leaves us to wonder how extensively this policy is being pursued, how it is being interpreted and how it is influencing the recommendations stated in this EIS. We know that this EIS is not a forum for debating the goals of the Recovery Program. However, since this EIS and its recommendations sprang from the implementation of the Recovery Programs goals, we respectfully request your answers to Questions 3 and 4 below.

4k Question 3. Are there any elements within the flow and temperature recommendations or in other portions of this EIS that would support or facilitate the removal or suppression of the Flaming Gorge tailwater trout fishery between the FG dam and the Utah/ Colorado state line? Please list those parts of this EIS that speak to: the progress has already been achieved in “reducing nonnative species; what future plans are being made to further achieve “reducing nonnative species”; what progress has already been achieved in “reducing the impacts of sport fish and sport fishing”; what future plans are being made to further achieve “reducing the impacts of sport fish and sport fishing.”

4l Question 4. Would you foresee that any such development would not have the need to undergo further NEPA processes?

COMMENT 13.

4m This EIS brings up wherever possible, the positive benefits to the tailwater trout fishery under the “action alternative.” however, there are only a few rare acknowledgments as to the negative economic impacts on Green River recreational activities which include: guided boat fishing, scenic floating, shore fishing, private boat fishing, boat based camping. Focusing in on the guide boat fishing, there is an attempt to not address the economic impacts. In fact the document says that “despite reasonable survey response rates” (Vol 2, App-325, last paragraph) by commercial operators, “the survey data did not provide enough information to estimate the impacts by alternative” and that “an estimation of the direct impacts to them shouldn’t be used because it is figured in the regional modeling report.” Yet you had enough info to state losses in several locations within the document (Vol. 1, pg 205, first paragraph, sentence starting with “While these losses”, next paragraph, sentence starting with “The largest gains”,pg 216, second column, second full paragraph and in particular the sentence starting with “These gains.....”. The regional modeling report spreads the impacts over a 3 county area (Daggett, Uintah, Sweetwater) (Vol. 1, pg 221, second paragraph) says that “The difficulty with the regional modeling results are that they are aggregated by economic sector and industry and do not provide detailed impacts for specific businesses” and that “it would have been useful to separately identify the impacts on both the river and reservoir.” we fully expected that this EIS would fully do just that. We were

promised that it would. Issues 11 and 18 (Vol. 1, pg 15 &16) says you are supposed to. Your acknowledgment of the “difficulties” mentioned above and that are “a small sector in the three county economy” (Vol. 1, pg 217, right column, first paragraph) is small consolation in a county (Daggett) and town (Dutch John) that is totally dependent on the recreational services dollars. There are 12 outfitters, 80 guides, 4 lodges, 2 restaurants, 2 snack bars, 4 convenience stores, 3 gas stations, 3 raft rental services and their associated employees in a county that has less than 800 full time residents. Four businesses are involved in more than one part of the economic impacts, having a fishing guide service, lodging, retail and more. Maybe there are small impacts in Sweetwater and Uintah counties, but it translates into big economic impacts on businesses and in employment here for Daggett County. Our complaint is that there are a number of places within the DEIS that these details are missing, that facts effecting Reach 1 commercial guiding operations are glossed over, minimized or omitted completely. The explanation (Vol. 2, App-325, last paragraph) seems to demonstrate this point. In a document that gives so much detail to flows, fish, power generation and a myriad of other complicated subjects, the authors just didn’t have enough data? And if you did, you couldn’t/wouldn’t use it (Vol 2, App-325, last paragraph)?

COMMENT 14. We would like to see a fuller economic analysis that addresses the full measure of these impacts.

COMMENT 15.

4n We are providing information that may assist you. The statement that “the survey data did not provide enough information to estimate the impacts by alternative” might be true, but there is plenty of such information out there for those interested in finding it. We simply went to the Forest Service and asked for daily boat launch totals by day, then took BOR Weekly Reports on FG flows (the weekly e-mail) and transposed the flow data over it to make a “Flows vs Guided Boat Numbers” chart for the years 1998, 1999, 2000 during the months of May and June. The 1998 chart is labeled GROGA Chart 1, 1999 GROGA Chart 2, 2000 GROGA Chart 3 and are included in this comment package for your reference. While 1998 and 2000 might be considered “average”(highest flows at 4600cfs) hydrological conditions, 1999 was definitely “wet”(high flow peaked at 10,600cfs). But you would need to see how you would classify them. The Forest Service could provide you with the data on any year you deemed “dry” fully completing the “average, wet, and dry” hydrological conditions. Forest Service figures show May/June totals for 1998 for guided boat numbers at 1348 total, 1999 at 1162, and the more moderate flow year of 2000 at 1618. These numbers show a suppression of guide boat numbers during the wet year of 1999. Since during all these years, the dam was operated under the “Action Alternative” recommendations, we would assume they would represent the “Action Alternative” By using these charts you can calculate the impacts of both alternatives on the numbers of guided boat fishing under each hydrological scenario.

4o Question 5. Will you take this information and use it to address the direct economic impacts to the recreational community under the “Action Alternative”?

Question 6. If not, why?

4p Question 7. In your addressing the positive effects of the Action Alternative in Vol 1, 4.16.9

Socioeconomic, how can you say that it will result in increases when “it is assumed that the majority of economic development (of Dutch John) will cater to tourist activities” when compared to your acknowledged losses to the recreational services sectors?

4q Question 8. Explain to us the difference between “tourist activities and recreational services”.

4r COMMENT 16.

Within the framework of our COMMENT 13, we felt that within the DEIS, we were treated as a small economic sector over a three county region. There was a lack of detail concerning our (and the reservoir guide operations) operational information. Information that was well represented for other groups. In Vol 1, 3.11 Recreation (pg 107 last paragraph) and the Recreational analysis (Vol. 2, App 222, second paragraph) has an extensive treatment addressing the rafting community operating in Dinosaur National Monument (DNM) Reach 2 and continues on with discussions talking about: that the number of private and outfitters permits are constrained; that commercial rafting operations are popular requiring early reservations; that due to the degree of planning and financial commitment that there was a strong incentive to take the trip regardless of river conditions; that there was also the fact that there were other rivers (Yampa) where trips could be diverted to should rafting the Green River in Reach 2 be undesirable.

The closest description of us and our activities comes on Vol 2. App.325, 3.3 Commercial Operator Surveys, paragraphs 1 and 2. Your recreation analysis “focuses upon the effects on recreation visitation and economic value within Reach1”, “where the majority of the potentially impacted water-based recreation occurs (Vol. 1, page 107, second to the last paragraph). Yet you have no discussions about commercial operations such as those that start in the referenced paragraph and page (108) directly following?

COMMENT 17.

An analysis could go on to read: that boat fishing operators within Reach 1 share many similarities to their commercial rafting counterparts operating in DNM. They hold a Forest Service (currently managed by Bureau of Land Management) (BLM) “special use permit” which limits the numbers of outfitters. Daily launches have established limits for all combined outfitters (therefore our total trips in certain river sections are limited)(unused allotments cannot be recovered and constitute a permanent loss), their guests too have to make long term commitments for guiding services, lodging and travel. They also have a few basic differences. Unlike their rafting counter parts who prefer lots of water, they don’t have guests that are likely to book high flow trips (above 4600 cfs), nor are they likely to keep our guests from moving to out of the region, losing them financially altogether to other destinations when they find river conditions other than what they had expected (see GROGA Chart 2). Remember that flow changes come often with little advance notice, commonly as little as 24 hours, then delays or changes are additionally made that complicate further adjustments to long term reservations.

EXAMPLE

Imagine traveling from NY or California (we even get clients from around the world) at great expense to arrive for a 2-4 day fishing trip (that you planned and reserved six months or more

before) the day the flows were raised. You arrive to find the river dirty and high even though two days before, when you checked in with your service provider, river conditions were good. The most common reaction is that they were lied to gain their business by the service provider. Given that, you have now lost a customer for life. See "Ramping Up" for a discussion as to why this is a bad time to visit the river for fishermen. Also see chart our on 1999 flows. And there are no alternative rivers to move our guests to when conditions reach an unusable level. They seldom stay long, seeking somehow to "save" their fishing vacations elsewhere. The future opportunities to re-attract that visitor to the river are small once he feels that conditions on the river are unpredictable or that he has been betrayed.

COMMENT 18.

The US Forest Service is a collaborating Agencies for this EIS. In the forest service position paper (Vol 2, pgs 5&6) they identify issues to be addressed in the EIS. The last paragraph page 5 and the first 4 paragraphs page 6 contain the parts we are most concerned with.

4s Question 9. How do you feel this EIS addresses these issues directly?

COMMENT 19.

In section 3.3 Commercial Operator Surveys (Vol. 2, App-325), you state that "of the 12 river commercial operators, 10 returned surveys. Then in several places within the analysis (one in Vol. 2, App-331, paragraph 6) the following paragraph appears. "Two of the four boat fishing operators indicated.....to \$35,000." There are 12 commercial boat fishing operators.

Question 10. What two of four?

Question 11. Where are the other ten or eight?

4t Question 12. Are your economic figures right? The figures are available from the Forest Service.

4u COMMENT 20.

We have to point out something. Table 13 (Vol. 2, App-329) came from the surveys, but something is warped here. Under Dry Conditions, Boat Fishing, the river is "Beyond Usable Range" below 1039 cfs. No matter what this chart says, to commercial boat fishing operators, the river is usable down to a 800 cfs level. We experience this flow the majority of our season, it provides enough water to float a boat down the river. Below 800 cfs would be another matter, it is the true threshold. We disagree with the analysis provided in Vol. 2, App-331, paragraph 5.

COMMENT 21.

We further find suspect that the 1999 IMPLAN data base is considered reflective of the No Action wet conditions (Vol 1, pg 215, last paragraph) when real time 1999 data was produced under the river flow conditions formulated from the Action Alternative wet conditions. And this is what the economic analysis was based on?

4v Question 13. Since 1992 to current, flows on the Green River have reflected the "action alternative" under all hydrological conditions. Unless we mis-understood the statement above, where did you get your baseline data that represented the "no action alternative"?

4w COMMENT 22. DEFINITIONS

To explain our position more fully requires understanding what anglers consider acceptable. The terms that we will use in this attempt may not have clarity to everyone reading this. So here are several definitions that we will use.

1. Fishable- defined as “conditions that are favorable to the pursuit of fishing” or “conditions that most anglers would expect to find (most anywhere that fishing occurs) that creates a positive fishing experience”.
2. Un-fishable- defined as “conditions that frustrate or discourage anglers from the pursuit of fishing”.
3. Fishing Productivity- defined as “the number of fish caught when compared with the effort expended to catch them”.
4. Catch Rates- average number of fish caught in a specific time frame.
5. Tailwater Fisheries- defined as “fisheries existing in the downstream reaches of a dam”.

COMMENT 23. TAILWATER TROUT FISHERIES

Anglers who visit “tailwater fisheries” have come to rely on their attributes for their fishing activities. There are many well known trout tailwater fisheries located in the Rocky Mountain region of the west. Notably: the South Platte below Cheeseman dam (CO.), the Frying Pan below Ruedi dam (CO.), the San Juan below Navejo dam (NM), the Big Horn River (MT). On the positive side tailwaters provide: controlled flows, moderated impacts of spring run-off, sustained in stream flows during droughts, improved water quality, and in the case of the Flaming Gorge Dam regulated water temperatures to benefit trout and invertebrates. On the negative side: released flows can be high, fluctuating, unpredictable, create water quality issues and angler safety concerns.

4x COMMENT 24. FLOW CHANGES

Angler visitation to the Green River tailwater fishery is most notable in April, May and June, with July and August decreasing, September rebounding somewhat before a steady decline in October. (Though the winter months see some angling activity it has not at this point seen substantial use levels). July and August have considerably less angler visitation because other western waters are opening up to anglers to fish. Having visited the Green River in the earlier months, they head to other destinations. Under the Action Alternative, the months of April, May, June and July (which are the main part of our fishing season) have the highest Reach 1 average monthly flows (Vol. 1, Figure 4-4). More specifically, using the “average flow” term is very misleading in what really occurs on the rivers flow releases for those months. The FG dams recent operation for T& E fishes has translated into low to moderate flows in the early half of May, then as the Yampa River rises, flows are increased at 800 cfs a day to 4600 cfs that lasts into early to mid June (depending on water availability). This results in the ramping up period, the 4600cfs flow release and the down ramping period occurring during a substantial portion of our prime season.

- 4y Question 14. Does not the term “average flow” dilute the real indicators of impacts in your analysis?

COMMENT 25. EFFECTS OF FLOW CHANGES

There are two major effects of changing flows on trout and anglers. The first is water quality, the second is stability of flows.

4z COMMENT 26a. WATER QUALITY and RAMPING UP

Increasing water flows, initially produces some floating debris such as pine needles, sticks, and moss in the river as it rises. In severe cases when the debris is substantial, it can accumulate, clogging up many of the larger backwater areas. This is especially true when going to an extremely high flow, after extended periods of low flows when trees, tree limbs and other trash is brought into the flooded river bed. In early spring, water quality can be additionally compromised by the dying feathering moss beds breaking apart with higher flows. While these are the worst possible effects to water quality by higher flows, conditions can improve after several days of flushing. Angling opportunities will certainly be effected during this period by compounding poor water quality with the displacement of the trout population due to higher flows. This brief interim period is the worst possible time for anglers on the river. Those anglers impacted (under some flow recommendations for days) will have to wait for the water quality to improve and trout to adjust to their new environment. They are not often willing to do so. GROGA Chart 2 demonstrates this point with boat number declines on 5/9/99 as flows reach upward, look at 5/25 and 5/27/99 where the values are zero as flows go above 4600 cfs and the remaining suppression of boat numbers until the flows start to recede 6/25/99 and after. The first several days of ramping up don't have profound effects to the rivers fishability except for water quality issues as stated above and during the surge. Above the 3000 cfs threshold is where the volume of water really increases velocity and rises above the normal river bed bringing additional trash and debris into the rivers flows and the effects on trout occur. Starting at a base flow of 800 cfs it takes five days to reach 4600 cfs. We incur our biggest financial losses in this ramp up period from canceled fishing trips due to poor water quality. The higher the flow goes (3000 cfs and above), the more days it takes to ramp up, the greater the economic impacts. See GROGA Chart 2 (1999 a wet scenario year) to see the depression of guided boat numbers as the water ascends and how the depression continues for days afterwards. It does takes several days before water quality improves and the fish settle down to return anglers to the ability to fish. We would rate a settled and stable 4600 cfs flow as fishable. After settling out from flow changes, we would rate 6600 cfs as difficult to fish, 8800 cfs as extremely difficult fishing except for experienced anglers, above 10,000 cfs is attempted only by the most determined anglers. Over the years, we have tried to put a positive spin on flows up to 4600 cfs. After the initial ramping up period, the trout do seem to settle down, many of them concentrate on the rivers edges in lower velocity water where they become more accessible to shore fishermen. Flows above 4600 cfs have proved difficult to promote even when there is the possibility of decent fishing productivity. As commercial fishing guides, our knowledge of the river helps short cut through some of the difficulties associated with fishing high flows. The complaint factor remains high among those anglers who have less skills or little patience for increased difficulty in accessing and catching fish. The greatest impacts to fishability comes on the up-ramp period, during fluctuating flows (see COMMENT 26b) and at flows exceeding 4600 cfs. Ramping down from higher flows have not caused us issues as long as they did not contain fluctuations within them.

COMMENT 26b. FLUCTUATIONS

The impacts of ramping up for higher flows should not be confused with daily fluctuating flows

because after the ramp up they are stabilized. Fluctuating flows, are flows that start at a base flow then ramp up and down within a single 24 hour period. See GROGA Chart 4. Though smaller, daily or hourly fluctuations, give trout a shorter time-frame to adjust and in the most severe cases, they could be affected for up to two hours. This occurs even from changes in flows that originate from a base flow as low as 800 cfs. Trout do not initially deal well with these short term up and down changes in flows, each change can result in their needing to leave preferred habitat because of changes in current velocities and the energy requirements needed to match them. Their response to these movements in flows requires time for them to adjust to this newly created environment. When done within the average fishing hours of 6 am to 9pm, fishing productivity decreases as catch rates decline while the fish make these adjustments. Additionally, increased energy expenditures does results in stress for trout and increases mortality of trout fry. This can be lethal for wintering trout whose energy reserves are at their lowest. Anglers often have to stop fishing until the trout re-orientate themselves. Descending flows will require time for the trout to once again, re-distribute themselves throughout the river as their environment is reduced, again. This is a second period of lost fishing productivity when these changes occur during the hours of the day containing fishing activity. Fluctuations are normally the results of power generation. Even though the operational restrictions of a single daily hump restriction are a part of this EIS, the impacts of these “daily fluctuation” operations are felt by anglers when they are performed and

4aa scheduled during the hours between 6 am and 9 pm. Power generation in the form of fluctuating flows should not be at the expense of other authorized purposes, “and for the generation of hydroelectric power, as an incident of the foregoing purposes” (Vol. 1, pg 3 and 4, 1.4.1.1). We believe it is inappropriate to elevate power generation at the expense of fishing and other uses. BAR must address the impacts of such operations on other authorized purposes and find a way to lessen or eliminate their effects. The 2004 operation after the reduction of the spring flows (early June 2004) was an example of how power generation was performed without consideration to other river users that have a priority over power generation. See GROGA Chart 4. The chart shows the up ramp and down ramp all occurring in the early afternoon to late afternoon hours with only a short period of time between them. Daily fluctuations performed during fishing daylight hours are an erosion of local economics one day after another with their daily negative impacts. With up ramping towards a higher flow we lose business until flows stabilize, with fluctuating flows we lose business every day with disgruntled anglers. We heard many complaints about this activity and its timing. We heard how the fishing “shut down” and how “they (visiting anglers) weren’t staying if it was to continue”, were the most common comments. Safety issues involving wading anglers were extremely common. Boaters who had their boats anchored even experienced boats being picked up by higher water flows and dislodged from anchor. The most common questions asked in local businesses revolves around: what are the flows? how safe is the river? is there enough (or too much) water? are they doing any releases during the day? The up ramping and down ramping constitutes two impacts in a single day to other river users. Considerations by BAR must be made when discussing such operations requests from Western Area Power Authority (WAPA) as to their “timing” and the “effects” of these operations on others. We would prefer never to see such operations during the anglers day of 6 am to 9 pm except in emergency conditions.

4bb COMMENT 26c. STABLE FLOWS:

Stable flows are what we favor under all scenarios. Stable river flows from 800 cfs to 4600 cfs are

fishable (except during ramping up periods). Water quality and stable flows are most important for fishing. After the initial raising of the river, water quality improves after a short period of flushing. Steady high flows provide trout an opportunity to adjust to their environment. It will mean that river levels might be less than an anglers ideal and beyond their concepts and experiences as acceptable river flows. We have made a real effort over the years to educate anglers not to make the mistake of other anglers by dismissing the river as unfishable. This has been a tough sale. Most anglers who fish many other places know that higher water volumes result in higher river water velocities, in most cases this is fatal to the fishability of such a river. They often base their views on experiences elsewhere. We feel with stable flows, the opportunities for exceptional trout fishing still exist. Higher flows most effect the wading angler in his ability to physically wade around in the river. But with the trout more concentrated from being pushed into the rivers slower edges and pools, they often become readily accessible from the shoreline. Boats add immeasurably to the versatility in accessing more fish in high water. The difficulty in floating is in an increased awareness of safety issues.

COMMENT 27.

All of the impacts of flows that impact outfitters, impact shore fishermen and private boat fishermen too!

COMMENT 28.

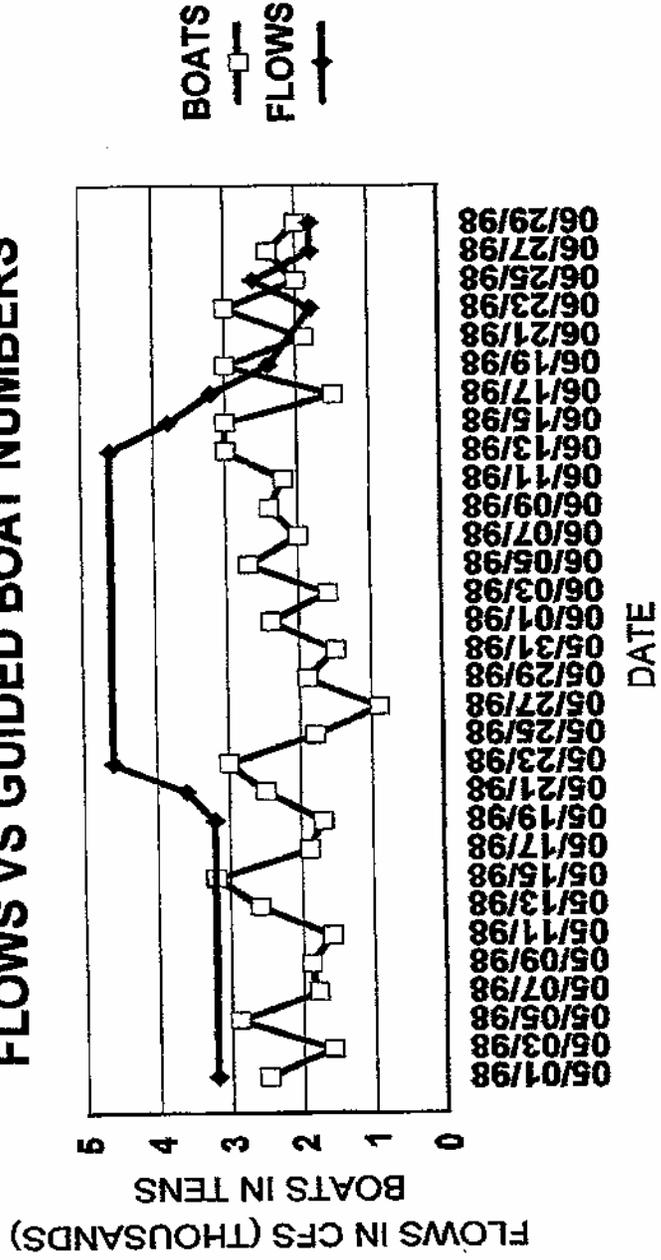
- 4cc In 4.13 Public Safety and Public Health (Vol. 1, pg 224) there are no references to the potential of drowning by fishermen or other river users such as rafters as flows change or fluctuate.

IN SUMMARY

- 4dd You are fortunate that we ran out of time to comment further. In general we found this DEIS complicated to review based on its overlapping of the treatment of subjects. So many references that seemed to contradict previous statements were made clearer only after rereading them in the context of their specialized subject. It required a lot of time spent in the effort to discover this EIS's overall direction. In light of our comments, you know that we were disappointed with the overall economic analysis, especially in the area of omissions. We would be happy to answer any questions you have on our comments or assist in any manner possible. We can be reached at 435-885-3355. Once again thanks for this opportunity. These comments sent to you by fax will be followed by a paper copy and a disk for your convenience.

Dennis Breer for GROGA
GROGA Representative Flaming Gorge Workgroup.
GROGA
P.O. Box 416
Dutch John, UT. 84023

MAY/JUNE 1998 FLOWS VS GUIDED BOAT NUMBERS



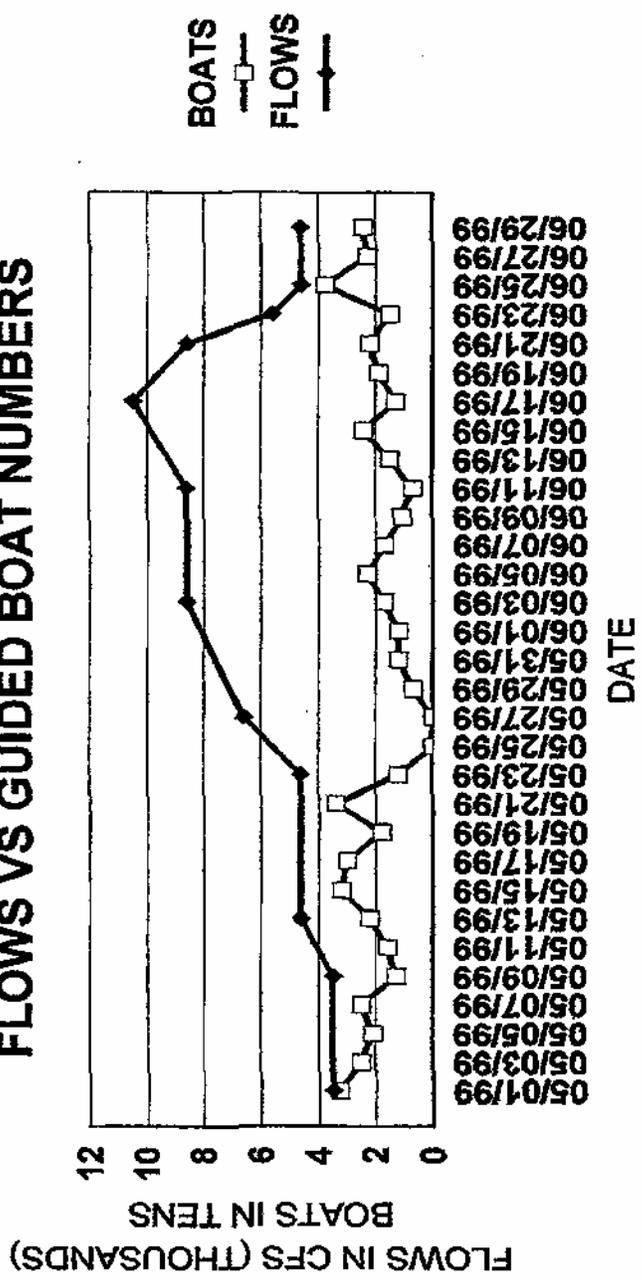
GROBA CHART 1

p. 2

435-885-3356

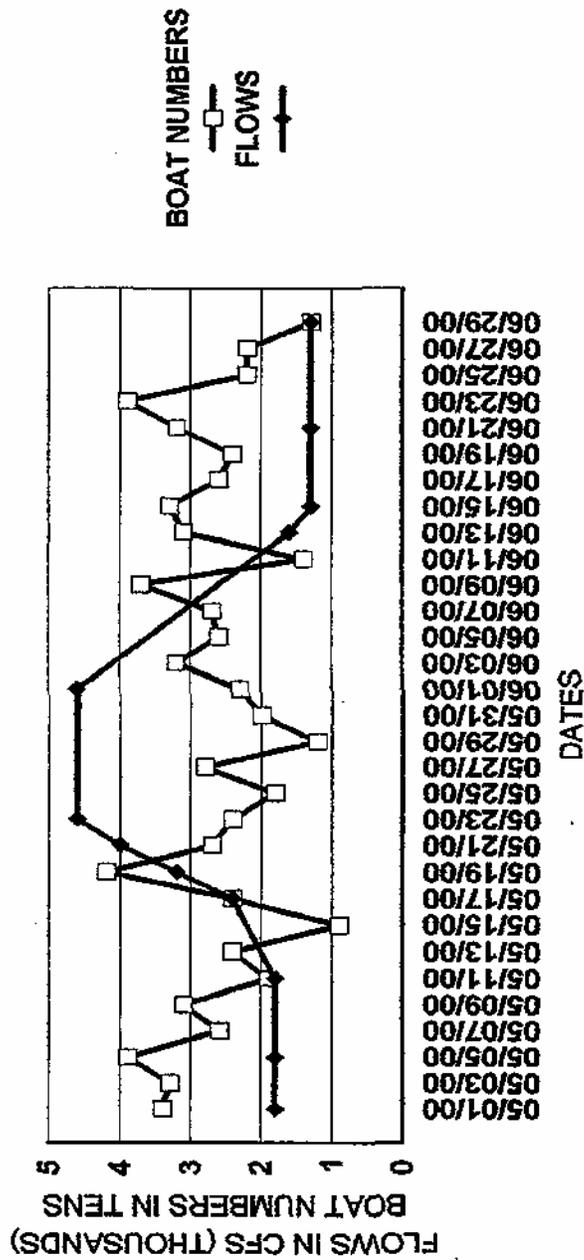
s. Breer

**MAY/JUNE 1999
 FLOWS VS GUIDED BOAT NUMBERS**



6206A CHART 2

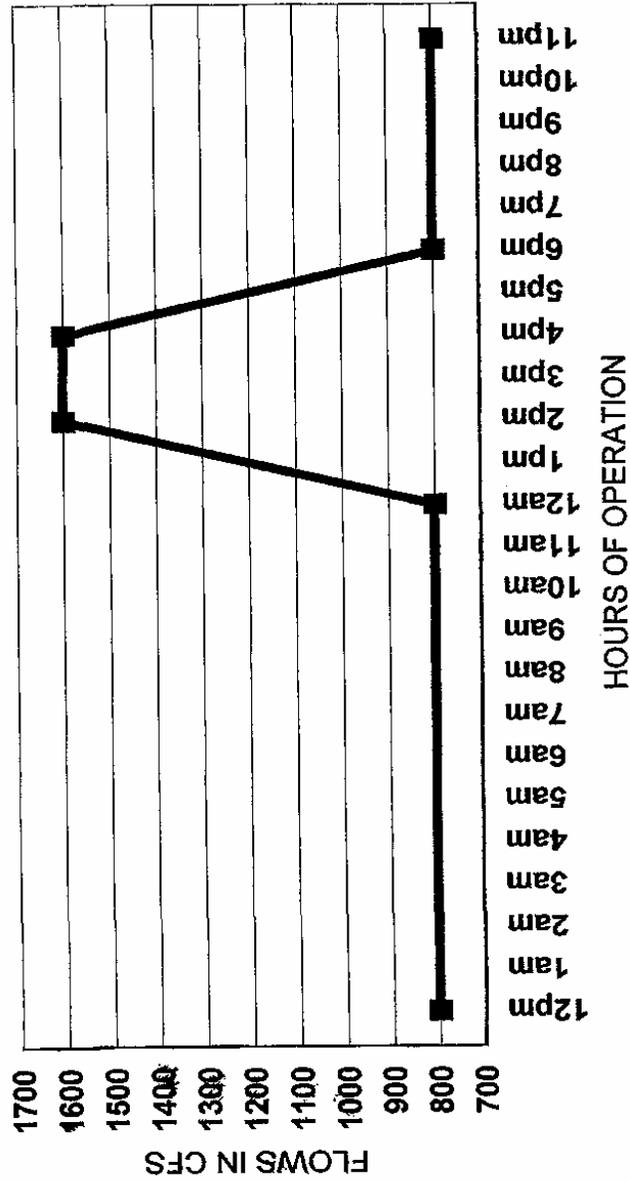
**MAY TO JUNE 2000
FLOWS VS GUIDED BOAT NUMBERS**



GROGA CHART 3

435-885-3356 p. 4

2004 FLUCUATING FLOWS



FLOWS

s Brear 435-885-3356 p.5

4. GREEN RIVER OUTFITTERS AND GUIDES ASSOCIATION (GROGA)

4a Comments 1-4

Comments noted.

4b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

4c Comments 6 and 7

Comments noted.

4d

Under either alternative, flows above powerplant capacity would be expected as a normal part of dam operations.

4e

Section 4.4.1 of the EIS accurately characterizes the historic operations.

4f

Reclamation is well aware of the recreation value created by the construction of Flaming Gorge Dam, including the trout fishery which did not previously exist. It must be remembered that fluctuations, depending on hydrologic year, will continue under either alternative.

4g

Reclamation, not the Recovery Program (of which Reclamation is a member), is the Federal agency responsible for the proposed action as analyzed in the EIS. The EIS shows that there are not significant socioeconomic differences between the No Action and Action Alternatives.

4h

As noted above, the Recovery Program is not responsible for implementation of the proposed action Reclamation has that responsibility. Based on the analyses in the EIS, there is the potential for both negative and positive effects to recreation and related businesses under the proposed action. Reclamation does not anticipate a need for mitigation. Under either the Action or No Action Alternatives, the opportunity to provide input to the Flaming Gorge Working Group regarding all resource concerns will continue.

4i

Reclamation does not offer compensation for flood plain inundations along the Green River. Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative.

4j

Text referred to by the commenter is already quoted from legislation. Please see section 1.4.3 in the EIS.

4k

Commentors are urged to read EIS sections 1.5, 3.7.2.3.4, 3.7.2.4.4, 3.7.2.5.4, 4.7.2.4, 4.7.3.2.5, 4.7.3.2.6, 4.7.4.2.5, 4.7.4.2.6, and 4.19.5. Control of nonnative fish is not within the scope of this EIS. At present, Recovery Program management of nonnative fish is primarily directed at cool and warmwater species such as channel catfish, smallmouth bass, and northern pike, at present most commonly found below the Utah/Colorado State line. Information regarding the Recovery Program's nonnative fish control program can be found at <<http://www.r6.fws.gov/crrip/rea.htm>> or by contacting the Recovery Program directly. The Flaming Gorge Working Group provides a forum whereby concerns for resources such as the tailwater trout fishery can be heard and forwarded as input for Reclamation to consider in planning dam operations. As stated in section 4.21, this working group will continue to be a valuable component of the adaptive management process following implementation of either the No Action or the Action Alternative.

4l

The need for NEPA compliance is analyzed each time there is a major Federal action with the potential to affect the human environment. Until such future actions are identified, it is impossible to speculate as to the NEPA compliance needs.

4m

Long-term negative effects to the tailwater trout fishery are not expected under the Action Alternative. Please see section 4.7.2.4 in the EIS and response 4o below.

4n

The data Reclamation used was more restrictive and able to show adverse impacts better than the attachments provided. See 4o below.

4o

Reclamation believes that the economic analysis in the EIS is sound and provides sufficient information to assess potential impacts. Given the inherent aggregation associated with regional economic impact models, and the expectation that commercial river guide operators might be adversely impacted, a survey was conducted during the summer of 2001 to specifically identify economic impacts to commercial operators. Since economic impacts to the commercial operators are included in the aggregated regional analysis from a revenue perspective (but not a profitability perspective), it would have been inappropriate to add survey results to the overall regional impacts. Nevertheless, the survey was conducted to provide additional detail on commercial operators. While the response rate to the survey was good, the respondents didn't answer all the questions, thereby precluding the estimation of economic impacts specifically for commercial operators.

While the commercial operator surveys proved less than fully successful, they did provide flow preference information which was reported in the EIS. In addition, estimates of changes in visitation for river recreation activities are reported in section 4.11, and recreational expenditures (including guides) are reported in the socioeconomic section (section 4.12). We acknowledge and have estimated adverse impacts to river recreation associated with the Action Alternative, especially under wet and dry conditions (20% of all years).

Attachments 1–3

Reclamation concurs with this analysis based on supporting data (attachments 1-3) from May/June 1998-2000 that commercial guide fishing trips decline as flows exceed 4,600 cfs. This is consistent with the recreation visitation analysis in the EIS. The interpolation analysis of

guide boat fishing visitation actually used a more restrictive high end threshold of 3,731 cfs as obtained from the survey of recreators conducted by the USDA Forest Service in the summer of 2001. For sake of conservatism (to identify adverse impacts), the EIS relies on the more restrictive high end flow threshold currently used in the EIS recreation visitation analysis.

4p

Based on average conditions, the recreation and socioeconomic analysis estimated an increase in recreation visitation and expenditures on both the river and reservoir. The EIS has been revised to clarify that this statement refers to average conditions, and that during wet and dry conditions, it is not possible to determine if the gain in reservoir expenditures would outweigh the loss in river expenditures from the perspective of Dutch John.

4q

Tourist activities” refer to the economic needs of the tourists or recreators (e.g., food, lodging, gas), whereas the “recreational services sectors” refer to the associated economic sectors (businesses) within the regional economic model.

4r and 4u

The intent of the geographic impact area subsection of the affected environment portion of the recreation section is to outline the focus of the impact analysis. The fairly detailed discussion of Dinosaur National Monument rafting activity was to explain why recreation impacts were not developed for this activity. Clarifying text was added to section 4.12.2.2 in the EIS.

4s

The USDA Forest Service participated heavily in developing the recreation and socioeconomic methodologies and analyses used in the EIS and emphasized the need to address recreation effects on

both the river and the reservoir. In addition, the USDA Forest Service conducted the data gathering surveys of both the recreators and commercial operators. The recreation visitation and expenditure information gathered via the recreator survey did not allow for county specific analyses. Based on pretests, it was determined that the survey was already complex (given the need to address visitation, valuation, and expenditure information by alternative), and any attempts to gather more detailed data by county would have significantly added to survey complexity possibly jeopardizing survey usefulness. Attempts to allocate expenditures by county would be highly speculative. Finally, the analysis was looking at both river and reservoir recreation where gains on the reservoir might outweigh losses on the river. As a result, the decision was made to use the three-county model utilizing both river and reservoir expenditures and to supplement that analysis with specific commercial operator survey information.

4t

While 10 river commercial operators responded to the survey, not all of them answered all the questions. Therefore, information reported on less than 10 data points is because of question nonresponse. The reported figures are based on those that answered the questions. Since many of the financial impact questions were not answered, Reclamation could not provide an overall estimate of financial impacts. This was clarified in the EIS.

4u

As suggested by this comment, the low end threshold for river boat fishing was reduced to 800 cfs, and the analysis/write-up was revised. The overall results of the analysis did not change significantly.

4v

From 1992 to the present, operation of Flaming Gorge Dam has mostly reflected the No Action Alternative, not the Action

Alternative. The No Action Alternative parameters of this operation were based on achieving the flow objectives of the 1992 Biological Opinion while also maintaining and continuing the authorized purposes of Flaming Gorge Dam. Please refer to chapter 2 of the EIS for a complete description of the alternatives.

4w Comments 22-23

Comment noted.

4x

Reclamation agrees with the comment. Under the No Action Alternative, the 3 months with the highest average flow in Reach 1 are April, May, and June. Under the Action Alternative, the months with the highest average flow in Reach 1 are May, June, and July.

4y

Reclamation performed analysis of resources based on the full distribution of flows that potentially could occur under the Action and No Action Alternative. This flow analysis can be found in the hydrologic modeling report in the Hydrologic Modeling Technical Appendices.

4z

Comment noted. This information is useful in planning dam operations under any alternative. Reclamation notes that the adverse conditions for fishing described here would occur under either the Action or No Action Alternative, particularly in wet years.

4aa

Please see response to 4b above.

4bb

Comment noted.

4cc

Please see section 4.11.5 of the EIS for the discussion of safety as it relates to recreation activity in the Green River. See also response to Daggett County 1g.

4dd

Comment noted.

Mr. Peter Crookston, Flaming Gorge Environmental Impact Statement Manager
PRO 774 Bureau of Reclamation
Provo Area Office
302 East 186- South
Provo, UT 84606-7317

Dear Mr. Crookston;

Old Moe Guide Service has been doing business below Flaming George Dam for 25 years. I am a local, born in Vernal, and raised on the Green River south of town near Horseshoe Bend. In the past 52 years I have seen many changes in the area and in the river, some good some not so good.

As a kid growing up on a farm on the Green before the dam, I remember spring runoff flows flooding some 100 to 150 acres of prime farm land. I also remember the mosquitoes that followed. I remember when the Fish and Wild Life Department were trying to eradicate the now endangered species.

5a I do not understand why that in these years of no water the Bureau would even consider implementing the Action Alternative flows. The Action Alternative flows would cause the loss of at least 52 jobs just in the guide service business when flows exceed approximately 4000cfs, please see the charts provided by GROGA - Green River Guides and Outfitters Association. The guide services generate approximately \$1.9 million just in moneys collected in guide service fees. This does not include what our clients spend on getting here, airplane tickets, rental cars, motels, fees, gas, fishing licenses, meals, fishing equipment purchased while here, and souvenirs.

5b Ramping up to these higher flows are of great concern due to the relocation factor of the fish and all the other aquatic life in the river, not to mention what it does to the fishing. The ramping schedule that occurred during the summer of 2004 is a good example - the double daily peak. One of these peaks, occurring midday, had a very negative effect on the fishing sending many fishermen, who spent a very substantial amount of money getting to and staying in our recreational area, home with a less than happy experience.

5c I am sure that the farmers and ranchers below Split Mountain are not happy about the Action Alternative Flows. We are also very concerned about the West Nile virus. The higher flows would create a vast amount of new breeding habitat from Jensen to the confluence with the Colorado River. This could also have a
5d very negative effect on white water recreation and other recreational activities throughout the area such as hiking and biking.

Thank you,

Terry & Gayle Collier
Old Moe Guide Service

5. OLD MOE GUIDE SERVICE

5a

Planned flows for each year would depend on the type of water year; high flows in the Green River below Flaming Gorge Dam would not be expected to occur in dry years. Please see chapter 2 for information on flow targets by hydrologic year.

The EIS states that the Action Alternative could create adverse impacts to Green River commercial river guide operators, particularly under wet and dry conditions as compared to the No Action Alternative.

5b

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of ramp rates, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

5c

The EIS acknowledges (section 4.13.3) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

5d

Comment noted.

THUNDER RANCH, LLC.
2900 South 12500 East
P.O. Box 160
Jensen, UT 84035
(435) 781-2662

December 8, 2004

Uintah County Commission
152 E 100 N
Vernal, UT 84078

To Whom It May Concern:

The proposed change in the operation of Flaming Gorge could cause significant damage to the Thunder Ranch, financial and otherwise. We are strongly opposed to the increased flows proposed in the Environmental Impact Statement.

- 6a We estimate that the potential damage to our property and equipment could easily reach \$155,000. Our analysis is attached.

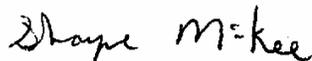
Thunder Ranch has 3 pumping stations located on the Green River. These pumps would incur significant damage if the dam is operated as suggested in the environmental impact statement.

- 6b As we read the EIS, at least 10% of the time water flow will more than triple in Reach 2 of the Green River, where our assets are located. Flow in an average year would more than double in the same reach.

Such drastic and unnecessary increases would cause damage to our equipment, and significant erosion of our property, which is located right on the river.

- 6c The EIS itself states on page S-5 that previous studies indicate that fish habitat conditions can be maintained at lower flows.

Sincerely,



Shayne McKee
Ranch Manager

NO ACTION (CURRENT OPERATION)					
Dry Year	Average Year		Wet Year		
	Duration	Flow	Duration	Flow	
Spring Peak	1-2 Weeks	4000 cfs	2-5 Weeks	4600 cfs	5+ Weeks 4600 + Spillways
Summer-Fall		1100-1800 cfs		1100-1800 cfs	1100-1800 cfs
Sept15 - Nov		1100-2400 cfs		1100-2400 cfs	1100-2400 cfs
Nov-May		800-3000 cfs		800-3000 cfs	800-3000 cfs

ACTION (PROPOSED)					
Dry Year	Average Year		Wet Year		
	Duration	Flow	Duration	Flow	
1-2 Weeks	1-8 Weeks	8300 cfs	4-9 Weeks	26,400 cfs	
	2 Weeks				
	one out of every three years	18600 cfs			
		1500-2400 cfs		2800-3000 cfs	
		1500-2400 cfs		2800-3000 cfs	
		1500-2400 cfs		2800-3000 cfs	

Damage Potential to Equipment and Land:

Pump #1	50,000
Pump #2	30,000
Pump #3	50,000
Booster #4	5,000
Erosion	40,000
Total	<u>175,000</u>

6. THUNDER RANCH, LLC

6a

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

6b

These statements are incorrect. The flows that would occur in Reach 2 under the Action and No Action Alternatives are

very similar. In general, the spring flows in Reach 2 under the Action Alternative would be 10 to 20% higher in magnitude than the No Action Alternative about 40% of the time. The other 60% of the time, flows in Reach 2 would be nearly identical to the No Action Alternative during the spring.

6c

The reference to low flows was from an outdated interim agreement entered into by Reclamation and the U.S. Fish and Wildlife Service in 1985. Under the 1992 Biological Opinion, dam operations were found to jeopardize the continued existence of endangered fish in the Green River. More current information arising from a 5-year scientific investigation conducted under the 1992 Biological Opinion (2000 Flow and Temperature Recommendations) has since taken precedent in developing the flow and temperature recommendations.

be non-retrievable.

- 7i We have proven up on 6 ½ second feet of water and are in the process of proving up the remaining 3 ½ second feet. Our plans were to put it in a new \$25,000 pump and 4 new sprinkling systems @ \$8,000 to develop an additional field of 100 acres. The total loss for equipment not being able to follow through on this plan would be \$57,000. In 1985 we were offered \$3,500 per acre for our farm land, and the land is worth more on today's market. With the threatened increase of flows, we would not be able to develop this 100 acres as we have had in our plans which is a minimum of \$350,000 loss to us.

An additional 120 acres are being irrigated. There will be no irrigation possibility. Since there can be no pumps added, that leaves 180 acres that cannot be developed..

- 7j Dikes, worth \$10,000, have been in place for a number of years. An increased flow would destroy the dikes. Normal flow has been handled for years and dikes have been repaired as needed.
- 7k It is hard to put a dollar amount on the value of a mature tree, but there are numerous mature trees on our property.
- 7l In the late 50's promises were made to farmers by the Bureau of Reclamation that when the dam was built, flooding would be controlled. Many people bought their land based on these promises. The local promotion was to control the flooding.
- 7m We have not made these claims without having some knowledge of the damage high water can cause. The natural floods of 1983 took us 3 years to overcome and was a very costly to us. Please consider the damage increased flow would cause to both of us. This farm was intended to provide retirement income for my father, who still spends most of his time working on the property, and it is my sole income.
- 7n If the Bureau of Reclamation still plans to continue with the increased flows which would cause our land to flood, we are asking that we be offered flood rights.

Sincerely,



Burnell Slaugh

7. BURNELL SLAUGH RANCH

7a-7d, 7g, 7h, 7j, and 7n

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

7e

The EIS acknowledges (section 4.13.3) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

7f

Please see response to 7a above. The Utah Division of Wildlife Resources has no record of issuing a permit for the referenced bass pond. Their policy is to not issue any permits for nonnative fish stocking on private land in the 100-year flood plain.

7i

The United States accepts no liability for flood damage to improvements made within the historic flood plain. Please see response to 7a above.

7k

Research on relationship of mature flood plain trees and flood flows suggest that mature trees likely live longer and have more robust life forms if subjected to flood flows. Please see section 3.7.2.6.1 of the EIS.

7l and 7m

The presence of the dam for over 40 years has indeed served to moderate flooding. However, this was never intended to mean that the flood plain would remain permanently dry. It means only that there is increased ability to moderate potentially catastrophic flows. Since the dam was built, there have been a number of wet years where high flows have occurred, such as 1983 as noted by the commenter. Whether or not the proposed action is implemented, high flows would be expected in the future. It must be remembered that a drought has been in place for 6 years, which has served to reduce flows on the river.

7n

Please see 7a above.

From: "K Kapaloski" <kkapaloski@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 9:04 PM
Subject: Environmental Impact Statement Comments and Questions

Mr. Peter Crookston,
Flaming Gorge EIS Manager
Bureau of Reclamation
Provo Area Office
302 East 1860 South
Provo, UT 84606

Dear Mr. Crookston,

I would like to offer the following comments and concerns regarding the August 2004 Operation of Flaming Gorge Dam Draft Environmental Impact statement.

I am the manager of Trout Bum 2 in Park City, Utah. We are a fly fishing store and outfitter operating as a permittee of Ashley National Forest on the Green River below Flaming Gorge Reservoir. A large portion of our store's guiding business and retail sales rely on the Green River trout fishery. As a result, the operation of the Flaming Gorge Dam directly effects our business operations. I am also a licensed fishing guide on the river myself and have been for over 12 years. In addition I own a home in Dutch John and my brother is the head guide for Western Rivers Flyfisher, another permittee on the river. All of these factors make the future operation of Flaming Gorge Dam a concern to me both economically and personally.

I support many of the issues addressed in the action alternative and I appreciate the diligence of the Bureau in conducting the statement. I appreciate the bureau addressing in detail the potential impacts on the trout fishery of the Action and No Action Alternatives. Specifically, in the economic analysis the limit of release of the dam to an up and down ramp rate limit of 800 cfs and the single daily peak, bump restriction. (refer to EIS page 149) These long standing restrictions are very essential in maintaining the world class trout fishery below the dam and should continue to be followed.

8a In addition, I support the recommendations regarding the temperature restrictions of no more than 59 degrees in moderate to wet years and 55 degrees in dry and moderately dry years.(Refer to EIS page 164). These temperature recommendations should be followed in order to maintain the blue ribbon world class trout fishery below the dam.

I would like to bring up a few concerns that I do have in regards to flow restrictions and temperature recommendations. These are concerns that I share with many fellow businesses in the area and fellow fishermen that enjoy the incredible recreational resources that the Green River below Flaming Gorge offers.

8b The EIS seems to marginalize the importance of the restrictions on the up and down ramp rate and single daily hump restriction. It seems as if the EIS concludes that the above mentioned restrictions have not been formalized and that the restrictions have only been in place since 1993. The reality is

that these restrictions were the result of lengthy investigations and negotiations of the Flaming Gorge Working Group and have been followed, except in extreme circumstances for some time before 1993.

8c This raises a concern that the flow restrictions are simply voluntary and unnecessary and opens the door to arguments that power generation should be pursued at the expense of fishing and other recreational pursuits. I believe that it would be a mistake to elevate power generation as a priority over other uses including but not limited to trout fishing. Past legislation has described power generation as an incident to the primary listed purposes of the dam including providing for basic outdoor recreation facilities and improving conditions for fish and wildlife. (Refer to EIS 3-4) I would pose the question to the Bureau: Should trout fishermen and others involved in outdoor recreational pursuits take a back seat to power generation and be subject to enjoying the resource at the mercy of power demand? Should past legislation and extensive discussion be ignored and pushed to the side in order to allow power generation to take priority?

8d Secondly I am concerned that the EIS fails to sufficiently address economic impacts of changes to the tailwater fishery. In using a model that includes three counties, the EIS fails to illustrate the true impacts to the economy of Dutch John and Daggett County where most of the economic impact occurs.

8e The EIS estimates under the Action Alternative a possible loss of employment in the Amusement and Recreation Services of 8.3 percent in wet years (table 4-26) and 6.6 percent in dry years (table 4-27). These are small losses when they are calculated across three counties but could be devastating to the community of Dutch John and Daggett County where the majority of residents are employed by this industry or associated with it. Has this serious economic impact on this area been fully researched and if so is it an acceptable impact?

In summary, I commend the well researched and thorough approach that the Bureau took in formulation and creating the EIS. I appreciate the opportunity to raise the concerns that I and many people effected by the operation of Flaming Gorge have put forth.

Sincerely,

Kory Kapaloski
Gen. Mgr
Trout Bum 2
4343 N. Hwy 224 #101
Park City, Ut. 84098
(435) 658-1166

CC: <troutbum2@qwest.net>, <kkapaloski@hotmaill.com>, <LKapaloski@pblutah.com>

8. TROUT BUM 2

8a

Comment noted.

8b

Section 4.4.1 of the EIS accurately characterizes the historic operations.

8c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

8d

To estimate regional economic impacts associated with changes in river and reservoir recreation, information was collected from surveys of recreators as to their expenditures. The expenditure

information gathered via the recreator survey did not allow for county specific analyses. Based on pretests, it was determined that the survey was already complex (given the need to address visitation, valuation, and expenditure information by alternative), and any attempts to gather more detailed data by county would have significantly added to survey complexity, possibly jeopardizing survey usefulness. Attempts to allocate expenditures by county would be highly speculative. As a result, the decision was made to use the three-county model utilizing both river and reservoir expenditures and to supplement that analysis with specific commercial river guide operator survey information.

8e

The EIS acknowledges that Green River commercial operators could experience adverse impacts, particularly under wet and dry conditions. Reclamation cannot definitively describe impacts to Daggett County given the lack of appropriate county specific expenditure data. While these impacts could create problems if concentrated in Dutch John, Reclamation notes that wet and dry conditions were each estimated to occur about 10 percent of all years. We do acknowledge your point and included more discussion in section 4.12 in the EIS.

Trout Creek Flies

P.O. Box 247
Dutch John, Utah 84023

Email: info@fishgreenriver.com
www.fishgreenriver.com

(435) 885-3355
Fax: (435) 885-3356

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO 774 Bureau of Reclamation
Provo Area Office
302 East, 1860 South
Provo, UT. 84606-7317

November 15, 2004

Dear Mr. Crookston: We would like to submit our comments on the Draft *Operation of Flaming Dam Draft Environmental Impact Statement* and its *Technical Appendices*.

As a member of GROGA we fully support the comments submitted by them concerning this DEIS.

As a business, Trout Creek Flies has been a Green River guide and outfitter service full time since 1987 and hold a U. S. Forest Service/BLM permit to provide fishing guided, fishing walk wading, scenic float trips and a vehicle shuttle service. We have a 7000 square foot facility that provides us with a base of operations for these recreational services. Within our facility we offer a retail fly shop, snack bar, raft rentals, motel rooms, convenience store and are a Phillips 66 gas distributor. Our customers include guided fishermen, the fishing public, rafters, hikers, boaters on the reservoir, people seeking lodging, travelers, local residents and out of area visitors. We are totally dependent on the recreational dollars generated on the Green River and Flaming Gorge Reservoir. We operate 12 months of the year although we have a seasonal business that is most active from April through October annually. We employ 20 plus river fishing guides and 25-30 other employees many who are full time. We are employers, full time residents, property owners and taxpayers.

We live in Daggett County and the town of Dutch John. Like us, this County, town and region is

extremely dependent on the recreational dollars. With the exception of government workers, we are the only industry in Dutch John. Within Daggett County there are 12 outfitters, 80 guides, 4 lodges, restaurants, 2 snack bars, 4 convenience stores, 3 gas stations, 3 raft rental services and their associated employees just on the east side of the reservoir alone. On the west near Manila and north around the reservoir there are many more businesses that too depend on recreational visitor dollars. Our county has less than 800 full time residents and is only 682 square miles in size.

Comment 1.

9a We are very disappointed in the treatment of the economical impacts of this EIS as they pertain to us. A more localized analysis is appropriate in light that the largest economical impacts center around Reach 1 of the Green River and the Flaming Gorge Reservoir. To do an analysis over a 3 county area does not show the real impacts of the recommendations contained within this EIS. We would like to see this EIS fully address the impacts to our businesses. We feel that it has not.

9b Question 1. Is it not possible to prepare an adequate economic analysis surrounding the EIS recommendations as they pertain to our businesses?

Comment 2.

9c While the GROGA letter states many of our concerns, we must reinforce the points that the ramping up process, flows exceeding 4600 cfs and daily fluctuating flow operations impact our businesses negatively by reducing the quality of the recreational experience for fishermen and other river users that use our services and buy our products. In addition we have safety concerns
9d for fishermen and other water based recreations while these flows are being performed.

Comment 3.

9e Furthermore, we support GROGA's position that power generation takes a lower priority when compared to the other "authorized purposes" of the Flaming Gorge dam. Operational considerations should be given to recreation and fishing in particular by reducing the impacts of daily fluctuations and their effects on these activities. Daily fluctuations performed during fishing
9f daylight hours are an erosion of local economics one day after another with their daily negative impacts.

Comment 4.

9g We support the recommendations for a 55 degree F release temperature during the dry and moderately dry years, maintaining adequate river temperatures for trout at the Colorado/Utah state line.

Comment 5.

We strongly support BAR recommendations of flow fluctuations limitations with the following exception. Power generation in the form of fluctuating flows should not be at the expense of other
9h authorized purposes, "and for the generation of hydroelectric power, as an incident of the foregoing purposes" (Vol. 1, pg 3 and 4, 1.4.1.1).

Comment 6.

- 9i We strongly support the 800 cfs ascending and descending ramp rates. We would support a formalization agreement for these ramp rates.

Comment 7.

- 9j We fully support the maintaining of the minimal flow agreement between UDWR and Reclamation for the maintenance of river flow supporting the tailwater trout fishery and furthermore request the formalization of this agreement as stated in Vol. 1, pg 5, second full (italicized) paragraph.

Comment 8.

- 9k Except in emergencies, flows should not exceed the capacity of the power plant of 4600 cfs, bypass flows should only occur as a last resort, and the frequency of such events should be kept at an absolute minimum.

Comment 9.

- 9l We share GROGA's opinion that in general we found this DEIS complicated to review based on its overlapping of the treatment of subjects. So many references that seemed to contradict previous statements were made clearer only after rereading them in the context of their specialized subject. It required a lot of time spent in the effort to discover this EIS's overall direction. In light of our comments, you know that we were disappointed with the overall economic analysis. We would be happy to answer any questions you have on our comments or assist in any manner possible. We can be reached at 435-885-3355. Once again thanks for this opportunity. These comments sent to you by fax will be followed by a hard paper copy for your convenience.

Dennis E. Breer- President
Trout Creek Flies, Inc.
P.O. Box 247
Dutch John, UT. 84023

9. TROUT CREEK FLIES

9a

To estimate regional economic impacts associated with changes in river and reservoir recreation, information was collected from surveys of recreators as to their expenditures. The expenditure information gathered via the recreator survey did not allow for county specific analyses. Based on pretests, it was determined that the survey was already complex (given the need to address visitation, valuation, and expenditure information by alternative), and any attempts to gather more detailed data by county would have significantly added to survey complexity, possibly jeopardizing survey usefulness. Attempts to allocate expenditures by county would be highly speculative. As a result, the decision was made to use the three-county model utilizing both river and reservoir expenditures and to supplement that analysis with specific commercial river guide operator survey information.

9b

Even if Reclamation had enough detail to estimate economic impacts for Daggett County alone, the aggregated nature of the regional model would preclude estimation of impacts for individual businesses. This is because the lowest level of detail provided by the model reflects the economic sector which typically combines information across a range of somewhat similar businesses. Reclamation believes that the economic analysis in the EIS is sound, and provides sufficient information to assess potential impacts.

9c

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of ramp rates, and other daily operational details,

would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

9d

Please see section 4.11.5 of the EIS for the discussion of safety as it relates to recreation activity in the Green River. See also response to Daggett County 1g.

9e and 9h

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

9f

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of ramp rates, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

9g, 9i, and 9j

Comments noted.

9k

Under either alternative, flows above powerplant capacity would be expected as a normal part of dam operations.

9l

Comment noted.

From: Dennis Kubly
To: Crookston, Peter
Date: 11/16/04 12:13PM
Subject: Fwd: Inquiry to UC Region

Peter,

for your consideration of public comments.

dk

>>> Lisa Iams 11/16/2004 10:02:37 AM >>>
 Here is another inquiry regarding the test flows

>>> Steve Schmidt <nobody> 11/15/2004 6:48:46 PM >>>

 From Steve Schmidt () on Tuesday, November 16, 2004 at 01:48:20

message: RE: Operation of Flaming Gorge Dam Draft Environmental Impact Statement Executive Summary.

I have read this document several times and find the information within to be vague and incomplete in regards to schedules and impacts proposed by the 2000 Flow and Temperature Recommendations Executive Summary.

10a My concern is the Green River tailwater fishery from Flaming Gorge Dam to the Colorado Border. I am one of a handful of permitted outfitters on this resource and have been since 1986. In reading this document there is hardly a mention of the fishery or the potential and real bearing the 2000 Flow and Temperature Recommendations may have. If the proposed recommendations should significantly impact this fishery, the economic effect to Daggett County, businesses and those individual who rely on this resources for their livelihood could be devastating.

10b As I read the Executive Summary, much of what is being proposed under the right time frame and conditions would bear little consequence to the Green River fishery. However, irregular daily fluctuations over extended periods of time could inflict substantial environmental harm to this resource. In reading the Summary the time frame for possible increased flows under all 5 scenarios extends over a long period of time. Significant fluctuation outside of the rivers normal seasonal flow regime would greatly impact users and the economy of all businesses that rely on this fishery for their livelihood for years to come. In this document there is no mention of the impact to the fishery these recommended flows would have, nor is there any consideration given to this fishery under the proposed flow recommendations.

10c Regarding temperature, a broader overall range from the dam to the Colorado Border may improve the diversity of aquatic life in this section of the river thus enhancing many a users experience on this resource. However, on dry years, which we have experienced over the past 6, we have seen temperatures in the Browns Park portions of the river approach and exceed 70 degrees during the July to August time frame. If temperatures were increased over this time period under such conditions, as we have recently experienced, we could loose the lower sections of this fishery. Due to the most recent drought and increased temperatures in this portion of the Green, we have already seen a decline in the overall health of the lower Green River fishery. There is no indication in this report, that if and when possible steps would be taken to protect or possibly even enhance this resource in regards to temperature changes.

10d I support the Bureau's efforts in protecting these four endangered species. I recognize the value in such efforts and if recovery of these four endangered species should occur the better off we will all be. Yet there is nothing in the 2000 Flow and Temperature Recommendations that suggests that steps will be

10e

taken to protect or possibly enhance the economic viability of this resource when and if possible. There is virtually no regard given anywhere in the recommendation to the individuals and businesses whose lives depend on the health of the Green River fishery. Until such steps and considerations are taken, I find it difficult to support the proposed action.

Sincerely, Steve Schmidt
President, Western Rivers Flyfisher

emailaddress: schmidt@wrflyfisher.com

previous_page: <http://www.usbr.gov/uc/library/envdocs/eis/fqDEIS/index.html>

Submit: Send

REMOTE_HOST: 166.70.13.136

10. WESTERN RIVERS FLYFISHER

10a

Fishery discussions are contained in sections 3.7.2.3.4, 4.7.2.1, 4.7.2.4.1, 3.11, 3.12, 4.11, 4.12, and 4.21 of the EIS.

10b

The Action Alternative requires that the variation in elevation at the Jensen gauge stay within the 0.1-meter range per day. In dry conditions, the flow of water needs to be kept within a narrower range than under wet conditions. However, within these variations in flows, the change in depth, or elevation, of the water stays within the required 0.1-meter-per-day range. Even though the flows vary by up to 800 cfs per day depending on the minimum and maximum flows of the day, the change at the Jensen gauge remains within the 0.1-meter requirement.

Reclamation notes that flows above 4,600 cfs and daily fluctuations have been a normal part of dam operations for over 40 years, and would continue under either the Action or No Action Alternatives. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

10c

See section 4.7.2.4.1.2. In dry and moderate years, 55 degrees Fahrenheit (°F) (13 degrees Centigrade [°C]) water would continue to be released from the

dam as it is currently, resulting in no more impacts to trout during summer months than are currently sustained.

10d

See section 4.7.2.4.1.2. The 2000 Flow and Temperature Recommendations were designed to benefit endangered fish. The Flaming Gorge Working Group provides a forum whereby concerns for other resources such as the tailwater trout fishery can be heard and forwarded as input for Reclamation to consider in planning dam operations. As stated in section 4.21, this working group will continue to be a valuable component of the adaptive management process following implementation of either the No Action or the Action Alternative. Issues such as temperature modification to protect the trout fishery can be raised through this process.

10e

The EIS discloses that there may be both adverse and beneficial effects to businesses under the Action Alternative. Under either the Action or No Action Alternative, Reclamation will continue to consider the needs of all resources when making operational decisions. Please refer to sections 3.7.2.3.4, 4.7.2.1, 4.7.2.4.1, 3.11, 3.12, 4.11, 4.12, and 4.21.

INDIVIDUALS

1. G. Howard Abplanalp
2. Lew Albright
3. Mark Allen
4. John and Mickey Allen
5. Dick Apedale
6. Justin Barker
7. Lynn Barlow
8. Nancy Bostick-Ebbert
9. Allen Brisk
10. Alan Bronston
11. Michael Brown
12. Bob Brownlee
13. Scott Brunk
14. Ted Butterfield
15. René Buzarde
16. Bryan Campbell
17. Jay P. Carlson
18. Mel Cisneros
19. Randall M. Connett
20. Robert W. Day
21. James DeSpain
22. Frank Doyle
23. Paul J. Ebbert
24. Bryan Eldredge
25. Jeff Erkenbeck
26. Kurt Finlayson
27. Richard Fitzgerald
28. Robert Freestone
29. Bruce Gibbs
30. Kerry M. Gubits
31. J. Dean Hansen
32. Virginia L. Harrington
33. Corey Harris
34. Craig W. Hauser
35. Rick Hayes
36. Jeffrey Himsl
37. Jack Hunter
38. Dale Huskey
39. Bob Johnston
40. Don E. Jorgensen
41. Dora J. Jorgensen
42. Wade Kafkaloff
43. Bruce Kautz
44. Ted E. Kulongoski
45. Heather Kuoppamaki
46. Scott A. Marshall
47. Jeff Martin
48. Jerry McGarey
49. Patrick Mehle
50. Norman Miller
51. Richard L. Mimms
52. Arthur D. Moeller
53. Mark Naccarato
54. Sean P. O'Connor
55. Mauria Pappagallo
56. Edward Park
57. Lex Patterson
58. Chet Preston
59. Tom Prettyman
60. Jairo Ramirez
61. Robert Rutkowski
62. Peter Sagara
63. Cris and Amanda Shiffler
64. Jay Smith
65. Les Smith
66. Kent Spittler
67. Wayne Stewart
68. Steven Strong
69. Jeffrey W. Talus
70. John I. Taylor
71. James W. Thompson
72. Phil Waters
73. Bryan Weight
74. Jim Wilson
75. Marshall Wilson
76. Crista Worthy

Mr. Peter Crookston
Flaming Gorge EIS Manager
PRO-774 Bureau of Reclamation
Provo Area Office
302 E. 1860 So. Provo UT
84606-7317

November 14, 2004

Dear Sir,

- After reading the newspaper article in the Vernal Express dated 11-4-04, I would like to submit
- 1a my comments: I fully support Dr. Steven Romney's concerns of creating excess flood plain to promote increased endangered fish populations - I witnessed the hard work Dr. Romney and his crew did this year to keep mosquito populations in check as they were continually checking and eradicating larvae throughout the area.
- 1b It also doesn't make sense to flood usable fields, irrigation systems & to lose power generation when the endangered fish are
- 1c making a comeback anyway. There's a good chance the youpa river will provide an extremely
- 1d large flow this year & provide some of the

benefits you are hoping for. I think the desire to increase the endangered species is one we all support.

I also feel that we need to increase the storage capacity of the Green River at higher elevations such as Fruitville & Flaming Gorge for future use since we've been experiencing a 6 year drought. Water is too valuable a commodity to use for just one reason.

Respectfully,

Ottavard Olymualf

1. G. HOWARD ABPLANALP

1a

Please see responses to the Uintah Mosquito Abatement District letter 6 and public hearing speaker 9 (Dr. Steve Romney).

1b

Under either alternative, higher flows will inundate the historic flood plain. Any improvements by landowners in the flood plain have always been at the landowners' risk.

1c

There are few data suggesting that the four endangered species are making a comeback; in fact, most data suggest that populations of four species are either stable at dangerously low levels or declining in some cases. At best, all four species currently exist at diminished population levels which preclude removing them from the Endangered Species Act (ESA) or improving their

ESA status. See the Recovery Program website <<http://www.r6.fws.gov/crrip/rea.htm>> or call the Recovery Program at 303-969-7322, ext. 227 for more information.

1d

As stated in the EIS, Yampa River flows have a greater influence on the flows in Reaches 2 and 3, and the Action Alternative takes this into account.

1e

Comment noted; increasing storage capacity is outside the scope of the EIS.

1f

Reclamation's intent is to continue balancing the needs of all resources when making operational decisions and not focus on just one resource. Reclamation would continue this practice under both the Action and No Action Alternatives.

From: "lew" <albrightl@iwvisp.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 5:27 PM
Subject: Water Flows on the Green

Dear Mr.. Crookston,

I have been fishing the Green River for at least 12 years. The last 6 years I have fished it twice a year. This last year, especially October, the flows really disrupted the fishing. It seems that the flows were changed during prime time, during the middle of the day. It was the worst fishing that we have ever had on the Green. We spend over a \$1000.00 to the Utah merchants for every trip that we make but if the flows stay like they are, we plan on fishing in Oregon and Colorado. We do love the Green River fishery, but why fish it if the flows keep changing during the day and cutting hours of fishing out of our day. It is very discouraging. It wouldn't it be better for everyone if the flows were changed during the late evening and not during the day when the river is full of anglers, boats and rafters?? It is also a safety hazard because many wade fishers cross over to the opposite bank to fish and when the water rises it is almost impossible to get back, unless you are a good wader. I hope that an agreement can be reached that will not disrupt the fishing during prime time.

Thank you for your support.
Lew Albright

2. LEW ALBRIGHT

2a and 2b

Fluctuating releases during the day have been the normal operations of the powerplant since it began power generation 40 years ago and would continue under either alternative. The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

2c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38.

From: "Mark Allen" <markallen2@qwest.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 7:28 PM
Subject: Green River Problems

Mr Peter Crookston
 Flaming Gorge Environmental Impact Statement Manager
 PRO-774
 Bureau of Reclamation, Provo Area Office
 302 East 1860 South
 Provo, UT. 84606-7317
 801-379-1152
 801-379-1159 FAX

Mr. Crookston,

- 3a I have been fishing on the Green River for many years. There are a number of things which are of grave concern to me. The past several times I have been fishing out there I catch many fish that seem to have health issues. I am not sure of all the things that disrupt the feeding cycles of the fish, but I think the change of flows in a quick manner does in fact impact the fish in negative fashion.
- 3b It is difficult to know if I wade to the far side of the river if I will be stranded by high releases or if I will be able to safely return at the end of a fishing day.
- 3c The reputation of the Green River as being a world class fishery has come into question when I find the disruption that high water brings to my personal experience. If water flows need to be ramped up I would suggest this happen from midnight until 4am, so things can settle back down during the day hours. If the flows are ramped up during the night the electricity generated could be sold to those in the East at a premium.
- 3d
- 3e Please consider the issues which affect the fishing, which result in economic gains or losses to the area as they are directly tied to individuals fishing experiences and word of mouth as to how the fishery is doing. It has been quite sometime since fishing has been splendid. I would guess that if an environmental and biological study were done on the disruption of feed in the river channels due to rapid increase of water flows, we would find that much of the food sources for fish are being blasted downstream and hence those fish that remain have undue competition, this results in marginally healthy fish.
- 3f
- 3g I would like to get an update as to the solutions you deem appropriate for this wonderful resource. Please protect it. As a former river guide in the Grand Canyon we experienced dramatic flow changes. There is great safety issues here that need to be considered. High water and swift currents can consume lives. It is common sense that if flows are to be increased that it is done prudently and at a time which presents the lowest opportunity to affect fisherman frequenting the area.

Thank you,

Mark Allen
1729 North 80 West
Orem, Utah 84057

3. MARK ALLEN

3a and 3f

Comment noted.

3b and 3g

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

3c

Fluctuating releases during the day have been the normal operations of the powerplant since it began power generation 40 years ago and would continue under either alternative. The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the

day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

3d

Electricity in the East is provided by separate transmission systems that are not connected or synchronized with the Western network, so the power could not be sent directly to the East.

3e

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of fluctuating releases, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery. Please see response to individual letter 38.

From: "Mary Allen" <jackpinesavageco@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 11:52 PM
Subject: Increased Flows from Flaming Gorge Dam

4a To whom it may concern:
We are residents of Rangely, and take much pleasure from the rivers of Dinosaur National Monument.
We strongly support the Action Alternative.

John and Mickey Allen
Rangely, CO

Mary Allen
jackpinesavageco@earthlink.net
Why Wait? Move to EarthLink.

4. JOHN AND MICKEY ALLEN

4a

Comment noted.

From: "Dick" <flyfishing@readytek.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 6:47 PM
Subject: Operation of Flaming Gorge Dam

- 5a** I support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing. An issue of safety, wading fishermen's safety is affected negatively when river flows change abruptly during peak fishing hours of the day.
- 5b**

Please take in consideration my notes

Thank you

Dick Apedaile

flyfishing@readytek.net

5. DICK APEDALLE

5a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

5b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: <Jlbarker5@cs.com>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 23, 2004 11:48 PM
Subject: Flaming Gorge Dam Flows

Mr. Peter Crookston

Flaming Gorge Environmental Impact Statement Manager

PRO-774

Bureau of Reclamation, Provo Area Office

302 East 1860 South

Provo, UT. 84606-7317

801-379-1152

I am writing in regard to the changing flows on the Green River below Flaming Gorge Dam this last summer. I come to the area about every other month to fish and stay in Vernal for the duration of the trip. I usually come with at least one friend.

I wade fish on the Green and the flows are particularly important to me.

6a Changing the water flows during the day is a safety issue for many fishermen that wade like myself. I know the river changes and plan accordingly, but the river is constantly full of newcomers and they are rarely ready for a large increase in the amount of water being let out of the dam.

6b I support the single daily peak hump restriction, but it could be done at a time when it would not impact the fishing. The daily changes this last summer killed the fishing during most of the day. It takes the fish a while after the increased flow to calm down and begin feeding. By this time, the flow was decreased and the fishing was again thrown off. I know the Green River is a national destination river for fly fishermen and this summer was a disappointing experience for many of them. We need to keep the flows as constant as possible during the day in order to maintain the excellent fishing and keep tourist dollars flowing in to this region. Thank you for your time.

Justin Barker
1911 W 800 N
Pleasant Grove, UT 84062
801-785-7811

6. JUSTIN BARKER

6a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in

the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

6b

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Lynn" <lynn@kathyquilts.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 10:58 PM
Subject: Power generation impact on Green River fishing

To: Peter Crookston
From: Lynn Barlow

Dear Sir,

I would like to mention to you how I enjoy visiting the Green River, especially the A section below the Flaming Gorge Dam. I have visited numerous times and had different experiences each time. Out of all the places I like to fish, the Green River can be the most fun and the most frustrating. There have been times when the raising of the river has severely affected the fish. Since I live about 4 hours away from Dutch John, in Brigham City, Utah, the time investment is quite significant. When I visit the Green River I am rewarded with the beauty and awesome canyon view as I float serenely down the river. The opportunity to catch fish makes the trip all the more enjoyable.

- 7a** It is come to my attention that the power generation can occur during time periods when fishing will not be affected. This could make for more enjoyable trips to the river as well as safer fishing. Not knowing whether the river will be raised or lowered without warning really is a cause for concern. It is my hope that a time frame can be reached for power generation that will not affect the fishing.
- 7b**

Better fishing conditions will affect the amount of dollars for local merchants as well as for Utah in general.

I thank you for reading this message,

Lynn Barlow

7. LYNN BARLOW

7a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

7b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at

the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Nancy Bostick-Ebbert" <nancyb@sbt.net.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:39 AM
Subject: Comment Addendum

Below you will find a duplicate comment to which I have added my contact information that I inadvertently left off earlier.

Thanks,

Nancy Bostick-Ebbert

To Whom it May Concern:

8a My name is Nancy Bostick-Ebbert. I am a fifth generation Utah resident and was born and raised in Vernal. I very strongly support the action alternative for increasing flows every 10 years on the Green River below the dam. I think it is critical that we do everything we can to mimic conditions favorable for the endangered species of fish in the Colorado River drainage. In addition, these releases help improve the riparian ecosystems along the river and provide better habitat for the birds and animals who inhabit those environs.

I appreciate the opportunity to comment on this and encourage you to make a decision based on good science not fears and misinformation.

Sincerely Yours,

Nancy Bostick-Ebbert
1 North 2500 West
Vernal, UT 84078
(435) 781-1518

"If you want another to adopt your beliefs, you must first become someone they wish to emulate..."

---nancy bostick-ebbert---
nancyb@sbt.net

8. NANCY BOSTICK-EBBERT

8a

Comment noted.

From: Allen Brisk <Allen.Brisk@paccoast.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:06 PM
Subject: Green River

I am a 64 year old man who has fished the Green River for the past 25 years. I take an average of 4 guided trips per year. I have fished when the water is high and when it is low. I have fished and been caught in high water when the water levels have fluctuated. I have seen trees and debris washed downstream when the water is increased.

In all cases when the level increases or decreases during normal fishing hours, the experience decreases and is not so enjoyable.

9a Please do not change the flow pattern. Increase the volume at night if more water is required.

From a financial point, my Green river float trips would cease and so would the lodging.

I do not necessarily want to go to Montana to fish.

Please.

Allen Brisk allen.brisk@paccoast.com

9. ALLEN BRISK

9a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Bronston, Alan" <Alan.Bronston@USFOOD.COM>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 10:57 AM

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317
801-379-1152

Dear Mr. Crookston,

I am writing this note in regard to the review of the Environmental Impact Statement of the Flaming Gorge Dam that is underway. I would like to comment on how the flows were managed this last year from two separate perspectives.

10a First, let me say that I live in Utah, do business in Utah, recreate in Utah, and do as much as possible of all three at Flaming Gorge. Flaming Gorge has not only been the best place in the west for a top quality fishing experience, it is also the most convenient. This year, however, with the daily rise and fall of the water levels; the fishing was so suppressed that it was hardly worth the effort and expense to come, other than for the scenery. It is inevitable that if the flows are managed in the same way in the future, I, and others like me, will have no alternative than to find other places to go. This would be a real shame since Flaming Gorge by all rights ought to stand alone as the prime fishing destination in the United States, if not the world. The impact on the local economy cannot be overstated.

10b
10c Secondly, this is a serious safety hazard. Let me relate an experience that I myself had this summer, which I understand was not unique from what others have told me. We launched just after midday from the put in below the dam. On board my drift boat was a young child and older man. Just after the second or third bend we encountered a wading fisherman who had become stranded in the middle of the river when the levels began to rise. He was very close to losing his footing when we came along. We had no choice but to attempt to rescue him, of course. However, due to where he was, the current, and our having to ferry across to get to him, in the end the only way we could get him was for him to grasp hold of the upriver side of the boat by the oarlock. This crippled the maneuverability of the boat since I no longer had the use of one oar, and the additional weight and dragging effect to the upriver side of the boat nearly swamped us. This was not an event I would enjoy repeating.

I hope that when the Environmental Impact Statement is complete it will be discovered that there is a way to accomplish whatever it is that is required from the dam without having such a dramatic impact on those who are trying to enjoy the river.

Thank You,

Alan Bronston
Territory Manager

888-295-4803 Ext. 502
435-901-3138 Mobile
alan.bronston@usfood.com

10. ALAN BRONSTON

10a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

10b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

10c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is

prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Michael Brown" <mike_utdairy@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 8:36 AM
Subject: Daily Peak Restriction

Dear Mr. Crookston,

11a As a frequent visitor to the Flaming Gorge recreation area, primarily to fish the Green River below the dam, I would like to voice my support of a single daily peak hump restriction, but I believe its timing should be in a manner that it has no impact on river recreation activities, especially fishing.

I know I am preaching to the choir when I talk about the revenue generated by those who fish the river, but I think the drastic change in flows has the possibility of reducing that revenue. I know my frequency has decreased since I was stranded on the West side of the river during a high flow.

11b Again, I understand the need to maximize the usefulness of the dam, but not at the expense of the purpose for which the dam was authorized.

Respectfully,

Mike Brown
Riverton, Utah

11. MICHAEL BROWN

11a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

11b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power

generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: "Bob Brownlee" <brwnle@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:27 PM
Subject: Flaming Gorge Discharge Rates

- 12a Dear Mr. Crookston, I am writing to encourage use of the single daily peak hump restriction but in a manner which does not impact fishermen. I have fished the Green River extensively and have been negatively surprised by the flow changes more than once. Not only does the flow change turn the fish bite off for a time but it also has some potentially dangerous consequences. I have been trapped twice by rising flows and had to fill my waders to reach shore when I realized what was happening. People who are not aware of the possible flow changes could be trapped on a shallow bar for an extended time, or worse.
- 12b If there are ways of preventing this potential I would certainly like to encourage the consideration of those actions.

Thanks for your consideration. *Bob Brownlee, Golden, Colorado.*

12. BOB BROWNLEE

12a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

12b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "scott brunk" <bighorn1478@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 12:24 PM
Subject: Flaming Gorge water flows.

- 13a I have found that the fishing experience at Flaming Gorge can be dangerous as well as frustrating do to the peaks and valleys of water releases for power generation. Please try to do a better job of managing the flows.

Scott Brunk
303-665-3261

13. SCOTT BRUNK

13a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Ted Butterfield" <buttuhs@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 6:10 PM
Subject: In regards to flaming gorge dam.

- 14a** I'm writing in regards to the flow changes at flaming gorge in order to produce electricity. I believe that a constant flow is preferable to fluctuating flows. This is due to experiences which I had in early July of this year while fishing the Green just below flaming gorge. The fishing was severely affected by the flow changes and I know of several men on that day who were stranded on the other side of the river as they did not know that the flows would rise later in the day. One man even lost his driftboat when the river rose and picked it up off the rocks. This causes personal loss and distasteful memories of what could have been a long anticipated trip to a one off America's top rivers. Therefore I support the single daily peak
- 14b** hump restriction, and hope that the timing of the peaked flow will be such that it will not disturb fishing or
- 14c** place fishermen in needless danger. Thank you for your time.

Ted Butterfield
buttuhs@hotmail.com

14. TED BUTTERFIELD

14a and 14b

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

14c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river

warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: "Renee Buzarde" <rbuzarde@union-tel.com>
To: <fgeis@uc.usbr.gov>
Date: Thu, Nov 4, 2004 2:26 PM
Subject: Flaming Gorge EIS

I would like to join Dr. Romney in opposition to changes in operations of the Flaming Gorge Dam. I live near the dam and love this area and hope we can protect it.

- 15a** With the huge threat of the West Nile Virus and possible danger to our fishing industry, I strongly oppose proposed changes in water flow.
- 15b** We need to protect the trout in the Green River.

Please leave things the way they are.
A concerned citizen of Daggett/Uintah County.

Reneé Henderson Buzarde
670 Flaming Gorge Acres
Dutch John, Utah 84023
rbuzarde@union-tel.com

**15. RENEÉ HENDERSON
BUZARDE**

15a

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including standing water on private

property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and a threat from West Nile virus or other mosquito-borne diseases.

15b

Long-term negative effects to the tailwater trout fishery are not expected under the Action Alternative.

From: "BRYAN CAMPBELL" <BCAMPBELL@wmccat.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:19 PM
Subject: flaming gorge dam...

It has come to my attention that the Bureau of Reclamation is undergoing a Draft Environmental Statement on the Operation of Flaming Gorge Dam and asking for comments. I was only able to fish my favorite river, the Green River twice this summer. Both times the trip was dramatically effected by fluctuating flows coming from the dam. On the first occasion, our group crossed the river early in the morning, and we underestimated the effect of the increase in flow, that evening we tried several times to cross back over, but it was impossible. Finally we had to return to little hole to cross where two of us took water over the top of our waders, and a younger member of our group barely made it across. On the second occasion, we left very early in the morning to make it to the river in time to fish, we were having a great day until again the flow increased and the fishing came to a screeching halt forcing us to leave earlier than we had hoped. I understand the purpose of the dam, but I also feel that dramatic fluctuations during daylight hours not only affects fishing, but affects the safety of people on the river. Please change the fluctuation times to a time when people aren't negatively affected.

16a

16b

Thank you,
Bryan Campbell

CC: fishgreenriver <dbreer@union-tel.com>

16. BRYAN CAMPBELL

16a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

16b

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the

releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 below.

FGEIS ZZ401 PRO

From: "Jay Carlson" <jpcvail@msn.com>
To: <fgeis@uc.usbr.gov>
Date: 11/15/2004 8:49 AM

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317
801-379-1152
801-379-1159 FAX

I would like to share something that frustrates many of us who fish below dams especially the Flaming Gorge Dam is the erratic way flows can suddenly jump up and down while we are fishing. This can often disrupts water quality and upset the fish for set periods of time. The end result

- 17a** is a spoiling of our fishing day. know this is occurring, I would like to mention how my fishing dollars impact local businesses and Utahs overall economy. I support the single daily peakhump restriction, but its timing should bein a manner that it has no impacts on river
17b recreation activities, especiallyfishing. I would also like to address the issues of safety, a waders safety is effectednegatively when river
17c flows change abruptly.
- 17d** You have the ability to do the power generation flows in non-fishing hours or maintain a slightly higher steady flow that generates the same amount of electricity.

Please rectify this situation.

Jay P. Carlson
jpcvail@msn.com

17. JAY P. CARLSON

17a

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

17b

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

17c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the

fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

17d

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 below.

From: "mel cisneros" <mel_cisneros@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 5:06 PM
Subject: Green River Flows

18a I support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.
Is their not a way to meet the needs for power in a maner allowing both sportsman and consumers to enjoy their day?

Mel Cisneros

18. MEL CISNEROS

18a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Connett, Randy" <Randy.Connett@VECO.COM>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 7:29 AM
Subject: Flaming Gorge Environmental Impact Statement Comments

Mr Peter Crookston

Dear Sir:

19a I am forwarding my comments regarding the desire of the operators of Flaming Gorge Dam to respond to peak power requirements by varying the flows from Flaming Gorge Reservoir. I am very concerned about the impact that this has on this world class fishery, and the safety of those who are wading the river.

19b Sudden increases in flow can lead to unobservant or unfamiliar river users to wad water which becomes unwadable at higher flows, thus presenting a safety risk to the public.

19c I am very opposed to allowing fluctuating flows to negatively impact the fishing of this magnificent river. I do support the daily single hump
19d restriction, but encourage the Bureau to require the timing of the fluctuating flows to avoid unnecessary impact to fishing or other river use.

Thank you

Randall M. Connett, PE
VECO USA, Inc
9000 E Nichols, Suite 250
Centennial, CO 80112
(303) 268-3499
(800) 292-1012
(303) 549-3227 (cell)

19. RANDALL M. CONNETT

19a and 19d

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative.

19b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the

dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

19c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative.

From: "Robert W. Day" <abqbob@ix.netcom.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 12:07 AM
Subject: Green River Flow changes

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
Bureau of Reclamation, Provo Area Office

Sir:

- I have fished the Green River below Flaming Gorge for over 10 years and have considered it as one of the greatest trout rivers in the world. As in all tail water fisheries the change of water flow materially deteriorates the the quality of the fishing as well as providing a serious item of safety to the fishermen. It would seem that if these flow changes were to be made during the time that fishermen are not on the river it would add to the attraction of fishing the area. It is discouraging to travel a good distance and then find that the fishing is artificially manipulated and so diminished.
- The local economy, I am sure, would benefit from this change as well as Utah and Wyoming. I understand also that fishing and recreation have a priority in the operation of the dam and this priority is not always considered. I don't know what considerations are met by having the flow at mid-day but if there are no overriding reasons for mid-day then it would seem the fishing and recreation priorities could be used in having the flow changes at non fishing and recreation times.

Thank you for your attention.

Robert W. Day
2924 Cagua NE
Albuquerque, NM 87110

Robert W. Day
abqbob@ix.netcom.com
EarthLink Revolves Around You.

20. ROBERT W. DAY

20a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

20b and 20d

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 below.

20c

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

From: "James DeSpain" <despainjames@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 5:30 PM
Subject: Draft Environmental Statement

Dear Mr. Crookston,

I am a native Utahn, living in Pennsylvania. I make three fishing trips every year to the Flaming Gorge recreation area, specifically to fish the Green River. There is a group of 5 that go, and generally have a great time. It can be disappointing though when river flows change dramatically, and we experience periods of bad fishing. It makes us re-think the money we spend, and how we could have experiences in other parts of the country that are not interrupted by water changes. We love the area, and want to continue our tradition. We support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially

21a fishing. I'm sure you've also heard many times the risky situations sudden changes present to waders and other fisherman. I hope you can take these

21b comments, and use them constructively as the draft environmental statement is being created, and know that these views are possessed by almost all fishermen I encounter on the green. We love the river, and obviously want our experience enriched, but at the same time understand the need of electrical production. We just feel like it could be done in a more controlled and predictable environment.

Thank you for your time,

James DeSpain
Telford, PA

21. JAMES DESPAIN

21a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

21b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased

dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Franc Doyle" <francd1999@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 16, 2004 4:15 PM
Subject: Flaming Gorge Dam

To Whom It May Concern:

- 22a** I would like to express my displeasure with the fluctuations in the river levels that have been occurring on the Green River during the summer months. I understand that demand for electricity goes up in the summer to provide air conditioning to the millions of people that have made a choice to live in a desert environment and can't handle the heat, but I have my interests as well. During the summer months, fishing and floating on rivers is my main pastime. I am a teacher and have plenty of time to pursue my interests.
- The awesome fishing on the Green for years past prompted me to buy a fishing boat to use on the rivers. I fished over 30 days on the Green for 3 years in a row, but I noticed a sharp decline this past year with the flow fluctuations, so this year I only was up there for about 12 days. The fishing was lousy when normally it is spectacular. I believe that the fluctuations not only affect fish behavior but the timing of the bug hatches as well. Due to this, I fished more in Colorado this year, but was unable to use my boat as much because most of our rivers are too small to float.
- 22b**
- 22c** I urge you to consider providing electricity by raising the flows to a level that would allow the flow to be more constant and deliver the power you need for electric demand. This would create a win-win situation, you would generate electricity, fishing would be more fun, and people wading the river would be in less danger of getting stuck on the opposite bank.

Your engineers can certainly create a model that would average the flows to equal the generating capacity of raising the flows with such a steep peak and drop every day.

Frank Doyle
Denver, CO

22. FRANK DOYLE

22a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

22b

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative.

22c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

From: "Nancy Bostick-Ebbert" <nancyb@sbt.net.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:36 AM
Subject: Action Alternative

To Whom it May Concern:

23a My name is Paul Ebbert. I am a resident of Vernal and a member of the UDWR Regional Advisory Council. I am writing to express my support for the Action Alternative which allows for increased flows down the Green River during the 10th wet year. The best information available indicates that this is important for the recovery of the endangered fish in the Colorado River system as well as improving habitat along the river corridor.

Thank you for this opportunity to comment.

Sincerely Yours,

Paul J. Ebbert
1 North 2500 West
Vernal, UT 84078

(435) 722-5122 (work)

23. PAUL J. EBBERT

23a

Comment noted.

From: "Bryan Eldredge" <bryeld@zcloud.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 7:45 PM
Subject: Green River Water Flows

Dear Mr. Crookston,

24a It is my understanding that you are asking for comments in regards to the operation of the Green River Dam at Flaming Gorge. I am an avid flyfisherman who very much enjoys the recreational opportunities available below the dam, of fly fishing the River. This Past September I was part of a group of 5 men who took valuable time off from our jobs to spend a few days fishing in the Little Hole area. We were very disappointed to find the fishing so slow. None of us are very well off and it was quite some sacrifice financially for all of us, not only to take the time off work but the cost of travel and fishing tackle as well. I think we all left the river feeling that the sacrifice of time and money was not worth it. I feel that the high flows of the river in the middle of the afternoon were a big reason for the fishing to be so slow. Further I would like you to know that I support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.

Thank you for listening, Bryan Eldredge
This email scanned for Viruses and Spam by ZCloud.net
For more information on our \$99 per year dial-up internet with filtered email please visit us at:
<http://www.zcloud.net>

24. BRYAN ELDREDGE

24a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: <erkpsyd@cox.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 2:18 PM
Subject: Green River Flows at Flaming Gorge

Dear Mr. Crookston,

- 25a** I would like to express my thoughts regarding the fluctuating flows at Flaming Gorge I experienced while fishing the Green River this past season. Because of these flow changes, I chose not to fish the Green after flying into Salt Lake because it ruins the dry fly fishing at mid day. Instead, I spent my vacation dollars that day in the Heber area. Regarding safety, nothing gets one's attention like having the river rise while one is wading near the opposite bank, leaving one to contemplate fording the river at waist to chest
- 25b**
- 25c** deep levels! We support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.

Respectfully,

Jeff Erkenbeck, Psy.D.
San Diego, CA

25. JEFF ERKENBECK

25a and 25c

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

25b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river

warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: "Kurt Finlayson" <KFinlayson@iconfitness.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 8:29 AM
Subject: flow changes

- 26a** I am an angler and I enjoy fishing the green River. I am strongly against mid day flow changes. It is my understanding these can be done once a day, possibly at night. Flow changes are bad for fishing and are unsafe for wading anglers.
- 26b**

Thanks

Kurt Finlayson

26. KURT FINLAYSON

26a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

26b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Fitz Fitzgerald" <troutbum@colorado.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:22 PM
Subject: green river flows

27a If possible please keep the green river flows constant during the day light fishing hours.

Thank you,

Richard Fitzgerald

27. RICHARD FITZGERALD

27a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Robert Freestone" <rafreestone@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 9:29 PM
Subject: Flaming Gorge Environmental Impact Statement

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Dear Mister Cookston

I was born and raised in Utah. I now live in the Chicago area. The highlight of my vacation each year to Utah is going fishing in the Green River below Flaming Gorge Dam.

This past June was a disappointing fishing trip. The low flows in the morning followed by the high flows in the afternoon moved the fish from where they had been in past years. I prefer to fish from the bank of the river. I have never seen so few visible fish as there was this year during the low flows. The fish would appear with the higher waters but were not interested in feeding.

Some fisherman who waded across the river at the Little Hole boat ramp would have had a real surprise when they tried to get back across the river.

28a I realize that the purpose of the dam is more than to provide a place to fish. I support the single daily peak hump restriction. Any daily peak hump should be in hours where the recreation activities of the river are affected the least.

Thank you,
Robert Freestone
5S400 Stewart
Naperville, IL 60563

Robert Freestone
rafreestone@earthlink.net
Why Wait? Move to EarthLink.

28. ROBERT FREESTONE

28a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "bruce.gibbs@juno.com" <bruce.gibbs@juno.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:00 AM
Subject: Green River flows

- 29a** I received an email saying that you are considering jacking with the flows on the Green River at Flaming Gorge. Please don't! This bouncing the flows makes it much less attractive to fish and raft. My kids and I
- 29b** would like to use this river and enjoy this canyon and I don't want to worry about flows and related safety questions.

Thanks!
Bruce Gibbs
8425 Wright St
Arvada CO 80005
(303) 467-2656

29. BRUCE GIBBS

29a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

29b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: <KMGSage@aol.com>
To: <fgels@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:36 AM
Subject: Green River flows

Dear Mr. Crookston,

I am a resident of the Denver metropolitan area. I have been fishing the tailwater below Flaming Gorge for the last twelve years. I make an average of three trips per year to Dutch John to pursue my passion for fishing, and I also visit locations in New Mexico, Colorado and Montana with the same frequency. I seldom travel alone. My two sons and my wife also fish, and we enjoy the beauty of the Green and the hospitality of the local tourism industry.

On a September trip to the Green this year, my wife and I fished the A section for three days. On the second day, we particularly noticed the flow fluctuation during the day. As we stopped for a late lunch, we noticed the rise in stream flow. Our boat, which had been partially beached, became buoyant. We adjusted the anchor line and continued to picnic and fish without incident. However, we noticed that just downstream a large raft had become riverborne without an oarsman. We watched helplessly as the party below us called out to fishermen below them to save their raft. Miraculously, a rescue was mounted and the raft was saved at the last moment. The runaway raft was commandeered and the grateful boaters were reunited with their craft without mishap.

- 30a** Did such an incident need to occur? No. Extreme flow fluctuations can occur naturally on freestone rivers, but do not need to happen on "managed" rivers. At least, not during the afternoon hours on a popular flyfishing and rafting tailwater that is supposed to be "managed" for recreation. As an experienced fisherman, I can state unequivocally that extreme fluctuations in flow also have a deleterious effect on fishing. The fish simply stop feeding in reaction to the drastic change in their environment. In freestone rivers, where
- 30b** fluctuations occur normally, it often will take days for fish to resume their "normal" feeding behavior. Drastic daily flow fluctuations simply can not be good for the fish population. Certainly, flow fluctuations during the daylight hours are terrible for the fisherman as well.

- 30c** I am writing to ask you to reconsider this policy. The rivers in the West (and the resident fish populations) are in serious trouble from a variety of influences: de-watering due to drought and agricultural diversion; pollution from mining, agriculture, and industrial runoff; whirling disease; non-native species introduction; and erosion from wildfires. It is unconscionable to continue a policy that creates further stress on this important resource.

Thank you for your consideration of this request. It is my fondest hope that I can continue to visit the Green River with my friends and family for many years to come, and that the experience will remain as enjoyable as it has always been.

Sincerely,

Kerry M. Gublits
 1 Meadow Rose Lane
 Littleton, CO 80127
 303 972-8153

30. KERRY M. GUBITS**30a**

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

30b and 30c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 below.

From: "uela" <uela@ubtanef.com>
To: <fgeis@uc.usbr.gov.>
Date: Fri, Nov 12, 2004 11:50 AM
Subject: Flaming Gorge Dam Proposed Change of Water Flow

Bureau of Reclamation
Provo Area Office
302 E. 1860 S.
Provo, Utah 84606-7317

Attention: Peter Crookston
Flaming Gorge EIS Manager
PRO-774

Dear Sir:

31a I believe one of the prime purposes for building the Flaming Gorge Dam was to ameliorate the Ravages of flooding, not to enhance them. Speaking as one who has had to deal with the high water surges along the Green River, the idea of increasing the flow from "the dam" to correspond with the flow of the Yampa borders on insanity. The liabilities certainly

31b outweigh the benefits of such an action. Given the likelihood of above normal precipitation, flooding will be severe enough, without making it worse.

Signed,
J. Dean Hansen
2631 E 2500 S
Vernal, Utah 84078

31. J. DEAN HANSEN

31a

The presence of the dam for over 40 years has indeed served to moderate flooding. However, this was never intended to mean that the flood plain would remain permanently dry. It means only that there is increased ability to moderate potentially catastrophic flows. Since the dam was built, there have been a number of wet years where high flows have occurred, such as 1983. Whether or not the proposed action is implemented, high flows would be expected in the future; and none of the high flow targets in the Action Alternative exceed the very high natural flows that have occurred historically.

31b

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

From: Virginia Harrington <vernalwriter@yahoo.com>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 9, 2004 3:17 PM
Subject: EIS for Flaming Gorge

I am a Ph.D. medical anthropologist and former teacher with the University of Utah and Weber State University as well as the University of Maryland. I have a thorough understanding of the evolutionary relationship between the environment, disease pathogens and resident mammal species, including humans.

With this background, I am totally opposed to the proposed change in the operation of Flaming Gorge Dam to match the flow and temperature of water in the Green River and the Yampa River at their point of confluence. The flat bottomlands of the Green River would cause a massive increase in the breeding grounds for all species of mosquitoes if this flooding is allowed to take place.

32a

The mosquitoes would rapidly spread West Nile virus to people, horses and other animals. In addition, the spread of heart worm to family pets and working farm dogs would be dramatic.

Dr. Steven Romney of the Uintah Basin Mosquito Abatement District does an admirable job. However, he cannot be expected to protect our health with his limited funds if thousands of additional acres of mosquito breeding grounds are created.

32b

In addition, there are serious problems with trying to match the flow of the two rivers. It is apparent from statements made by local experts, including the Department of Fish and Wildlife, that there is the potential for damaging spawning bars used by at least one of the four species of endangered fish that this

32c

proposed change is supposed to protect. The fish are making a comeback, granted a slow one, without this change. Why take the chance on harming them while at the same time endangering the health of Uintah County residents and their animals?

32d

I have one last concern with the proposed change. The farmers and ranchers in this area already struggle with noxious weeds damaging their crops and interfering with grazing. (These noxious weeds also damage the grazing grounds for deer, elk, etc.) Increased flooding would spread the weed seeds across many acres of farm land. The land would be unusable in wet seasons and covered with weeds in dry seasons.

Please put the people of Uintah County first as you make your decision on this proposed change.

Thank you for your consideration,
 Virginia L. Harrington, Ph.D.
 PO Box 3
 Vernal, UT, 84078

32. VIRGINIA HARRINGTON

32a

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and a threat from West Nile virus or other mosquito-borne diseases.

32b

The 2000 Flow and Temperature Recommendations are intended to aid in recovery of four endangered fish species by restoring a more natural flow regime to the Green River. The uncertainties associated with operating Flaming Gorge Dam under the Action Alternative, summarized in section 4.19, would be monitored and addressed through an adaptive management process if the Action Alternative is implemented. This adaptive management process would consist of an integrated method for addressing uncertainty in natural resource management. It is an ongoing, interactive process that reduces uncertainty and continually incorporates new information in the decisionmaking process.

Damage to spawning bars due to the proposed action is not anticipated but would likely be addressed through adaptive management projects designed to evaluate channel maintenance and endangered fish spawning activities.

32c

There are few data suggesting that the four endangered species are making a comeback; in fact, most data suggest that populations of four species are either stable at dangerously low levels or declining in some cases. At best, all four species currently exist at diminished population levels which preclude removing them from the ESA or improving their ESA status. Implementing the 2000 Flow and Temperature Recommendations is one measure which is expected to substantially aid in their recovery. See the Recovery Program website <<http://www.r6.fws.gov/crrip/rea.htm>> or call the Recovery Program at 303-969-7322, ext. 227 for more information.

32d

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Since the arrival of invasive species in the Uintah Basin (tamarisk was probably present by the 1930s), flooding has facilitated their spread. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years and for the spread of invasive species, and that potential will continue under either alternative.

From: "Corey Harris" <corey@big3consulting.com>
To: <fgels@uc.usbr.gov>
Date: Mon, Nov 15, 2004 11:25 AM
Subject: Green River Flows

Peter,

- 33a Please accept my opinion about the proposed fluctuation of flows on the Green River at Flaming Gorge Dam during peak fishing hours. As an avid flyfisherman, I make numerous trips to the Green River each year to float and fish the Green River and camp in local campgrounds.

- 33b Last summer the flow fluctuations during mid-day really impacted not only the fishing but the overall experience on the Green River. We had to be conscious of where we could anchor our boat while eating lunch or wade fishing and where we could wade safely. The flow changes also dramatically impact the quality of fishing.

As fisherman and outdoor enthusiasts, we spend a lot of money on fishing licenses, fishing equipment, boats and registration, fuel, lodging, campground reservations and supporting local restaurants and gas stations. The flow fluctuations on the Green continuing (especially during peak fishing hours) will seriously affect my decision to own a drift boat and make fishing trips from the Salt Lake valley to the Green River. If the quality of fishing is not the same and we have to deal with the flow fluctuations, I will drive the other direction and spend my time and dollars in Idaho on the Henry's Fork.

Please accept our comments and help us find "middle ground" between power generation and fishing opportunities.

Regards,

Corey Harris, Managing Partner
Big 3 Consulting
724 West 500 South, Suite 700B
Bountiful, Utah 84087
801-677-6006 x2
801-677-6007 Fax
801-856-6795 cell
<mailto:Corey@big3consulting.com> Corey@big3consulting.com
<<http://www.big3consulting.com>> www.big3consulting.com

33. COREY HARRIS

33a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

33b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below

From: "Craig W. Hauser" <chauser@rockymountainfoodsinc.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:24 AM
Subject: Green River/Flaming gorge dam

- 34a I understand you have the issue of the change flow out of the Flaming Gorge Dam before you at this time. It is my opinion that the flow should either be changed during none fishing hours, or regulated though out the day so that we do not experience the big changes that occurred this year. It had a very negative impact on many of my trips to the Green River this year. The changing flow has a negative impact on the fishing often putting the fish down for hour during the peak of the day. It also is dangerous for those of
- 34b who are wading to have the sudden increased flow while we are in the river. I make many trips a year to the Green River and spend several \$ on lodging, food , gas, tackle etc. Please do all in your power to control the flow and
- 34c keep the Green River a great fishing experience.

Craig W. Hauser

34. CRAIG W. HAUSER

34a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

34b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the

dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

34c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 below.

From: "Rick Hayes" <eps@sopris.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:18 AM
Subject: Flaming Gorges Releases of water

Dear Sirs,

35a As a concerned fisherman I would like to comment on the releases of water from Flaming Gorge Dam. I feel strongly that the releases could be timed better so that the flows do not effect the safety of fisherman during daylight hours. As well the fish do not respond well to fluctuations and it sets them off. Thus, making the sport even more difficult. I love the Green River and spend many dollars there each year along with my family and friends. Please try to set the fluctuations for nighttime hours. Thank You
35b for your help in this matter.

Sincerely,

Rick Hayes

257 Cheyenne Ave.

Carbondale, CO 81623

970-704-1154

CC: <dbreer@union-tel.com>

35. RICK HAYES

35a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge

among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

35b

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: <Jeb.Himsl@RxAmerica.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 3:52 PM
Subject: DEIS on the Operation of Flaming Gorge Dam

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office

Dear Mr. Crookston:

- 36a The following is a comment regarding the operation of the Flaming Gorge Dam. Specifically, I oppose daily release fluctuations during daylight hours. The reasons for my opposition are due to impacts on safety and environment.

- 36b I have been an avid floater of the Green River since becoming a resident of Utah in 1986. Since that time, I have witnessed many dangerous activities that are only complicated with increased flows. These range from waders being stranded and attempting a crossing that had been previously safe, to floaters that are simply unprepared to deal with the dangers of increased hydraulics. Changing flow conditions during peak daily use puts users in unanticipated situations. While there is no substitute for common sense, changing flows and limited access points through the Green River corridor actually increases the risks that users must confront. Inexperienced users, which are the overwhelming majority on the Green, often make poor decisions when confronted with the changing conditions.

Keeping flow constant during peak daily use periods minimizes risk and improves safety.

- 36c As for the environment, changing flows during daylight hours also has an adverse affect on the fishing resources of the Green. It changes the distribution patterns of anglers, causing congestion and overuse during certain periods of the day. It also affects daytime food availability to the fish. Although I do not know the biological implications on a river that is so dependent on terrestrial food sources, I do know the impact on the recreational use of the fishery.

Please be sure to address these concerns in the DEIS and oppose ongoing daily flow fluctuations.

Thank you,

Jeffrey Himsl
2441 Cliff Swallow Dr.
Sandy, UT 84093

36. JEFFREY HIMSL

36a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

36b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the

fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

36c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 below.

From: "Hunter, Jack" <jack.hunter@hp.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 9:16 PM
Subject: Green River Flows below Flaming Gorge Dam

To: Mr Peter Crookston

RE: Flaming Gorge Environmental Impact Statement Manager

Dear Mr. Crookston,

37a As an avid sportsman and a frequent visitor to the Flaming Gorge area I
37b am concerned about the recent Draft Environmental Statement being
considered but the Bureau of Reclamation. Specifically, I am concerned
about the apparent disregard for maintaining consistent flows from the
flaming gorge dam in support of fishing conditions below the dam.
Clearly this draft statement favors power production over the needs of
the fish and the fisherman. Last year I experienced the major change in
flows from 800 cfs to 1500 cfs during mid-day fishing. It completely
shuts down the fishing below the dam and negatively impacts both the
fish and the fisherman. If this plan is implemented again this year it
is fair to say that I will not visit the area because I will not be able
count of the consistent fishing and river flows of the past. Please
consider this input and that of other fisherman in making your decision
on this matter...

Best Regards,

Jack Hunter

37. JACK HUNTER

37a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

37b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power

generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: "Dale Huskey" <kayceejake@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 7:23 AM
Subject: Fw: Green River Alert- Please Read This!

If this is accurate, and you can increase the flows during "non recreational" hours, why not? I have spent a lot of money in the local economy for fishing trips. I take two annual trips with my customers. I may look elsewhere if the fishing was not so good and predictable.

Please take this into consideration when making your decision.

Thank you,

Dale Huskey
 Signode Western Operations
 ----- Original Message -----

From: Allen Brisk <mailto:Allen.Brisk@paccoast.com>
 To: 'kayceejake@msn.com' <mailto:'kayceejake@msn.com'>
 Sent: Friday, November 12, 2004 4:51 PM
 Subject: FW: Green River Alert- Please Read This!

-----Original Message-----

From: fishgreenriver [mailto:dbreer@union-tel.com]
 Sent: Friday, November 12, 2004 2:01 PM
 To: Allen Brisk
 Subject: Green River Alert- Please Read This!

GREEN RIVER ACTION ALERT!

Dear Green River fishers. We need your help! November 12,
 2004

The Bureau of Reclamation is undergoing a Draft Environmental Statement on the Operation of Flaming Gorge Dam and asking for comments.

One of the things that frustrates many of us who fish below dams is the erratic way flows can suddenly jump up and down while we are fishing. This can often disrupt water quality and upset the fish for set periods of time.

- 38a The end result is a spoiling of our fishing day. The Draft EIS allows for fluctuating flows for power generation up once a day and then down. In 2004 this was experienced by many of us on the Green as they went from 800 cfs to 1500 cfs every day (at 1:00 pm, right in the middle of the day) after our high flows in early June to the end of September. We hated the reaction from the trout, the fishing could and often did go flat for periods of time. Then they brought the flows down while we were trying to start fishing again and the process started again. The ups and downs and the disruption they caused to our fishing experiences were uncalled for. They have the ability to do the power generation flows in non-fishing hours or maintain a slightly higher steady f
- 38b low that generates the same amount of electricity.

- 38c Recreation and fish have a priority over power generation under the

authorized purposes of the Flaming Gorge dam. They never advertise this. They have hoodwinked us into never protesting their exploitation of your rights. Make your views known.

38d If you can share our frustration with this, e-mail or fax these guys and
38e tell them. Relate to them your experiences with changes in flows while you
38f were fishing. What happened and whether or not you are likely visit rivers
where you know this is occurring. You might mention how your fishing dollars
impact local businesses and Utahs overall economy. The technical sentence
you might include is- We support the single daily peak hump restriction, but
its timing should be in a manner that it has no impacts on river recreation
activities, especially fishing. You can also address the issues of safety, a
waders safety is effected negatively when river flows change abruptly.

We need note writers and fast. These don't have to be extended notes unless
you feel compelled to do so. Just give your feelings on the subject, if you
have experiences that you can relate to them, even better. Anything will
help. This is your chance to be heard. Time is unfortunately an issue. We
are nearing the comment periods ending, it closes next Monday, November 15,
2004. That's why we suggest e-mail or faxes.

Help us if you can, pass this note onto others that you know fish or that
appreciates the world class trout fishery at Flaming Gorge that might add
their voices as well. We know we are late in requesting your help, the
document is large and we have had to spend a lot of time determining issues
and their impacts on fishing. We would appreciate all the assistance we can
get. Denny. dbreer@union-tel.com<mailto:dbreer@union-tel.com>

Address your comments to-
Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317
801-379-1152
801-379-1159 FAX
E-MAIL- fgeis@uc.usbr.gov<mailto:fgeis@uc.usbr.gov>

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Click this link, or copy and paste the address into your browser.

38. DALE HUSKEY

38a

Daily fluctuating releases are permitted under both the Action and No Action Alternatives.

38b

Fluctuating releases during the day have been the normal operations of the powerplant since it began power generation 40 years ago and would continue under either alternative. The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

38c

Reclamation seeks to meet all of the requirements placed upon the reservoir and dam and seeks to balance the benefits among all authorized purposes of the facility. The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. Please see section 1.4 of the EIS for authorized purposes of the dam.

38d

The single daily peak hump restriction is outside the scope of the EIS; however, it is noted that the changes in flows, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Hydropower is the best source available for meeting peak demands. Meeting peak demands is currently tempered; however,

by the need to meet environmental concerns and safety of anglers.

38e

Reclamation is well aware of the recreation value created by the construction of Flaming Gorge Dam, including the trout fishery which did not previously exist. The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of fluctuating releases, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

38f

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: <BISON1BOB@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:07 PM
Subject: Green River Flow Management

Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO 774
BuRec, Provo, UT

- 39a** For safety, economic and recreation purposes, please do not allow the erratic flow changes from Flaming Gorge Dam. Please find a flow pattern which does not disrupt water quality and still permits adequate power generation. Please uphold the priority that recreation and fish have over power generation. Past
- 39b** behavior suggests that your agency has little regard ro these priorities.

Bob Johnston
p.o. box 50872
Henderson, NV 89016

bison1bob@aol.com

CC: <BISON1BOB@aol.com>, <dbreer@union-tel.com>

39. BOB JOHNSTON

39a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

39b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives.

We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: <Donx.Jane@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Thu, Nov 4, 2004 9:09 PM
Subject: EIS report on flooding the Green River bottoms

Mr. Peter Crookston:

- 40a I would like to express my strong opposition to the flooding of green river bottoms.
I live within one mile of Green River, and when the bottoms are flooded, the bugs come
- 40b out in the millions. With West Nile problem, it could be deadly.
To suggest a fish if more important than my family is very wrong. We know the West Nile will kill, and we don't know what the endangered will do, or if they have any benefit
Please give this more and serious throught doing something that would kill people

Thank You....Don E. Jorgensen

40. DON E. JORGENSEN

40a

Flood plain inundation has occurred along the Green River in the past, though less frequently since Flaming Gorge Dam was built. There has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. The presence of the dam for over 40 years has indeed served to moderate flooding. However, this was never intended to mean that the flood plain would remain permanently dry. It means only that there is increased ability to moderate potentially catastrophic flows. Since the dam was built, there have been a number of wet years where high flows have occurred, such as 1983. Whether or not the proposed action is implemented, high flows would be expected in the future, and none of the high flow targets in the Action Alternative exceed the very high natural flows that have occurred historically.

As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will under either alternative continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

40b

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

Reclamation notes that the issue of mosquito control along the Green River has been discussed annually at the Flaming Gorge Working Group meetings, and we expect such dialogue to continue in the future, whether or not the proposed action is implemented. As noted in section 4.21 of the EIS, Reclamation is committed to continuing dialogue with county officials to explore the potential to assist with mosquito control.

From: <DonxJane@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 5, 2004 2:15 PM
Subject: EIS report on flooding the Green River bottoms

Mr. Peter Crookston:

- 41a** I would like to express my strong opposition to the flooding of Green River bottoms.
- 41b** I live within one mile of Green River, and when the bottoms are flooded, the bugs come out in the millions. With West Nile Virus on the move, it could be a great problem for those who live near by. I have experienced some health problems with severe bronchitis and other respiratory infections. I would strongly suggest that you take another look at this issue.

Thank You, Dora J. Jorgensen

41. DORA J. JORGENSEN

41a and 41b

Please see response to individual letter 40 above.

From: Wade Kafkaloff <wade.kafkaloff@jpl.nasa.gov>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 8:55 AM

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Mr. Crookston, I have visited the Green River several times over the last few years. This year I have been fishing in Northern California in part because of the variable flows being experienced on the Green this year. I urge you to consider increasing/decreasing the flows during non-fishing hours on the Green. Although my fly fishing buddy and I are only two people, I'm sure there are many others with the same concerns. You're competing directly with the city of Redding California. It's an easy flight from Southern California (I fly a small plane to my fly fishing destinations). The Redding Airport, The Fly Shop, its guides, and the State of California will be happy to continue receiving my fly fishing dollars if you continue to adversely affect the fishing on the Green by varying flows during the day.

42a

Thank you for listening to my concerns.
Sincerely,
Wade Kafkaloff
South Pasadena, Ca.
818-354-4769

42. WADE KAFKALOFF

42a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Bruce Kautz" <blkautz@adelphia.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 7:18 AM
Subject: Green River flows

Dear Mr. Peter Cookson,

I, my family and my friends frequently come to north eastern Utah to fish the Green River below the Flaming Gorge Reservoir. The only reason we drive 8 hours is to fish. We always hire a guided drift boat for at least 2 days of our trip. We spent 4 days there this past May and had an enjoyable time for the most part. We did notice that because of the way the outlet flow from the dam had been ramped up and then turned down, the fishing was off a couple days. That made it very difficult for our guide and made the trip less enjoyable as in the past. Again, our trips there are for 1 reason - to fish. Losing us and others because of poor fishing due to sporadic flow changes will potentially send us to other rivers in Colorado, New Mexico, Wyoming and Idaho in our pursuit of great fishing. That will affect the financial economy of the Flaming Gorge / Dutch John, Utah area.

I would like to encourage you and your division to do whatever you can to keep flow adjustments in a realm that continues to give the electrical power needed, yet maintain a great fishery every day of the year.

Sincerely,

Bruce Kautz

43. BRUCE KAUTZ

43a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

43b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

MEMO

TO: Mr. Peter Crookston, Flaming Gorge Environmental Impact Manager
PRO-774, Bureau of Reclamation, Provo Area Office,
302 East 1860 South
Provo, Utah 84606-7317

FROM: Mr. Ted E. Kulongoski, E.I.T.
Graduate Student
Environmental Resources Engineering Department
Humboldt State University
1 Harpst Street
Arcata, CA 95521

DATE: Wednesday, October 06, 2004

SUBJECT: Comment on Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS) ending November 15, 2004.

1.0 SUMMARY

To protect and assist in the recovery of four endangered fish species currently listed as threatened by the Endangered Species Act, the Bureau of Reclamation is considering whether to implement a Proposed Action under which the Flaming Gorge Dam would be operated to meet specified peak flows, water temperatures, flow durations, and base flow levels on the Green River. Alternatives will require greater variation in annual river flow as a means to recreate and reestablish a more historic riverine ecosystem conducive to the endangered fish populations.

Although the Bureau of Reclamation has made substantial progress in identifying and addressing the many impacts associated with the two alternatives, the DEIS in its current form was found incomplete in three technical areas:

1. Groundwater Impacts

Both of the alternatives considered in the DEIS will increase the flows of the Green River, resulting in increased infiltration and a potential impact on the groundwater system. Further modeling of the groundwater system, in regard to the Action and No Action Alternatives, will be needed to better understand how the increased flows will likely impact the basin groundwater.

2. Sensitivity Analysis for Models

The lack of parameter sensitivity information for any of the models used in the DEIS casts a shadow of uncertainty on the results discussed. Much of the work completed for the Flaming Gorge DEIS involved sophisticated modeling of the Flaming Gorge Dam and downstream reaches. Evaluation of the model's robustness by means of a sensitivity analysis of key parameters was not included in the DEIS. Completing and providing a documented sensitivity analysis is necessary in validating the model's results and supporting the conclusions derived from those results.

3. Impacts of Future Diversions and Increased Consumption

The need to examine in greater detail scenarios of reduced flow is justified by the Final Biological Opinion on the Operation of Flaming Gorge Dam where the U.S. Fish and Wildlife Service (1992) determined that flow depletions from water resource projects, both up and downstream, would likely jeopardize the continued existence of endangered fish. Further use of the Flaming Gorge Dam model will be needed to adequately explore how future water diversions, increased consumption, and depletions from the Green River will alter the flow regimes considered by the two alternatives considered in the DEIS.

I request the Bureau of Reclamation to consider these recommendations and to assimilate the needed information for the Final Environmental Impact Statement.

BACKGROUND

The Bureau of Reclamation is considering whether to implement a Proposed Action under which the Flaming Gorge Dam would be operated to achieve the flow and temperature regimes recommended in the September 2000 report *Flow and Temperature Recommendations for Endangered Fishes in the Green River Downstream of Flaming Gorge Dam*, published by the Upper Colorado River Endangered Fish Recovery Program. The 2000 Flow and Temperature Recommendations specifically describe the recommended peak flows, durations, water temperatures, and base flow criteria on the

Green River, to protect and assist in the recovery of four endangered fish species currently listed as threatened by the Endangered Species Act. The four endangered fish species are the humpback chub (*Gila cypha*), the Colorado pikeminnow (*Ptychocheilus lucius*), the razorback sucker (*Xyrauchen texanus*), and the bonytail (*Gila elegans*).

DEIS TECHNICAL POINTS NEEDING FURTHER ATTENTION

Although the Bureau of Reclamation has made substantial progress in identifying and addressing the many impacts associated with the Proposed Action, the DEIS in its current form was found incomplete in three technical areas.

Groundwater Impacts

44a The Proposed Action Alternative and the No Action Alternative outlined in the DEIS will increase river flows for the 410 river miles of the Green River below Flaming Gorge Dam and inundate the historic flood plain. The increase in available surface water will influence the groundwater of the Green River Basin. Although analysis and discussion were presented in Chapter 4, Section 4.3.2, that “addresses impacts to water resources within the affected environment downstream from Flaming Gorge Dam,” the DEIS failed to identify groundwater as a hydrological impact. A search of the DEIS document reveals that no consideration was made to groundwater impacts. The only mention of groundwater is in Chapter 3, Section 3.3.2, regarding water salinity where drawdown of the reservoir may result in bank storage (groundwater) flowing into the reservoir. Neglecting to introduce the impact of the two Alternatives on the groundwater system of the Green River Basin was a gross oversight and should be given due consideration.

Hydrology for a riverine system where there is an increase in flood plain surface water will commonly result in an increase in groundwater infiltration. The quantity of water infiltrating depends on the soil texture, soil structure, vegetation, and soil moisture status. Because soil characteristics vary over the 410 river miles of the lower Green River, the amount of groundwater infiltration occurring from the proposed flow regimes is unknown. Further modeling of the groundwater system, in regard to the Action and No Action Alternatives, will be needed to better understand how the increased flows will likely impact the basin groundwater. This is an important consideration given the geographic location and environment of the Green River Basin.

The Green River Basin is classified as a high desert environment and has an average annual rainfall of less than ten inches (World Climate, 2004). Given the limited annual precipitation, water rights and the development of water resources is critical to the economic and recreational vitality of the area and is subject to numerous federal, state, and county laws and regulations. Because the region can be described as water poor, an increase in available groundwater will qualify as a significant impact to the Green River Basin. Higher groundwater levels would significantly impact agriculture, ecology, and land use around the Green River. If larger quantities of groundwater became available due to the increased flows on the Green River (as a result of the Action and No Action Alternatives) and that water was allocated for beneficial use through water rights, it would be very difficult to substantially modify the Flaming Gorge Dam discharge program in the future. A groundwater study of the Lower Green River Basin is therefore necessary to evaluate and consider the possible impacts of the Action and No Action Alternatives.

Sensitivity Analysis for Models

An important tool to assist in developing any model is a sensitivity analysis. The sensitivity analysis illustrates the model's response to slight changes in model parameters. For a model to prove robust, it must produce similar results (output) when small changes to key parameter values are made. If the model's results vary significantly after slight variation of the key parameter values, then the model may require further calibration, or in some cases, the parameter values used will need to be documented and/or tested to assure model validity.

44b Completing and providing a documented sensitivity analysis is necessary not only to help in validating the model's results, but also to support the conclusions derived from those results. Much of the work completed for the Flaming Gorge DEIS involved sophisticated modeling of the Flaming Gorge Dam and downstream reaches. Documentation of the model building, calibration, and validation process was included in Appendix 2 – Hydrologic Modeling. Unfortunately, no results of a sensitivity analysis on the Flaming Gorge Dam model could be found in the Appendices or main DEIS. The same was true

44c for the hydroelectric power model developed to compare electricity generation capacities of the two alternatives (Appendix 5). The lack of parameter sensitivity information for any of the models used in the DEIS casts a shadow of uncertainty on the results discussed.

The inclusion of a sensitivity analysis will also allow the opportunity to document “What if” scenarios. A “What if” scenario will document the model’s results when realistic changes are made to the model’s parameters or input values. An example of a “What if” scenario for the Flaming Gorge DEIS is the economics of electricity generation using the power model. The economics of the No Action and Action Alternatives are based on net present value (NPV) calculations of the hourly value of Flaming Gorge electricity generation over the 25-year study period. The value of generation is computed by multiplying hourly electricity production by the hourly spot market price. All NPV calculations are based on an annual discount rate of 5.5 percent. The model results presented in the DEIS indicated no significant difference in electricity generated revenue 44d among the two alternatives, but that was for only the 5.5 percent discount rate. What if the model was run again but the discount rate was changed by ± 0.5 percent? Are the results, the difference between NPVs of each alternative, still insignificant? What if the discount rate were changed by ± 1.0 percent? What if the Average Spot Market Price was changed by $\pm \$5/\text{MWh}$? The sensitivity analysis would document the nuances of these different variations and any significant findings they revealed.

Impacts of Future Diversions and Increased Consumption

44e Future water demands need to be considered in the Flaming Gorge Dam model. In Chapter 4, Section 4.19.1, the Flaming Gorge Dam DEIS (2004) states, “The Flaming Gorge Model assumed that water development in the Upper Green River Basin and the Yampa River Basin would continue at the rate projected by the Upper Colorado River Commission.” The DEIS then continues, “it is uncertain what resource impacts would occur as a result of future water development in the Green River Basin above and below Flaming Gorge Reservoir.” Considering that the Affected Environment (Chapter 3) and the Environmental Consequences (Chapter 4) depicted in the DEIS are based on the results of the Flaming Gorge Dam model, it is disconcerting to read that no “What if”

scenarios were performed to examine impacts from future water diversions and increased consumption.

The need to examine reduced flow scenarios is justified by the Final Biological Opinion on the Operation of Flaming Gorge Dam where the U.S. Fish and Wildlife Service (1992) determined that flow depletions from the Duchesne and Green Rivers caused by the Strawberry Aqueduct and Collection System, “would likely jeopardize the continued existence of the endangered Colorado pikeminnow and humpback chub.” This Biological Opinion included a Reasonable and Prudent Alternative stating that, “Flaming Gorge Dam and Reservoir would compensate for those depletions and be operated for the benefit of the endangered fishes in conjunction with its other authorized purposes.” The concern raised by the Biological Opinion is, “What happens if the water in the reservoir isn’t enough to compensate for depletions?”

A wider range of flow scenarios for modeling must be considered to protect and assist in recovery of the populations and designated critical habitat of the four endangered fishes. Further use of the Flaming Gorge Dam model will be needed to adequately explore how future water diversions, increased consumption, and depletions from the Green River will alter the two alternatives considered in the DEIS. Without considering the potential impacts that less water in the system will have on the two alternatives, the alternative selection process is incomplete. It is imprudent not to evaluate the two alternatives under reduced flow conditions because the model’s results, based on reduced flow, may negate the feasibility of one or even both alternatives. It would be disappointing to complete the entire Flaming Gorge EIS process, select the preferred alternative, and then have it become infeasible because increased diversions and consumption produced insufficient water availability for its implementation.

CONCLUSION

Although the Bureau of Reclamation has made substantial progress in identifying and addressing the many impacts associated with the two alternatives, the Operation of

Flaming Gorge Dam DEIS in its current form was found deficient in three technical areas:

1. Groundwater Impacts

The alternatives considered in the DEIS will increase the flows of the Green River, resulting in increased infiltration and a potential impact on the groundwater system. Further modeling of the groundwater system, in regard to the Action and No Action Alternatives, will be needed to better understand how the increased flows will likely impact the basin groundwater.

2. Sensitivity Analysis for Models

Much of the work completed for the Flaming Gorge DEIS involved sophisticated modeling of the Flaming Gorge Dam and downstream reaches. Evaluation of the model's robustness by means of a sensitivity analysis of key parameters was not included in the DEIS. The lack of parameter sensitivity information for any of the models used in the DEIS casts a shadow of uncertainty on the results discussed. Completing and providing a documented sensitivity analysis is necessary not only to help in validating the model's results, but also in supporting the conclusions derived from those results.

3. Impacts of Future Diversions and Increased Consumption

The need to examine in greater detail scenarios of reduced flow is justified by the Final Biological Opinion on the Operation of Flaming Gorge Dam where the U.S. Fish and Wildlife Service (1992) determined that flow depletions from water resource projects, both up and downstream, would likely jeopardize the continued existence of endangered fish. Further use of the Flaming Gorge Dam model will be needed to adequately explore how future water diversions, increased consumption, and depletions from the Green River will affect the two alternatives considered in the DEIS.

I request that the Bureau of Reclamation consider these recommendations and assimilate the needed information into the Final Environmental Impact Statement.

6.0 REFERENCES

World Climate. (2004). Climate Data for 40°N 109°W. Available [Online]:
<<http://www.worldclimate.com/cgi-bin/grid.pl?gr=N40W109>>, September 26, 2004.

U.S. Fish and Wildlife Service. (1992). Final Biological Opinion on the Operation of Flaming Gorge Dam. Fish and Wildlife Service, Mountain-Prairie Region, Denver, Colorado, November 25, 1992.

44. TED E. KULONGOSKI

44a

Reclamation believes that no significant difference exists between Action and No Action Alternatives for groundwater and surface water interactions along the Green River downstream from Flaming Gorge Dam.

44b

Sensitivity analyses with regard to specific parameters were reviewed by the modelers during Flaming Gorge Model development. Sensitivity to forecast errors, depletion schedules, and specific policy rules were evaluated during the formulation of the Action and No Action rulesets. In terms of the presentation of the model results, however, sensitivity analysis was not included in the EIS.

44c

Changing inputs would change the results of the hydropower model, but most inputs are defined by the operations of the powerplant.

44d

The EIS used a discount rate of 5.5 percent to estimate present value of the hydropower analysis with the given results. Use of a lower interest rate would increase the present value of both alternatives by roughly the same amount, and increasing the discount rate would have the opposite effect. The net difference between the two alternatives would be slightly different with another discount rate, but the percent difference would be approximately the same. For example, using a discount rate of

6.125 percent, a difference between alternatives would be \$18.3 million; using a discount rate of 4.875 percent, the difference is \$21.7 million, with still about 5 percent difference between the two alternatives. Therefore, the hydropower model lacks sensitivity to the interest rate.

The hydropower model used hourly forecasted prices, not average prices. Changing the hourly prices by a given amount would not affect the results as an increase of \$5 per megawatt-hour would have the same effect on both alternatives. However, an asymmetric change to prices would impact the results depending on how the prices were changed. For example, arbitrarily changing prices such that peak prices would be reduced would decrease the net value of the Action Alternative since this alternative generates less energy. An infinite set of prices could be generated, each changing the results in a unique way. The price set that was used was independently generated by a group not connected with the analysis or operation of the powerplant.

44e

Future water development was assumed in the analysis of the Action and No Action Alternatives. The Flaming Gorge Model incorporated increasing future depletions that were equivalent to the rates of depletion projected by the Upper Colorado River Commission (memo: dated December 23, 1999 entitled "Estimates of Future Depletions in the Upper Division States"). Analyzing the impact of future depletions is not within the scope of this EIS.

Memo

To: Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager, PRO 774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

From: Heather Kuoppamaki, E.I.T.
Environmental Resources Student
Humboldt State University
1 Harpst St.
Arcata, Ca 95521

Subject: Comments on Flaming Gorge Dam DEIS.

Summary:

The comments on this DEIS are made by Heather Kuoppamaki, an Environmental Resources Engineering senior and E.I.T. at Humboldt State University, California. My emphasis in engineering includes river restoration. Due to this and my continued interest in river health, I have chosen to comment on this DEIS. There are portions of the Draft EIS which overlook important aspects of the project. These portions are summarized below, and presented in further detail later in this memo.

General problems with the DEIR include:

- Formatting –
 - The formatting of the report makes it difficult to locate information. Rewording of section 4 from “Environmental Consequences” to “Impacts” would follow the recommended format for NEPA.
 - As well, there is no section or subsection for “mitigation”; this is a fault that continues throughout the entire DEIS as little to no information on *mitigation is mentioned*.

- Significant jumps of information occur throughout the document. For example, in the “Environmental Consequences” section, the logic which allowed for sediment transport increases to be considered insignificant is not included in the report.
- A summary of abbreviations page, as well as a glossary would, make reading of the document easier. These should be included to meet the average reader comprehension requirement.
- Alternatives - The reasons for having only one action alternative are not convincing. Many alternatives should be addressed before making a final decision on the new flow release schedule of the dam.
- Exclusion of details included in the 1992 and/or 2000 studies - Often throughout the document, statements were made based on the 1992 Biological Opinion Report (BOR) and/or the 2000 Flow and Temperature Recommendations (FTR). It would have been very helpful to include relevant sections, or at least the executive summaries, of these documents in the DEIS appendices.
- Mitigation - There does not appear to be any funding for future mitigation, including increased costs of operation and maintenance, clearly stated in the DEIS. Most impacts are stated as being non-significant but will be addressed if necessary. Who will perform ,and how this mitigation will occur, is not addressed through the DEIS.
- Environmental Consequences – As mentioned above, the “Environmental Consequences” section should be renamed to Impacts. Throughout the environmental consequences section, negative environmental consequences are mentioned briefly without any mitigation measures. This occurs throughout this section of the document and should be addressed prior to finalization.

Purpose and Need Statement:

The purpose and need statement is outlined as follows:

“The purpose of the Proposed Action is to operate Flaming Gorge Dam to protect and assist in recovery of the populations and designated critical habitat of the four endangered fishes, while maintaining all authorized purposes of the Flaming Gorge Unit of the CRSP, particularly those related to the development of water resources in accordance with the Colorado River Compact.”

The purpose and need statement limits potential alternatives by stating that **all** authorized purposes of the Flaming Gorge Unit of the CRSP must be maintained. For example, an alternative which is eliminated from further study is the total dismantling of the dam and reservoir system. Because the purpose and need includes the maintenance of all authorized purposes of the Flaming Gorge Unit, dam removal is not examined, when in this case it may be the best alternative for the health of the river and the endangered fish species located within the river.

Alternatives:

- The alternatives section should provide more detail into alternatives that were considered yet not proposed.
- Further detail into varying dam operations (which were as a group, disregarded) would increase the validity of the two alternatives selected. Information regarding what dam operations were examined, and how they fit into the alternative section would be useful.
- 45a • In the action alternative, why are flows in Reach 2 met first, with changes to the flow regime if necessary to maintain flows in Reach 1? As mentioned in the FTR, Reach 1 is the most significantly affected by flows from Flaming Gorge Dam, while flows in Reach 2 are significantly affected by its tributary, the Yampa River.
- 45b • The Modified Run River Alternative appears to be disregarded without enough analysis, because the inflows are too variable due to agricultural water storage,,

which lets water back in to the river months later. It seems reasonable that with analysis of a few gages upstream of Flaming Gorge Reservoir, actual inflows could be interpolated.

- 45c • Timing of the peak flows should be addressed in further detail. Table 2-1 of the DEIS details duration of peak flows. How these peak flows occur relative to each other may be an important issue for fish habitat as well as natural river restoration.
- 45d • A study of more than two alternatives would add to the validity of this EIS. The no-action alternative would not meet the Endangered Species Act and is therefore, for the most part, unreasonable. Analysis of further actions which would meet the Endangered Species Act requirements would increase the substance of the EIS. The remainder of the DEIS appears “stunted” due to the limitation of, basically, no alternatives. In the 2000 report, it is suggested that varying flows each year would allow for the best long term improvement of the river. An alternative which addresses altering the patterns used during low, medium, and high flow years, could address this issue. Perhaps further alternatives with altering flow schedules could be addressed in the alternatives section.
- Allowing for changes in the flow regime during the year would allow for more alternatives. This would also increase management options when the incorrect flow regime is put in place for the year. I was raised near the Folsom, California reservoir and remember numerous years when the incorrect flow regime was scheduled, and reservoir levels at the end of the season were drastically low.
- 45e • A maximum number of consecutive years where the minimum flow regime is allowed should be included in all alternatives. Numerous sequential years of low flow could drastically alter the downstream aquatic environment.

Affected Environment

The affected environment is discussed in detail; few substantive comments are made in this section of the DEIS. However, on Figures 3-1 and 3-2, a scale is missing but necessary. This would enable further analysis of the figures with respect to algae blooms.

45f Tables 3-2, 3-3, 3-4, 3-6 should include pre-dam temperatures for reference. Figure 3-4 should also include a pre-dam temperature regime for reference.

Environmental Consequences

As mentioned above, this section should be renamed "Impacts" for clarity and to follow the NEPA recommendations. As well, increased usage of the terms "significant impact" and "insignificant impact" would follow NEPA guidelines better. These terms would allow the reader of the document to find conclusions to the findings very easily and understand what the conclusions are.

Sediment Transport

Increased loads of sediment transport are mentioned as an expected effect of the Action alternative. Reach 1 is expected to increase by 13,000 tons; Reach 2 is expected to
45g increase by 100,000 tons; and Reach 3 is expected to increase by 250,000 tons. Without any supporting information, these increases are expected to have no change on the channel morphology. Information on the process by which this conclusion was reached would be very helpful. It is possible that this increase in sediment load would be *beneficial to altering the channel for increased fish habitat*. Mentions of the expected outcomes of this effect should be included, as well as necessary mitigations.

Agriculture

In the agriculture section, numerous negative effects of the Action alternative are mentioned. At the end of this section, these potential effects are disregarded, and no mitigations are initiated. The Action alternative may not be the sole action responsible
45h for economic damages to the agricultural sector, but this does not excuse or exempt that portion of environmental damage that the Action Alternative does cause. Economic

damages by the Action alternative should be mitigated so they can be considered less than significant.

Vegetation

More impacts are associated with the possible increased occurrence of non-native as well as invasive species. According to the report, invasive species would likely increase, but
45i mitigation again is not mentioned. These impacts should be addressed in more detail. Are the increased flood occurrences due to the Action alternative mitigatable? Are mitigations a necessary concern for this, and why or why not? Discussion of these questions would be very useful.

Threatened and Endangered Fish

This section appears to include strong information for the decisions reached. To aid the
45j average reader in the comprehension of this section, include a figure which depicts the predicted inundated flood plains for each of the flow regimes.

Terrestrial and Avian animals

45k Further analysis of why the action and no action alternatives have no impact on avian or terrestrial creatures would increase the validity of the report. Since variations in vegetation are expected from the action alternative, effects on fauna are probable.

During further analysis of the impacts on terrestrial and avian animals impacts to “terrestrial wildlife” are expected for a period of time which is not defined. A change in species present may occur through this time of re-equilibrium. Mitigations for this period of time should be implemented so that more animals are not added to the endangered species act. During the time of imbalance, measures should be implemented to promote native animal health and diversity.

Other Threatened or Endangered Species*Southwestern Willow Flycatcher*

The Action alternative may temporarily decrease habitat of the Southwestern Willow
45l Flycatcher. If this species is endangered, any negative effects must be mitigated.
Further, if flood flows are large enough, short term effects will be offset by long term
habitat development. What happens if the flood flows are not large enough? Are there
any mitigation plans for this possibility?

Overall all of the threatened or endangered species should have a plan for habitat
mitigation in case the Action alternative does negatively affect their lives. This would
decrease the time necessary to determine the mitigation plan once negative effects are
noticed.

Cultural Resources

In section 4.8.2.2, the effects of the action alternative are stated. Effects from
implementation of the new flow regime appear to be minor with the exception to flooding
certain historic areas in Reach 1 in the Browns Park Area, which may receive more
45m flooding and longer inundation if the Action alternative is selected. Is it not important to
do whatever possible to preserve these historic areas, even though it has experience
potentially harmful events in the past?

Addressing Uncertainties through Adaptive Management

This was the first section where any mention of mitigation occurred. Further explanation,
of the research and adaptive management practices which would occur, would be
beneficial. Particularly, what sort of research is going to occur in the near future, who in
the dam operations will be responsible for implementing the management plan? Would
45n there be a special team included in the dam operators? Would the people chosen to
perform these duties have certain background characteristics to ensure proper research
methodology?

Environmental Commitments

This section, as well as the above section, should be renamed to include the word “mitigation measures”. This would increase the flow of the document and follow NEPA guidelines a little closer. As well, referencing of this section during analysis of the environmental consequences would allow the reader to examine the “mitigations” to be implemented for the negative impacts.

Specific economic means which Reclamation will use to perform all of the monitoring and adaptive management schemes presented should be discussed.

1992 Biological Opinion Report

This report should be either included in the DEIS as an appendix, or linked to the DEIS. A further analysis of the 1992 Biological Opinion Report would allow me to discuss the significant of the conclusions of the report and analyze the action alternative. Without the inclusion of this report, the DEIS is incomplete as all the determining factors are not accounted for. I would be even more beneficial to the outside person reviewing the report if a summary of the information related in this report were included as a section of the DEIS.

2000 Flow and Temperature Recommendations for the Green River, Downstream of Flaming Gorge Dam

As with the 1992 Biological Opinion Report, numerous references to the 2000 Flow and Temperature Recommendations are made. Often in the document, conclusions are determined. It is assumed that these conclusions are made at least in part due to the findings of the FTR. Whenever applicable, the FTR should be referenced with a section number so that concerned individuals have the opportunity to examine the methodology. Since the action alternative is highly based on the information portrayed in this report, and the report formatting makes writing/reading difficult a concerned individual such as myself cannot fully evaluate the action alternative without the report.

45. HEATHER KUOPPAMAKI

45a

In the 2000 Flow and Temperature Recommendations, the following statements are made which support using Reach 2 as the priority reach:

- ❖ Section 5.2.1 “Recommended flows for Reach 1... are those measured at the USGS gauge near Greendale, Utah, and are, for the most part, release patterns from Flaming Gorge Dam needed to achieve the target peak and base flows identified for habitats of the endangered fishes in Reaches 2 and 3.”
- ❖ Section 5.2.1 “Base flows in Reach 1 should be managed to ensure that within-year and within-day variability targets for Reach 2 are met.”
- ❖ Table 5.4 General Recommendations: “Peak flows in Reach 1 should be of the magnitude, timing, and duration to achieve recommended peak flows in Reaches 2 and 3.”

Throughout the 2000 Flow and Temperature Recommendations document, it is stated that the critical habitat for the endangered fish reside in Reaches 2 and 3. This is also stated in the EIS. Through modeling, Reclamation came to the determination that it was possible to reasonably predict future flows in Reach 2 with enough precision to efficiently augment these flows to achieve the target levels established in the 2000 Flow and Temperature Recommendations for Reach 2.

45b

The Modified Run of the River Alternative releases on a daily basis during the spring would be a percentage of the previous day’s unregulated inflow. In this way, the release regime would closely match the inflow regime. By varying the percentage from a low percentage of up to 100%, we could test

the reaction of the reservoir in terms of reservoir storage. Because of the narrow scope of this EIS, the Modified Run of the River Alternative had to achieve all of the flow objectives of the 2000 Flow and Temperature Recommendations in Reaches 1 and 2 of the Green River in the same way that the Action Alternative did. The suggestion regarding the use of data from upstream gauges is unclear, but absence of inflow data was not the reason that this alternative failed to meet the purpose and need.

The Modified Run of the River Alternative did include unregulated daily inflows to Flaming Gorge. These values were used to determine what each daily release would be. Perhaps this comment refers to natural flow. It is possible to roughly estimate natural flow from actual measurements; however, the computation of natural flows is a very complex and involved process, and this work has been done on a monthly time scale but not on a daily time scale.

Based on sensitivity analysis of the percentage rate, it was found that the flow objectives could not be met even when the percentage was set to 100%. There were two main reasons for this result. First, water consumption and diversion above Flaming Gorge Reservoir reduced the measurable unregulated inflow. Second, the timing of releases from Flaming Gorge Dam under this regime were not optimally timed with the flows of the Yampa River.

45c

Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group, which will evaluate criteria listed in table 2-5 of the EIS when making recommendations. This allows opportunities to refine flow attributes based on an adaptive management process.

45d

The purpose and need of this EIS is limited to alternatives that implement the 2000 Flow and Temperature Recommendations while maintaining and continuing the authorized purposes of the dam. Reclamation acknowledges that a full range of reasonable alternatives is desirable. However, despite considerable effort to develop additional alternatives that meet the purpose and need of the EIS, additional viable action alternatives could not be identified. Please see sections 1.4.5, 1.4.6, and 2.2 of the EIS.

45e

The target flows and durations to be achieved each year are dependent on the natural hydrograph of that year and the hydrological classification of that year. If 6 consecutive drought years occur in a row, as is currently the case, then only low targets and durations would be achieved. In very wet years, high targets with long durations would be achieved.

45f

The scales are a measurement of Chlorophyll a in micrograms per liter ($\mu\text{g/L}$). The red scales are for concentrations greater than $27 \mu\text{g/L}$; and in fact, they can reach several hundred $\mu\text{g/L}$ or hyper-eutrophic status at times in the red zones. The scale was clarified in the figures and in the text. Pre-dam temperatures below Flaming Gorge reached about 23-24 °C in the summer and near freezing during the winter. The pre-dam temperatures were warmer at the peaks in the summer than now occur.

45g

The resulting changes in average annual sediment transport will likely produce some channel morphological changes in Reach 1. For example, increased local erosion of bank materials could lead to channel widening in some portions of Reach 1. In Reaches 2 and 3, the increases in sediment transport

conditions, on a percentage basis, under the Action Alternative relative to No Action conditions, are relatively smaller than the changes anticipated for Reach 1. For these conditions, changes in channel morphology due to increased sediment transport are anticipated to be subtle and will likely be difficult to track. See the Effects of Flaming Gorge Operations Under the 1992 Biological Opinion and the 2000 Flow and Temperature Recommendations on Sediment Transport in Green River Technical Appendix for a description and a discussion of the sediment transport analysis completed for the EIS.

45h

The analysis of potential effects to agriculture (section 4.5) shows that there are not significant differences between the Action and No Action Alternatives.

45i

Recent research findings suggest that the proposed action may encourage a shift in location, but not an increase, in tamarisk establishment (see sections 4.7.5 and 4.19.6 in the EIS). The EIS more clearly reflects these new findings. One of the predicted benefits of this shift in establishment location would be positive changes to fish habitat. As a result of these new findings, Reclamation does not believe that mitigation for this action is warranted. However, unrelated to any effects of this action, Reclamation has recently supported research aimed at defining those microhabitats most likely to remain tamarisk free following mechanical removal. Any improvement in this arena may help Reclamation and other management agencies along the Green River more effectively control tamarisk as per Executive Order 13112 on Invasive Species, 1999.

45j

Please refer to figure 4-16 in the EIS; for more information. See figure 3-1 in Valdez, R.A. and P. Nelson. 2004, *Green River Subbasin Floodplain Management Plan*, Final Report to Upper Colorado River Endangered Fish Recovery Program, Denver, Colorado, Project No. C-6. This report can be obtained by writing the Recovery Program.

45k

The no effect determination for animals exploiting reservoir or river habitats was made because variations in the vegetative community attributable to dam operations would be slight and occur over a sufficiently long period that mobile terrestrial and avian communities could alter their ranges and habits in such a way that no appreciable change in population size or dynamics would occur to these populations.

Perturbations to the vegetative community (and, consequently, to the habitats of the animals in question) below the dam that are attributable to dam operations would not be extensive enough to cause the presence or absence of a species to change within the entire study area. The total area being discussed is large, and resources for these animals are abundant. Changes in the vegetative communities and associated wildlife habitats would be relatively localized and could contribute to a somewhat different composition of species within these areas.

45l

Flooding of the riparian zone is a important, natural, disturbance mechanism for recharging vegetation and resetting succession and the Action Alternative purposefully attempts to contribute to this process. Loss of vegetation is a part of that process. Reclamation believes that mimicking the natural hydrograph is a positive step in restoring and/or maintaining viable

southwestern willow flycatcher habitat. Since the identified territories are located on low elevation surfaces, inundation of nests by large flood flows would occur under either alternative.

Regarding the question of whether flood flows will be large enough to offset short-term effects, section 4.7.8.1.2 in the EIS has been rewritten to more clearly state our intent—that is, if large enough, flood flows should create additional habitat above and beyond that which would develop following any scour and deposition event.

45m

Reclamation recognizes the importance of potential disturbance to historic properties within the project area. Please see section 4.8.2.2 regarding cultural resource data analysis with the relevant land managing agencies.

45n

The adaptive management process described in section 4.20 of the EIS would rely on ongoing or added Recovery Program activities for monitoring and studies to test the outcomes of modifying the flows and release temperatures from Flaming Gorge Dam. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group which will evaluate criteria listed in table 2-5 of the EIS when making recommendations. This allows opportunities to refine flow attributes based on good science in an adaptive management process. See section 2.5.3 of the EIS describing the Technical Working Group and the Flaming Gorge Working Group and how they would work together in planning the flow prescription each year.

From: "Scott Marshall" <SMarshall@miscowater.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 11:26 AM
Subject: Green River flow fluctuations - comments from a fly fisherman

Mr. Peter Crookston,

It has come to my attention that the Bureau of Reclamation is performing a draft Environmental Impact Statement (EIS) on the operation of Flaming Gorge Dam. I wanted to share some thoughts with you regarding my most recent trip to the Green River (below Flaming Gorge Dam) and how my experiences, along with similar stories of other anglers, should be considered before any decisions are made.

I am an avid fly fisherman and do my best to make it to the Green River at least twice per year to enjoy the fabulous trout fishery. My last trip to the Green River below Flaming Gorge was a bit unusual in that fluctuating river flows caused a negative impact on my experience and threatened my individual safety along with the other two fisherman in my party.

46a Unlike many anglers who visit the area, I prefer to fish the "B" section of the river and choose to walk in and camp at the USFS camp sites along the river. In all of my trips to the Green River, my friends and I enjoy wade fishing both sides of the river. In my most recent trip to the Green River (late June 2004), we arrived late in the day and barely fished the evening hatch before we turned in for the night. We woke up early the next morning to a beautiful sunrise and low water levels. We decided to cross the river in an attempt to fish the opposite side (west side) that generally receives less fishing pressure. We started out having a consistent day of catching trout. After lunch, water levels began to suddenly rise at which point several things happened: the fish stopped feeding and the route back across the river started to become more and more dangerous. If my memory holds, river flows were approximately 800 cfs in the mornings and increased to 1500 cfs in the afternoons and evenings. The river flow basically doubled during the early afternoon. The increased flow threatened our individual safety (if you don't think this is life threatening, cross the river at 800 cfs and then try and come back across when it is 1500 cfs - I have done it and it is very dangerous). The fluctuating river flows caused the fish to stop feeding (which reflected negatively on my experience) and threatened the physical safety of my entire group. I believe this to be consistent with all other wade anglers and most other float anglers. Personally, I will be keeping an eye on any changes in dam (flow) operation and will base my decision for any future trips on this aspect.

46b Thousands of anglers visit the Green River below Flaming Gorge Dam each year and have been doing so for many years. The thousands of dollars fishermen bring to the local economies are crucial to the survival of most people living in the area not to mention the wonderful experiences on the river that are shared with each generation.

46c In general, I support the single daily peak hump restriction but the timing should be in a manner to have no impacts on the river recreation activities - in my case (and thousands of others), specifically fishing. As I have witnessed in my last trip, increased flows made the fishing

very poor and threatened my personal safety.

I hope that you can come up with an amiable solution to the operation of Flaming Gorge Dam that will create no significant impacts to the fishery or the experience shared by thousands.

Sincerely,

Scott A. Marshall, P.E.
Misco Intermountain
3033 South Parker Road
Tower I, Suite 350
Aurora, CO 80014
office (303) 309-6150
fax (303) 309-6154
cell (303) 601-5215

46. SCOTT A. MARSHALL

46a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing

notification to the public of river fluctuations and other public safety concerns.

46b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

46c

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Jeff Martin" <bcstoneram@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 30, 2004 6:26 PM
Subject: Green River Flows

Hello,

My name is Jeff Martin, I know you are probably very busy and I am grateful for your time in reading my email. I visit the Green River several times each year to enjoy the spectacular fishing that many take advantage of in our state.

47a During this past year I have been very dissappointed in the quality of the fishing there due to the eratic changes in water flows out of the Flaming Gorge Dam. Many morings have started out great and then the water flows kick up and upset the fish, thus creating a very tough fishing situation. I realize that folks have got to have power, but to disrupt such an awesome fishing and outdoor recreation spot so that
47b people can make more money on power generated from the increased water flows seems unfair. It is also a darn shame that a place with such a great reputation for fly fishing and recreation for so many people in this country and abroad is suffering such a huge blow. With the Snake River in Idaho, and so many other waters available in Wyoming, Idaho, and Montana I am afraid that continuing this practice in the future will end up being counter productive for our great state. I and many others will take our dollars to other states so that we don't have to deal with spotty fishing and dangerous conditions experienced on the Green so that people can generate more power.

The really sad thing here is that if you asked fly-fishermen in this state which river had the most fish per square mile, scenic beauty, and overall best fly-fishing for larger fish, you would find the majority would tell you the Green River. This isn't just any river to most fishermen, this is our Crown Jewel fishery. Why compromise this and give our state's fishing and recreation opprotunities a black eye?

I know you have to weigh things out, I just hope that you can sympathize with us in this regards.

Thank you for your time.

Sincerely,

Jeff Martin

Jeff Martin
bcstoneram@earthlink.net
Why Wait? Move to EarthLink.

47. JEFF MARTIN**47a**

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

47b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives.

We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: Jerry McGarey <bidss15@yahoo.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:38 AM
Subject: Flaming Gorge Reservoir Draft EIS

48a Sir - I write today to express my dismay over the timing of power generation flow increases during prime fishing hours in the A section of the Green River below Flaming Gorge dam. Over the last couple of years (notably in 2004) the timing of mid-morning flow increases and mid-afternoon flow decreases is disruptive to trout feeding activity and had markedly impacted my enjoyment of this otherwise wonderful fishery.

I have travelled to the Flaming Gorge area several times a year since 1992, spending my money with local lodging, restaurant and fishing establishments. I would strongly urge you to factor the needs of the recreational fishing tourists into your plans and timing for summer power generation in the future.

48b I believe recreational use of the Flaming Gorge area is supposed to precede that of dam power generation, isn't it?

Respectfully, Jerry McGarey (bidss15@yahoo.com)

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

48. JERRY MCGAREY

48a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

48b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives.

We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: "Patrick M. Mehle" <smachine@sweetwater.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 10:43 PM
Subject: Comments on Flaming Gorge Dam Operation DEIS

11-14-2004

To: Mr. Peter Crookston

Flaming Gorge EIS Manager, PRO-774

Bureau of Reclamation, Provo Area Office

Dear Mr. Crookston,

The following are my comments on the Flaming Gorge Operation Draft EIS.

49a In reading over the DEIS, it seems that there are two very conflicting assumptions made. On page 189, Section 4.8.1.1, is stated that "Fluctuations of the water levels of the reservoir would not change from what has become a normal, although flexible, operation". Conversely, on page 230, first column, it is seen that "Because of increasing water consumption in the tributaries of the Green River below FG Dam, it is anticipated that releases... will have to be greater in the future." Just two paragraphs after that we see that "Water consumption above FG Dam is also expected to increase, and this could reduce inflows into FG Reservoir." It is clearly impossible to have more water going out, less water coming in, and still maintain a "normal" lake level.

For this reason alone, I feel that there is much more that needs to be done to achieve a workable operations plan. I am a member of the Wyoming Water Development Commission's Green River Basin Advisory Group. Over the course of the last several years and twenty-five or more meetings-I have lost count of how many- our group has been exposed to many diversified points of view, and has had the opportunity to hear from many different expert and credible speakers. From this experience I have come to the conclusion that there are several points that you need to consider in greater detail. First is the issue of drought. As you probably are aware, the Colorado River Compact

annual flow figures, as seen in the original compact agreement, have proven to be lower than reality. Further, recent studies of tree rings going back to about 1200 AD, have conclusively shown that the past 100 years have been exceptionally wet. Also mentioned was yet another study concerning the Wind River Glaciers. These glaciers have been receding rapidly over the past several decades, and assuming continuation of the current drought conditions and warmer mean temperature trends, it is possible that the glaciers could be completely melted in ten years. These glaciers are the primary source of summer stream flow in the upper Green River Basin. The "demise" of these glaciers could realistically lead to the Green River actually running dry-- in the worst case scenario. The Wyoming Water Development Commission considers conditions serious enough to where they feel a need to develop an emergency plan to address issues of continuing severe/ exceptional drought. I think that your EIS should address this possibility also.

49b

Also at issue is the continued increasing demand for water downstream. Lake Powell was at 58% of capacity in October. It is surely even lower now. If current trends continue, the lake elevation will drop to the point where the generators will have to be shut down in mid 2006. It is speculated that upstream dams might be forced to lower their lake levels to supply enough water to forestall that shutdown. I highly oppose a transfer of water under those conditions. There is an old saying among airplane pilots-"The two most useless things to a pilot are runway behind you and altitude above you". For a dam operation, it can be said in the same vein that the two most useless things to power generation are water downstream and dam elevation above lake level. It is fine to send water downstream for power generation since the same water can be used several times to spin several turbines. The issue is efficiency. Any water sent down to Lake Powell will be sent through their power plant at minimum head, hence minimum efficiency. It makes no sense to operate Flaming Gorge at a reduced elevation/reduced efficiency. Keeping Flaming Gorge as full as possible will give the greatest possible gross power production for the system as a whole.

49c

I wish also to express concerns for the implementation of increased flows the endangered fish recovery program. The potential damage to FG Dam caused by increased flows through the spillway is, in my opinion, much underestimated, as are the safety issues that would result. Although the fish recovery efforts are a worthy goal, the flows required to achieve this goal do not justify the costs. The physical damage to the dam, the loss of electrical generation, the erosion damage to downstream infrastructure, and the flood damage to downstream landowners, far outweighs the benefits. It is interesting to note that the water required for a single "flushing" is on the same order of magnitude as the total annual domestic water consumption for the entire state of Wyoming. I am left with the feeling that this proposal will, at best, just serve as a vehicle to benefit the over-allocated lower basin at the expense of the upper basin States. How can these costs be justified?

49d

- 49e Finally, I would like to suggest that you consider formulating a priority list for the operation of the dam. First, of course would safety- both for the dam itself and for the public that it serves. Second would be the dam's original purpose-to serve as an instrument to help regulate the Colorado River System per the Compact. Of the several priorities that you might feel would follow these, the endangered fish recovery flows should place well toward the bottom of the list-especially if the hydrological conditions that existed hundreds of years ago should prove to be the true average.

Thank you for the opportunity to express my views on these important issues.

Patrick Mehle

1037 Cypress Circle

Rock Springs, Wyoming

82901

49. PATRICK M. MEHLE

49a

The Action Alternative does not necessarily release more water than the No Action Alternative. In some cases, the Action Alternative would release less water. It is recognized in the EIS (section 4.16.1.1) as water consumption increases through time that it will become more difficult to maintain reservoir storage while also achieving the flow objective of the 2000 Flow and Temperature Recommendations.

49b

Comment noted; there is at present a drought in the Green River Basin. The hydrology that was analyzed for this EIS did include droughts more severe than the present drought.

The Flaming Gorge Model was run with historic hydrology from 1921 through 1985. During this period, several droughts did occur; the worst of which occurred from 1934 to 1938 when the average annual Green River flow (measured at Greendale, Utah) was 550,000 acre-feet. For comparison the average annual flow of the Green River from 2000 to 2004 was 661,000 acre-feet.

49c

Comment noted. Lake Powell operations are outside the scope of this EIS.

49d

Comment noted. As stated in section 2.5.3.2 of the EIS, Reclamation would annually coordinate the decision whether to use the bypass tubes or spillway to meet particular flow targets. That same section, and other sections in the EIS, note uncertainties associated with use of the spillway that will have to be monitored and addressed through the adaptive management process.

49e

As stated in section 1.5 of the EIS, Reclamation's priorities are first, dam safety and then second, meeting project purposes in compliance with ESA. When conflicts in operations arise, Reclamation's approach to conflict resolution and decisionmaking includes accepting input from all stakeholders and formulating a strategy that meets the most needs possible consistent with these established priorities. Reclamation's intent is to continue balancing the needs of all resources when making operational decisions and would continue this practice under both the Action and No Action Alternatives.

From: norman miller <nmlillerca@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 6:49 PM
Subject: Flows on Green River

Dear Sir;

50a The high afternoon flows experienced on the Green River this year made what had always been a top fishing destination, an unneeded and unwanted adventure. Please restore sanity and safety to the flows so that the great fishing experience and return once again.

Thank you,

Norman Miller

50. NORMAN MILLER

50a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: <Richardmimms@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:23 AM
Subject: (no subject)

51a We support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.

Richard L. Mimms

51. RICHARD L. MIMMS

51a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Arthur Moeller" <moellerad@comcast.net>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 6:26 PM
Subject: Draft Environmental Impact Statement on Flaming Gorge Dam

- I do not favor the proposed fluctuating flows for power generation. I
52a feel it will have a negative impact on the fishing. I fish there
several times a year and if I have to put up with the fluctuating flows
I will consider going elsewhere and spending my money in a different
52b location. I could support the single daily peak hump restriction if it
was timed in a manner that does not impact river recreation activities,
52c especially fishing. I would also feel safer while wading if I did not
have to worry about the river rising suddenly.

A. D. Moeller
4247 W. 4570 So.
West Valley City, UT 84120

52. ARTHUR D. MOELLER

52a and 52b

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

52c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: "Mark" <marco@wfmis.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 8:24 AM
Subject: Green River at Dutch John River Flow Impact

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

- 53a** I support the single daily peak hump restriction, but its timing should be in a manner that has no impacts on river recreation activities, especially fishing. It is dangerous to the fisherman wading across the river, spoils the fishing and will keep many of us who bring the much needed dollars to the local economy of Dutch John and the State of Utah. In addition it is the recreational users who have priority over the power generation.
- 53b**

Mark Naccarato
Holladay, UT.

53. MARK NACCARATO**53a**

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

53b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power

generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "Sean O'Connor" <SOConnor@sheppardmullin.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 6:01 PM
Subject: Draft Environmental Statement on the Operation of Flaming Gorge Dam

I understand that the Bureau of Reclamation is undergoing a Draft Environmental Statement on the Operation of Flaming Gorge Dam and asking for comments.

- 54a** I fly fish the Green River often, and it is frustrating how the erratic way flows can suddenly jump up and down while I am fishing. This can often disrupt water quality and upset the fish for set periods of time. The end result is a spoiling of our fishing day. The Draft EIS allows for fluctuating flows for power generation up once a day and then down. In 2004 this was experienced by many of us on the Green as they went from 800 cfs to 1500 cfs every day (at 1:00 pm, right in the middle of the day) after our high flows in early June to the end of September. We hated the reaction from the trout, the fishing could and often did go flat for periods of time. Then they brought the flows down while we were trying to start fishing again and the process started again. The ups and downs and the disruption you caused to our fishing experiences were uncalled for. You have the ability to do the power generation flows in non-fishing hours or maintain a slightly higher steady flow that
- 54b** generates the same amount of electricity.
- 54c** Recreation and fish have a priority over power generation under the authorized purposes of the Flaming Gorge dam. Please recognize this and act accordingly.

Sean P. O'Connor

DD: (714) 424-2846

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Sheppard, Mullin, Richter & Hampton LLP

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54. SEAN P. O'CONNOR

54a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

54b

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

54c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

MEMORANDUM

TO: PETER CROOKSTON
Flaming Gorge EIS Manager, Pro 774
Bureau Of Reclamation, Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

FROM: MAURIA PAPPAGALLO,
Environmental Resources Engineering Student
Humboldt State University
1st Harpst St, House 18
Arcata, CA 95521

SUBJECT: COMMENTS ON FLAMING GORGE DAM DRAFT EIS

DATE: 11/13/2004

SUMMARY

This memo is to inform you of my analysis of the Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS). The critique is broken into sections covering overall document suggestions, analysis of alternatives, the affected environment, and environmental consequences. Overall, I found the document to be a good examination of the situation.

DOCUMENT SUGGESTIONS

The beginning of the document should be revised; information in chapter three should come before the alternatives are assessed. The following are examples:

- 55a
- A summary description of the natural habitat and environment of the endangered fish should be introduced before alternatives are discussed. The summary description should include at least their average water temperature and flow requirements. A description would also inform the reader of vital information needed to assess the flows recommended by the alternatives.

- A thorough description of the Green River System (GRS) should be introduced earlier. A description at the beginning would help the reader become more familiar with the system and point out important details that can not be obtained from glancing at a map. For example, on page 19 of Chapter 1, the Browns Park Highway EIS is discussed, but the document does not indicate why this is relevant information. An earlier GRS description should state where the Browns Park Highway is and why it's important enough to be discussed in relation to the Flaming George Dam project. A full description is given in 3.6.2, this but is too far into the document; a summary should be given in the beginning.

The background of the dam situation includes authorized uses of the FGD project. Due to the authorized uses being an important part of the purpose and needs statement, they should be identified in the Purpose and Needs section and could be put into easy-to-read bullets.

Inclusion of, or reference to, important sections of the 2000 Recommendations report and the 1992 Biological Opinion as appendices to the document, would be helpful in assessing the processes used to determine the recommendations. The important sections should list the criteria used for making decisions in each report, or should list the assumptions used in the modeling analysis. Furthermore, referencing appendices within the text would direct the reader to additional information on important subjects.

55b The overall language of the DEIS is easy to read. A few words are not defined, but would help the reader to better understand the document. One example is the "bypass tubes"; an explanation of what they are and how exactly they affect power generation is needed. The quantity of bypass tube use is discussed as a comparison between the two alternatives but it is not clear what that means.

55c On page 142, in the last paragraph, where temperature changes are discussed, data should be re-evaluated and checked; it is not possible for 9°F to equal 5°C. The same mistake is made again on page 144 in the first paragraph.

- 55d A discussion of the operation and maintenance for the new operating plan should be included in the document. Where will the funding come from, and who is responsible for the maintenance and operation of the operating plan?

SCOPING

- From the scoping process, public issues were identified and separated into categories. The process was conducted under the question: "How would operating the Flaming Gorge Dam to meet 2000 flow and temperature recommendations affect..."
- 55e Conducting the scoping process under this heading defeats the purpose of scoping. Scoping is conducted to look at the issues that should be included in the alternative development and impact analysis. This question limits the scoping process and produces "tunnel vision" in determining the alternatives. To improve this analysis, the scoping process should not have been so narrow and the indicators should include measurable descriptions. For example, an indicator for Issue 8 is "condition of vegetation and species composition of wetlands". Instead it should say "population density of vegetation, acreage and condition of wetlands and their species composition". This wording allows for measurable conclusions. The following additional indicators should be similarly reworded:

- Issue 9, Effect on vegetation: Number and density of endangered plant species.
- Issue 13, Effects on sediment: Look at the predicted changes in salmonid spawning gravel areas. "Area of spawning gravels before new flows and predicted spawning gravel area after implementing new flows".
- Issue 15, Effects on quantity and quality of water: Changes in temperature

ALTERNATIVES ANALYSIS

The purpose and needs statement discusses two main points: 1) the need to operate the dam to protect and assist in recovery of four endangered fish species and their critical habitat, and 2) to maintain all authorized purposes of the Flaming Gorge Unit of the Colorado River Storage Project (CRSP). To fulfill both points, the only feasible alternative would be to implement the 2000 Recommendations. Thus the alternative formulation for this project should include alternative flow regimes, as well as the 2000

Recommendations, with differing alternatives for impact mitigations along with looking at a no action alternative. The alternatives discussed in this analysis focus on the flow regimes instead of mitigations. Two alternatives are discussed, an Action alternative in which the 2000 Recommendations are implemented, and a No Action alternative. The No Action alternative follows flows recommended by the 1992 Biological Opinion.

The action alternative splits the Green River into three different reaches, with each being affected by the FGD flows differently. It is stated on page 24 in the last paragraph that:

“The intent of the Action Alternative is first to meet the recommended objectives for reach 2 and then, if necessary, make adjustments to releases so that the recommended objectives for Reach 1 could also be met. It is assumed that the flow objectives in Reach 3 are met whenever the flow objectives in Reach 2 are met.”

- 55f This statement leaves me with a number of questions; 1) What are the recommended objectives for each reach, 2) Why are they different? These should be stated in section
- 55g 2.3.2 before this statement is made. 3) How can the assumption be made that the
- 55h objectives in Reach 3 are met when the Reach 2 objectives have been met? An explanation of this assumption needs to be included in this section. The following paragraph on page 26 goes into further detail of the 2000 Recommendations. This paragraph then states that the primary focus of the 2000 Recommendations is on the flow regimes in Reaches 2 and 3. The two statements seem to contradict themselves. Why not
- 55i focus on Reach 1, the section of the river that is predominantly affected by the dam releases?

- 55j In continued discussion of the action alternative flows, it is mentioned that by trying to reach 2000 Recommendations for Reach 1, that the minimum 2000 Recommendations would then be exceeded in the following reaches. Due to agricultural needs, I can understand why water conservation is an important goal. However, based on the purpose and needs statement, exceedence of minimum flows is a positive impact and a benefit to the fish.

When comparing the two alternatives under the context of agriculture, the impacts are stated as the same whether the No Action or the Action alternative is used, thus these impacts are dismissed. The DEIS states that under both alternatives, approximately 245 acres of cropland will be flooded each year. The Action alternative will cause the fields to be inundated for 2 days longer which will not cause any more significant impacts thus the effects are the same. Though the impacts will be the same, they should still be addressed within the document.

55k

It is stated that the effectiveness of the action alternative will be measured by the long-term frequency of achieving flow thresholds prescribed by the 2000 Recommendations. The language should be changed to include a quantitative value for long-term. It is also stated that an administrative record of the operational decision making *would* be maintained and that this record *would* include analysis of previous operations and effectiveness of achieving desired targets on a year by year basis. The word *would* should be changed to *will* to ensure that this practice is done.

55l

55m

GREEN RIVER SYSTEM MODELING

The current description of the model analysis used to simulate the GRS doesn't provide enough detail. For example, the model requires natural flow volume inputs and estimates the release volumes and storage volumes. There is no discussion of how the natural inflows were chosen, or what range and number of hydrologic years were used in analysis. The language indicates that the model simulates the system to the USGS stream gauge 93 miles away from the dam, when the system being analyzed is 410 miles long? Is only one gauge used for calibration? Is the rest of the system included in the model? Further explanations should be used in the document. Placing this section within the Affected Environment chapter would increase the flow of the paper.

55n

I liked that the preparers of the 2000 Recommendations were asked to review the document. In most situations, the reviewers found that the model properly simulates the 2000 Recommendations in Reach 2. This would indicate that it does not properly simulate the 2000 Recommendations in Reaches 1 and 3. If this is so, it should be stated

55o

and further analysis should be done to find conditions that do meet Reach 2 and 3 goals. Important impacts to the system could be missed or overlooked due to this inaccuracy in modeling.

AFFECTED ENVIRONMENT

As mentioned earlier, sections from the affected environment should come earlier in the document, prior to the discussion of the alternatives.

Under the Potentially affected area (3.2), a section for the Green River needs to be included. Currently there is mention of the Green River downstream of the dam, but it only mentions that the dam is 410 miles before the confluence with the Colorado River.

VEGETATION

- 55p The section on vegetation (3.7.1.3) does not fully discuss the current environment in terms of the indicators previously stated in Issue 9 (Pg 14). Further detail on evasive species, numbers of populations including the flooded areas should be included. Further
- 55q more, in the environmental consequences section, no studies were conducted or references given to backup statements made on vegetation impacts.

ENVIRONMENTAL CONSEQUENCES

- 55r A value for the average influence of the Dam releases on each Reach of the system should be included in the analysis. An average percentage of overall river flow that comes from the dam releases in each reach would provide a good value. For example, on page 127, the statement “Impacts to flows from Flaming Gorge Dam diminish with *distance from the dam*”, as a reason for not including Reach 3 flows into the model. This statement should be supported with a value indicating that the effects of dam releases are minimal at that location.

TERRESTRIAL AND AVIAN ANIMALS

- 55s Discussion of terrestrial and avian animals does not include any type of study or analysis to back up the decision of no impact. Further analysis of terrestrial foraging and habitat should be analyzed to see if terrestrial and avian food sources will be impacted.

55t The overall discussion of mitigations is insufficient. It would be easier for the reader if the discussion of impact significance were discussed directly after impacts were presented. There is no discussion of how impacts are rated for significance. I found it hard to find mitigations or final decisions on significance. If there are proposed mitigations for effects caused by the action alternative, I did not find them.

UNCERTAINTIES

This section includes a discussion of the uncertainties included in the models and the assumptions that were required to make the models work. The assumptions and uncertainties with the models should be included earlier in the document with the discussions of information obtained from the model, thus allowing the reader to decide how well they agree with the information presented.

Inclusion of an adaptive management program will be very helpful in mitigating impacts of uncertain significance. The adaptive management program should include measurable and dated results. The wording on the adaptive management goals for numbers 6 through 10 should be changed from *would* to *will*. Using the word *would* indicates that it could happen. Due the number of uncertainties involved in the project the implementation of all aspects of the adaptive management program is very important to insure unrealized impacts are mitigated. A discussion of possible mitigations would further support the documents discussion of adaptive management.

55. MAURIA PAPPAGALLO

55a

Please see section 1.3 for an explanation of the EIS contents. The format is consistent with the CEQ and Interior regulations implementing NEPA.

55b

Comment noted. The term, “bypass tubes,” was added to the glossary.

55c

These references are not to specific temperatures, but to changes in temperature; thus a change of 9 °F is equal to a change of 5 °C.

55d

Please see sections 1.5, 2.5, 4.19 and 4.20 for information regarding operations.

55e

Comments noted.

55f

The recommended objectives for each reach are flow and temperature targets defined by the 2000 Flow and Temperature Recommendations. Please see table 2-1 in the EIS.

55g–55i

Throughout the 2000 Flow and Temperature Recommendations document, it is stated that the critical habitat for the endangered fish reside in Reaches 2 and 3. This is also stated in the EIS. Through modeling, Reclamation came to the determination that it was possible to reasonably predict future flows in Reach 2 with enough precision to efficiently augment these flows to achieve the target levels established in the 2000 Flow and Temperature Recommendations for Reach 2. The following statements are made in the 2000 Flow and

Temperature Recommendations which support using Reach 2 as the priority reach:

- ❖ Section 5.2.1 “Recommended flows for Reach 1... are those measured at the USGS gauge near Greendale, Utah, and are, for the most part, release patterns from Flaming Gorge Dam needed to achieve the target peak and base flows identified for habitats of the endangered fishes in Reaches 2 and 3.”
- ❖ Section 5.2.1 “Base flows in Reach 1 should be managed to ensure that within-year and within-day variability targets for Reach 2 are met.”
- ❖ Table 5.4 General Recommendations: “Peak flows in Reach 1 should be of the magnitude, timing, and duration to achieve recommended peak flows in Reaches 2 and 3.”

55j

Comment noted.

55k

Please see section 4.5.2 in the EIS which identifies the impacts.

55l

It is difficult to isolate a specific number of years to evaluate the percentage of targets and durations achieved because it is unknown what the natural hydrograph will be in the future. Over the long run when several different natural hydrological years have occurred, Reclamation would be able to determine whether the percentages are consistent with the 2000 Flow and Temperature Recommendations. The target flows and durations to be achieved each year are dependent on the natural hydrograph of that year and the hydrological classification of that year. If 6 consecutive drought years occur in a row, like now, then only low targets and durations would

be achieved. In very wet years, high targets with long durations would be achieved.

55m

Comment noted. Reclamation intends to maintain an administrative record for how decisions are made that will be available to the public. Reclamation is considering use of a web page and other means to keep the public informed on implementation of the proposed action. The administrative record is portrayed in section 2.5.3 in the EIS and will be maintained if the Action Alternative is implemented.

55n

It is recognized that much of the supporting data regarding the Flaming Gorge Model did not appear in the draft EIS. The Hydrologic Modeling Team produced an initial report entitled “Flaming Gorge Environmental Impact Statement Hydrologic Modeling Study Report” issued in October 1, 2001. This report contains much of the information regarding how the Flaming Gorge Model was constructed. This report was added to the Technical Appendices.

The Flaming Gorge Model extends to the stream gauge at Jensen, Utah. It was assumed that if Reach 2 flows were met, Reach 3 flows would also be met. This is described in the October report.

55o

Please refer to section 2.3.2 in the EIS.

55p

Reclamation chose to measure distribution via a focus on those mechanisms exerting the greatest influence on establishment of invasive species. Consequentially, this led

Reclamation to focus as well on microhabitats or geomorphic features most associated with those mechanisms. The anticipated small difference between the No Action and Action Alternatives in total acreage of invasive species contributed to Reclamation’s decision to focus research on those issues that can best be addressed through adaptive management efforts.

55q

Statements made in this section reflect research discussed (and cited) for vegetation in chapter 3. For clarification, additional citations have been added to section 3.7.2.6.

55r

Information describing flow conditions on the three reaches of the Green River is available in section 3.3.3 of the EIS.

55s

This section of the EIS was written to disclose environmental consequences of the No Action and Action Alternatives affecting terrestrial and avian animals existing on or near Flaming Gorge Reservoir. Text has been added to section 4.7.1.4 to clarify and support the conclusion. Please refer to 46k above.

55t

The EIS analyzed the difference between the Action and No Action Alternative and did not find any adverse impacts that required mitigation. Under the Action Alternative, if there are concerns, they would be addressed through the adaptive management process described in section 4.20 of the EIS. Please refer also to section 4.21 of the EIS which lists environmental commitments.

From: "Park, Edward" <edward.park@IngramMicro.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:34 AM
Subject: Ed Park: Comment on Operation of Flaming Gorge Dam for Draft Environmental Statement

This message is for Mr. Peter Crookston, Flaming Gorge Environmental Impact Statement Manager:

Sir,

I was referred to you by some friends that were advised of the option to participate in submission of comments regarding the impact of flows in the Flaming Gorge/Green River area.

As someone that was recently impacted by the flow management practices, I decided to take a few moments to relate to you an incident that happened a few months ago as well as how that has convinced me of the importance of making my voice heard.

Back in September, a group consisting of myself and a few friends were fishing the gorge on a sandbar in the area. We had reached the sandbar by power boat and were wading in waist deep water.

Unknown to us, the dam started releasing a higher flow and we found ourselves in a situation where the water level was rapidly increasing. . . . we had to beat a hasty retreat into shallow water and then back into the boat. Needless to say, we felt it was not only inconvenient, but

56a downright dangerous as some of our party had quite a way to go to get back to the boat. By the time we retrieved the last of our party, the sandbar was already completely underwater.

56b My comment with regard to this is that while there is an importance with maintaining power generating optimization and water levels above the dam, specific regard to recreation and preservation of human life below the dam is important and any future planning and considerations should, in my opinion, include this.

Not to mention, we spent a considerable amount of time, effort, and money to make this special excursion and not even halfway through the trip, the water quality degraded enough to cancel all additional fishing throughout the remainder of the weekend. I guess the worst aspect about all of this was not the time, money, or driving to get there, but simply how difficult it is to get the "weekend" pass from all of our wives at the same time.

Thanks for lending an ear. I hope my input has been helpful

best regards

Ed Park
AV, CA
949 395 1964

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56. ED PARK

56a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

56b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "Lex Patterson" <lex@dakcs.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 4:30 PM
Subject: Green River Flows

To Whom It May Concern:

57a

As an avid fly fisherman and Utah resident who spends time fishing the Blue Ribbon resource we enjoy in Utah, I would like to add my name to the list of taxpayers who would like to see the flows on the river stabilized during the daylight/fishing hours. I'm sure a win/win situation can be worked out that will allow for the power needs, and still keep this valuable resource fishing up to it's full potential. Thanks for taking the time to read my comments.

Lex Patterson

V.P. of Technical Services

<<http://www.dakcs.com/>> DAKCS Software Systems, Inc.

<mailto:lex@dakcs.com>

3017 Taylor Ave.

Ogden, UT 84403

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Thank you.

57. LEX PATTERSON

57a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: Chet Preston <Chet.Preston@paccoast.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 2:19 PM
Subject: green river fishing

Mr. Peter Crookston,

58a I take 1 to 2 fishing trips a year to the green river and the last trip I took was the worst one yet the fishing was not very good at all it was ok in the morning but by the time the river come up to the peck the fishing stopped and got very slow . I stay at flaming George lodge and float with one of the guides so I spend the money to have a great time fishing that river but it's not wroth my time if I have to worry about the river going up and down and how it will affect the fish. In years past I have done very well fishing the river with at least 30 to 40 fish a day when I float with the guide but this past year I had to work hard just to get about 15 fish so if there is any way that we could get around this it would be great if not it's not worth my time or my money
thanks for your time
green river fisherman

58. CHET PRESTON

58a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Tom Prettyman" <prettyfoto@adelphia.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:15 PM
Subject: Green River

Sirs,

59a I hope you will understand that my input is intended to be constructive for the Flaming Gorge area. There have been flow fluctuations from the dam over the past several months that have resulted in a degradation of fishing success and generally turned a lot of fishermen off from visiting the area. I do not fully understand the reason for these fluctuations, but I do know that the end result must impact the local economy somewhat when fishermen don't return due to a disappointing experience. I would think there would be some way to compromise whatever electrical needs there are, with the recreational value to the community.

Thanks for your attention to this issue.

Tom Prettyman
140 the Village #409
Redondo Beach, CA. 90277

59. TOM PRETTYMAN

59a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

59b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

59c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both

the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses.

However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information.

The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "Jairo Ramirez" <jairoram@comcast.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 11:24 PM
Subject: Green River Single Daily Peak Hump Restriction

Mr. Crookston,

- 60a** I want to voice my concern regarding the timing of the daily flow changes to the Green River below Flaming Gorge Reservoir. Increasing the flows during midday is both dangerous to wading fisherman and very disruptive to the fishing in general. Me and a group of guys routinely travel from Denver to the Green several times a year but have not been going recently because of this practice. I would encourage you to
- 60b** change the peak increases in flow from midday to during the night. If we can be assured that this practice will change to during the night, we will return to the green much more frequently.

Thanks for listening.

Jairo Ramirez
jairoram@comcast.net
Denver, CO

60. JAIRO RAMIREZ

60a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

60b

The changes in releases, as part of the operation of the powerplant, are designed

to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

From: "Robert Rutkowski" <rutkowski@terraworld.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Oct 11, 2004 9:49 AM
Subject: Flaming Gorge Dam DEIS

Peter Crookston
Bureau of Reclamation
Provo Area Office
302 East, 1860 South
Provo, Utah 84606
Phone: (801) 379-1152
Fax: (801) 379-1159
Email: fgeis@uc.usbr.gov

Ref: Flaming Gorge Dam DEIS Comments

Dear Mr. Crookston:

61a

I ask the Bureau of Reclamation to begin a comprehensive basin-wide approach to the recovery of the endangered fish of the Colorado River and its tributaries. The Bureau's piece-meal, one-dam-at-a-time approach to endangered fish recovery has yet to demonstrate any program success in the Colorado River basin. This approach must thoroughly evaluate how and if dams such as Flaming Gorge should continue to be operated.

Throughout the Colorado River basin, over 40 federal dams have reduced, or truncated, natural fish habitat to the meager miles set between large reservoirs. These altered habitats do not have the conditions necessary to fully recover the native fish from their endangered status. Such altered conditions include: reduced spawning beds, lower spawning temperatures, reduced water flows, reduced sediment and nutrient loads, and isolation from improving their genetic viability.

61b
61c
61d

I ask for a basin-wide, programmatic EIS that will truly restore the Colorado River ecosystem. I also ask that the congressional ban on studying the need to decommission Glen Canyon Dam be removed. Finally, I ask that alternatives for reservoir storage, such as recharging the depleted underground aquifers of the basin, be fully considered for study.

Yes, it is possible to restore the original connectivity of the Green, Colorado and San Juan rivers for the benefit of endangered fish and, at the same time, provide water for people.

Thank you for the opportunity to bring these remarks to your attention.

Mindful of the enormous responsibilities which stand before you, I am,

Yours sincerely,
Robert E. Rutkowski

cc:
Nancy Pelosi

2527 Faxon Court
Topeka, Kansas 66605-2086
P/F: 1 785 379-9671
r_e_rutkowski@myrealbox.com

61. ROBERT E. RUTKOWSKI

61a –61d

Comments noted.

From: Peter Sagara <morsaga@cybermesa.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 8:18 AM
Subject: To put it bluntly...please change your tactics

Mr. Peter Crookston:

I fish the Green River below Flaming Gorge Dam and have been doing so for years. *During that time, I have been: with a friend who was caught across the river when the water was raised, unable to wade back until a guide in his boat stopped and brought him across; I have been there when the fish stopped rising even with the recent hatch of insects still on top....as the water rose up my waders and I had to make a hasty retreat to shore.*

Over the years I have been helping to support the economy of that area by staying at the Lodge, or at Red Canyon, and using guides and boats from Trout Creek Flies and of course, getting my Utah fishing license.

62a I support the single daily peak hump restriction but suggest that the timing could be managed so it has little or no impact on fishing activity.

Yours truly,

Peter Sagara
58A Loma Blanca
Santa Fe, NM 87506

62. PETER SAGARA

62a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Cris Shiffler" <cmshiffl@nuskin.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:19 AM
Subject: Draft EIS on the Operation of Flaming Gorge Dam

Mr. Crookston,

63a Good morning! I am writing to you this morning about a very important issue to both my wife Amanda and I that you are involved in. I have been made aware recently of a Draft Environmental Impact Statement on the Operation of Flaming Gorge Dam that you are in charge of. From my understanding of the Draft EIS, it would allow for daily fluctuating flows (once a day) from Flaming Gorge Dam into the Green River.

I am actually intimately familiar with this practice, as both my wife and I fish the Green River below the dam many times each year. This summer in particular, we have experienced these daily fluctuations almost every day we visited this year (approx. 8 different times), and it was quite disturbing. It was disturbing to the fish, which seemed like they would "turn off" like a switch, to the dismay of many fishermen, some of which traveled a long way to experience this magnificent river. I have noticed that this problem happens with minor fluctuations in the river in years past, however this year seemed like quite large fluctuations occurred (from 800cfs-1500cfs or so) frequently throughout the week during the mid part of the day (around noon or so) which would ruin fishing for everyone on the river for the rest of the day. In addition to disturbing the fish, this practice disturbs not only myself, but many other fishermen (and women) as well. It is disturbing to notice that while you are wading in an already swift and large river, the water level begins to rise, sometimes rapidly in a short period of time. There were a few times this past summer where we noticed to our dismay that large sections of river were no longer accessible to us during the afternoon due to higher flows blocking wading access. Between lack of already limited access in some areas and disinterested fish, it can sure put a damper on a fishing trip.

We only travel from Provo to come up to Dutch John, but that still is a 3 hour one-way commitment. We spend a pretty decent amount of time in Dutch John, and a pretty decent amount of money each year supporting the few local businesses. I would suspect that 99% of all fishermen on the Green River below Flaming Gorge Dam are not from Dutch John. These same fishermen are also pretty particular about their fishing locales. Remember back to just a few years ago after the Mustang Ridge fire. Dripping Springs got blown out after those rainstorms and all of that debris got washed into the river. Sure, it affected fishing temporarily, but not that much. Word got out about the fire and the debris and people stopped coming to the river for quite some time because the "word" was that the river was ruined. That definitely was not the case, but many of the local businesses suffered. If these large daily flow fluctuations are allowed to continue, I believe that fishing pressure, and the tourism dollars, will begin to dissipate. Why would someone want to travel all that way to Dutch John only to be able to have a few hours of productive fishing in the morning hours. The flow increases and decreases will render the remainder of the day pointless for fishing.

I believe that power production and recreation can coincide harmoniously if some careful preplanning is done. My wife and I support

- 63b the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing. The ideal situation for all recreationalists using the Green River below Flaming Gorge Dam, not just fishermen, would be to time these flow fluctuations to time periods that are not peak river use hours. Late evening or even during the night would be a phenomenal
- 63c compromise. No one is on the river at that time (or very few people anyhow). It would allow the fish and other river aquatic life time to adjust to their changing habitat, while not receiving additional stress and pressure from fishermen. In addition, from my understanding of the authorized purposes of Flaming Gorge Dam, recreation and the inhabitants of the river (fish, insects, etc.) have priority over power generation.
- 63d I believe that over the last few years, power generation has seemed to take priority over everything. I believe that this tiny area of the state brings in some serious tourism and recreation dollars not only for the Dutch John area, but for the state of Utah in general.

We urge you to consider all of the options the Bureau of Reclamation has available during this Draft EIS period. We hope that a serious review of what is right for the river will be taken and that a compromise can be worked out that benefits everyone involved, not just for power generation. I would welcome the opportunity to discuss this issue and my views more with you if you would care to. Good luck and I appreciate you time for reading this!

Best regards,

Cris & Amanda Shiffler
Provo, UT
801-345-2709

CC: <dbreer@union-tel.com>

63. CRIS AND AMANDA SHIFFLER**63a and 63b**

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

63c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the

ramping rates have been scaled back to limit the changes in releases throughout the day.

63d

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: <Snwrngr@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 11:00 AM
Subject: Green River below the Dam

Mr. Peter Crookston,

Just wanted you to know ...

64a I use to come to the river (below the dam) to fish. I do live in the Denver area and it is a little bit of a drive for me, but usually well worth it. I did experience a high flow increase in the middle of the day, each day, on my last 4 day visit. It really made the fishing bad ... especially in the evenings when the flow came back down.

I now take my vacation money and fish in Wyoming. It's not as pretty but the fishing is consistent. If you could manage your flows better I may come back.

Thank you for your time,

Jay Smith
Denver, CO 303-478-0345

64. JAY SMITH

64a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

FGEIS ZZ401 PRO - Green river fluctuation

From: "les smith" <l683971@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: 11/13/2004 10:02 AM
Subject: Green river fluctuation

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office

I have fished these waters for the last 20 years and have dealt with the fluctuation. It has been something I have excepted.

65a If the time could be moved to the night time Hrs. it would make my quality time a lot better. I live in Ft. Collins, Co. but I consider the Green home. I usually spend \$100 a day any time I come to the river. Of course this is spread around to the different businesses. I feel I am the average person so this could be higher or lower.

Thank you for listening.

Les Smith

65. LES SMITH

65a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Kent Spittler" <kspittler@ksl.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 11:08 AM
Subject: Green River flow fluctuations

Dear Mr. Crookston,

I am writing to you because I believe there are mutually agreeable solutions to the power generation requirements you have to weigh, and the disruption of the quality fishing experience that the Green has become famous for due to the dramatic flow changes. First of all, recreation takes priority over power generation according to the Flaming Gorge use authorization statements and second, power generation and great fishing can both happen if some common sense is applied. When the flows dramatically change, up or down, it puts the fishing down for hours at a time plus it poses a serious risk of life to those who wade fish the river when the inflow doubles in the middle of the day. I would suggest that the timing of the flow changes be altered to non fishing periods (night time) so that the power can be generated and the fishing can recover by the time anglers get on the water. I visit the Green both for personal days on the river and I often times bring *clients of mine*, (I am an account manager for KSL Radio), and we spend money on lodging, food, licenses, flies, etc. The last thing I want to experience on those days is a four to six hour flat spot in the afternoon when some of the best fishing can be had. This doesn't have to happen. I'm sure there are issues on both sides to consider but I'm also sure that good solutions exist so that both needs can be realized. Please don't discount the effect that fishing has on the local economy and quality of life in general for those of us who love the Green.
Thanks!

Kent

66. KENT SPITTLER

66a

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

66b

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

66c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river

warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

66d

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

From: "Wayne Stewart" <wstewart@csolutions.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:39 PM
Subject: Green River flow fluctuations

Mr. Crookston,

67a I am a Utah resident and fly fisherman. I've been fishing the river for about 13 years now and would like to request that you make a change in the fluctuations in the future. I wade and float the river when I fish. This last year I noticed that the consistency of my fishing experience has changed. I've noticed it in previous years as well but only became aware of the reason this last year. When water flow is changed the fishing is disrupted as the fish adjust to the new flow. This often happened in the middle of the day. I would like to request that these flows be changed

67b during non-fishing hours, after dark and enough before daylight that it won't effect the fishing experience. I've spoken with a couple of people who've done some research and understand that the change I'm requesting is not only possible, it is appropriate. I have friends and family members from Colorado, Ohio, Michigan, New York and California who come to Utah to fish a couple of times a year and one of our favorite spots is the Green River. They spend a lot of money when they visit and some mentioned their disappointment wit the river this year. One group, my college buddies, have scheduled a trip to Idaho next summer instead of the Green. Please adjust the flow schedule to accommodate the fisherman and other recreational users.

Sincerely,

Wayne Stewart

67. WAYNE STEWART

67a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

67b

The changes in releases, as part of the operation of the powerplant, are designed

to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

From: Strong <strong@easilink.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 7:47 PM
Subject: Flaming Gorge EIS

68a Dear Sirs, as a Vernal city/Uintah County resident I wish to register my support for the action alternative to release surplus water during high runoff years from the Flaming Gorge dam. I believe the overall positive impacts from the increased flows are more than worth the various other negative impacts from the proposed releases.

Thank you

Steven Strong
Vernal, Utah

68. STEVEN STRONG

68a

Comment noted.

From: Jeff Talus <JTalus@skrco.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 1:06 PM
Subject: Green River Flows

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774

69a I support the single daily peak hump restriction, but its timing should be in a manner so that it has no impacts on river recreation activities, especially fishing and floating. Notwithstanding the negative impact to fishing and floating the daily flow changes had last summer, there is the issue of safety, to which I will provide the following personal experience.

69b During the weekend including 6/27/2004 I was part of a group camping on the B section below Flaming Gorge Dam. We left the campsite Sunday the 27th shortly after noon heading for Indian Crossing with the intension of returning home to Colorado Springs. I was rowing my drift boat and a friend was rowing his raft. Since a drift boat had more room than a raft, most of the gear was loaded into my drift boat for the trip down river. At Red Creek rapids, my passenger exited the boat to make the usually walk down the rapids while I rowed through. Unfortunately, as a result of the low flow, heavily loaded boat, and a rowing error on my part my boat ended up stuck on Dragons Thumb rock in Red Creek rapids. The boat was resting on its side on the upstream side of the rock with about 1/3 of the boat underwater. We tried to free it with the ropes we had but the current was too much so we left for Dutch John with the intension of returning later that day with more ropes and/or gear. When we returned later that day we found that the boat was now almost completely covered by the increased flow and pulling it off the rock was no longer an option during the increase flow. We were forced to stay overnight waiting for the flow to subside before we were able to free the boat the next day. Unfortunately, we were unprepared for another night of camping since some of our camping gear had floated down river after the earlier stranding. And it was a very cold and rainy night, probably in the low 40's. Luckily everyone survived the ordeal but it certainly could have ended differently.

69c Therefore, I believe the daily peak hump should be set in a manner so that it has no impact on river recreational activities, especially fishing and floating, and so that it does not endanger river users during recreation nor have a negative impact on the fish, which I understand are suppose to have a priority over power generation under the authorized purposes of the Flaming Gorge dam.

Sincerely

Jeffrey W. Talus, CPA

69. JEFFREY W. TALUS

69a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

69b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

69c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "john & carson taylor" <owlck35@infionline.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 1:51 PM
Subject: comments of John I. Taylor on Flaming Gorge Draft

I thank you for the opportunity to comment on the DEIS for the reoperation of the Flaming Gorge Dam. This comment is submitted from the perspective of a private recreational user (whitewater boating and fishing) of the waters below the dam.

70a I strongly support the action alternative as this will create a more *natural river hydrograph*, one that may make it possible for the recovery of the listed endangered fish. I also support any modifications to the DEIS which would even more closely mimic the natural hydrograph of the Green River that existed prior to the building of the Flaming Gorge Dam. It seems to me that the recovery of the listed species is only possible if we restore to the extent possible the natural hydrograph.

Nor will such an operation of the dam adversely impact the opportunity for whitewater boating. I have had the good fortune to run the Yampa at high flood in May of 1983 (c. 20,000 CFS) and the Gates of Ladore during Fall base flows (c. 800 CFS). Both trips are wonderful, offering different but great recreational experiences. This would not change under the action alternative even if modified to more accurately mimic a pre-dam river.

The same is true for the tail waters fisheries below the dam. Rolling high water is never great for fishing whereas lower base flows are conducive to good fishing. Nothing would change under the action alternative, even if further modified.

In conclusion, this is about more than the survival of the listed species. Rather, the recovery of the listed species will indicate that the riparian and riverine ecosystems are functioning as they did before the dam. It is only under such conditions that the listed species can recover.

Thank you,

John

I. Taylor

CC: <csmith@amrivers.org>, <bmillier@westernresources.org>

70. JOHN I. TAYLOR

70a

Comment noted.

From: Jim & Linda Thompson <lthompson28@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Oct 31, 2004 12:19 PM
Subject: Comments on Operation of Flaming Gorge Dam DEIS

Dear Mr. Crookston,

My purpose in writing is to submit a few comments concerning the recently released DEIS of the "Operation of Flaming Gorge Dam". Please consider the following:

As always, I've been a strong supporter of doing whatever we can to assist wildlife, especially those that are endangered, threatened, or sensitive. I realize there are many demands from many different factions on the dam and reservoir. However, what really ought to come first, are the needs of the native fish and wildlife species that once thrived in the area before the dam's construction. True, it's great that there have been attempts to mitigate or ameliorate some of the negative impacts of the dam and its fluctuating river flows down stream, and that we still are trying. But it seems like a futile battle, in that the endangered populations are still declining--mainly due to the dam's impacts. So, yes, I guess I can support the Proposed Action Alternative, but I'm not convinced anything will really do the job short of decommissioning the dam. So good luck!! I hope something will work--and maybe the proposed action will. Thank you for your attention. Sincerely, James W. Thompson, 3801 Viking Road, Salt Lake City, Utah, 84109, home ph: (801) 272-3683

71a

71. JAMES W. THOMPSON

71a

Comment noted.

From: <PhilH2O@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 4:55 PM
Subject: Flaming Gorge Environmental Impact Statement

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Dear Mr. Crookston,

72a I write to express my concern that flow management below the Flaming Gorge Dam may not be implemented to the best interests of recreationists, particularly fishermen. If, in fact, power generation can be managed while also coordinating flows that do not negatively impact fish, feeding patterns and the ability to safely navigate the river as well as wade its banks then please see that future policies express this desire.

72b The Green River below Flaming Gorge is an important and desired destination for sportsmen. Should the quality of the fishery be negatively impacted then our fear is that it most definitely will negatively impact the economics of the surrounding area including the hamlet of Dutch John.

Sincerely,

Phil Waters
7322 Brook Trout Trail
Evergreen, CO 80439

72. PHIL WATERS

72a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

72b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

From: "bryanhwe" <bryanhwe@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 12:03 PM
Subject: Green River Flows

- 73a I have experienced the high and low flow rates several time this summer and must express my distaste for this practice. Not only do I feel it is an unsafe thing to do to wade fishermen, it has spoiled my entire day
- 73b fishing and puts me off on going to the green if this is going to continue. When I have limited time too spend fishing I want it to be worthwhile and therefore will go to waters (in Idaho) that do not do this up and down thing if this continues. I feel that my option and that of others that I know feel the same why should be seriously considered as not to adversely affect the generation of money spent in the Green River recreation area lost to other states. Lets even out the flows and have the best of both worlds, a win win
- 73c situation can be made here.

Bryan Weight

73. BRYAN WEIGHT

73a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

73b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in

the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

73c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

From: "Hallie Serazin/Jim Wilson" <robinsnest@midohio.net>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 7:37 PM
Subject: single peak flow management

TO:
Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Greetings Mr. Crookston,
I write from Ohio. Other than the Lake Erie walleye fishery, which is under significant pressures, there is little to be proud of or get excited about in comparison to the magnificent Green River trout fishery. However, there is building momentum in our part of the country to take practical, doable steps to improve natural stream flow and habitat by doing such things as removing unnecessary low head dams on many of our river systems, and incentivizing conservation practices such as grassed filter strips along tributaries located on agricultural use land.

So why do I take the time to correspond from Ohio on the issue of flow management at *Flaming Gorge*? I have been dreaming of the times soon to come when I will take my family and our young teen age son to get to know the special places in the American west. Fishing is sure to be a big part of that experience. Flaming Gorge and the Green River are sure to be a target destination. When we arrive will we find the best fishery possible?

74a Or, will management practices respond to some other set of priorities at the expense of the fishery?

74b I encourage the Bureau to remain committed and responsive to the order of priority in the responsibilities with which it is charged. Please do all that is within your authority to operate Flaming Gorge in a manner that recognizes the specialness of the Green River fishery.

Warmest regards,

Jim Wilson
Delaware, Ohio

CC: "Denny Breer - Fish Green River" <dbreer@union-tel.com>

74. JIM WILSON

74a

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please

see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

74b

As stated in section 1.5 of the EIS, Reclamation's priorities are first, dam safety and then second, meeting project purposes in compliance with ESA.

Long-term negative effects to the tailwater trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 above.

From: "Marshall Wilson" <mswilson33@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 7:13 PM
Subject: Flaming Gorge EIS

Dear Mr. Peter Crookston,

75a I am writing to express my concerns over the continued efforts to fluctuate flows from the Flaming Gorge Dam and hope that you will consider my comments in your decision on the Impact Statement. I have been making on average 3 trips a year to the Dutch John area and contributing to the economy of that area for over a decade now. Two fo these trips ususally fell in the late Spring and Summer. Seeing as I own my own drift boat, I usually bring 2 or more friends with me each time I visit.

75b I can honestly say that if you continue to advocate and fluctuate flows like you have this past year that I will no longer be making these trips to the Green. The fishing will be better elsewhere. And why would I want to purchase an out of state fishing license, a Parking Pass! and fishing supplies if the fishing will be nothing short of terrible? I'm sure *the economy had to have suffered*. I am a professional in the Travel and Leisure industry and I, like you, understand the importance of revenue streams in the economy. You can bet that the status quo will have an impact the you can quantify early.

75c I hope you will consider generating power at a higher, steady flow. Can you not produce the same amount of electricity either way? I would think this would be a great compromise.

All the Best,

Marshall Wilson
P.O. Box 3770
Copper Mountain, CO 80443-3770

CC: <dbreer@union-tel.com>

75. MARSHALL WILSON

75a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

75b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

75c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

FGEIS ZZ401 PRO

From: "Crista Worthy" <crisaworthy@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: 10/12/2004 10:41 PM

The health of the Colorado River is of great concern to me. I frequently fly to Utah or Arizona for backcountry hiking, and over the years have seen the area change for the worse.

76a The dams, as you know, have completely changed the character of the river. Mitigation below Glen Canyon Dam has not worked. Instead of looking at each section separately, we need a comprehensive, basin-wide approach to the recovery of the fish living in the Colorado and its tributaries.

The congressional ban on studying the decommissioning of the Glen Canyon Dam should certainly be removed! I have spent an enormous amount of time in this area. The side canyons are recovering now that the water is low. Plants, animals and birds are quickly returning.

76b We should study the replenishing of underground aquifers for water storage, instead of the reservoir, which loses so much water each year to evaporation. 30,000 dump truck's worth of silt flows into Lake Powell each day. It should be going into the Grand Canyon. Eventually the Glen Canyon Dam will be useless anyway.

I hope to hear what decisions you make.

Sincerely,
Crista Worthy
16664 Calle Brittany
Pacific Palisades, CA 90272
(310)560-7324

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76. CRISTA WORTHY

76a and 76b

Both of the commenter's concerns are outside of the scope of the EIS.

PUBLIC HEARINGS

Moab, Utah – October 12, 2004

- 1. John Weisheit, Living Rivers**

Salt Lake City, Utah – October 13, 2004

- 2. Enos Bennion**
- 3. Leslie James, CREDA**

Rock Springs, Wyoming – October 19, 2004

- 4. Janet Hartford, Chamber of Commerce of Green River, Wyoming**

Dutch John, Utah – October 20, 2004

- 5. Chad L. Reed, Daggett County Commissioner**
- 6. Deloy Adams, Flaming Gorge Lodge**
- 7. Dennis Breer**
- 8. Jerry Taylor, Lucerne Valley Marina**

Vernal, Utah – October 21, 2004

- 9. Steven Romney, Uintah Mosquito Abatement District**
- 10. Edmond Wick**
- 11. Melissa Trammell, National Park Service**

PUBLIC HEARING
HELD: OCTOBER 12, 2004, 6:00 P.M.
AT: RAMADA INN
182 SOUTH MAIN STREET
MOAB, UTAH

John Weisheit

My name is John Weisheit. I represent Living Rivers. I'm the conservation director. I also represent Colorado Riverkeeper. I'm the program director. The Riverkeepers Alliance—Waterkeeper Alliance, who sponsors my designation in Colorado Riverkeeper, and I also represent 50 groups. I believe those groups are listed in our scoping comments that supported our letter, scoping letter that we wrote back in July of 2000. And I also represent Colorado Plateau River Guides, because they were one of the sign-ons for the letter, and there are about 15 -- well, almost everybody here is a member of Colorado Plateau River Guides.

If I have more time, please let me know.

1a First of all, we do not think that the flows are high enough in Reach One to reduce the encroachment of vegetation which promotes channel narrowing and changes the natural morphology of the river, which is essential for spawning and nursery habitat.

1b We are also not fully convinced that the Bureau will successfully time the high water releases at the most advantageous time for the native fish. We think it is highly possible that the Bureau could inadvertently flush larval fish downstream into inappropriate nursery habitats downstream that would bring diminished recruitment and native fish mortalities.

1c We also think the Bureau should produce higher flows into Reach One to store sediment on the margins of Lodor Canyon and Dinosaur National Monument, with such subsequent improvements to the riparian habitat such as the recruitment of cottonwood trees, which are greatly diminished in this particular National Monument.

1d Most importantly, we believe that the Bureau should take a leadership role in providing a fish ladder at the Tusher Wash Diversion Dam near Green River, Utah. This would also include a device that would stop the incidental take of endangered fish that occurs as they migrate into man-made canals and waters that flow into powerhouse at this Green River.

1e The Colorado River system is under considerable stress at the present time due to the effects of climate change or extended drought. We feel that the proposed flow and temperature regime could be jeopardized by the circumstances of the changing global climate. We have concerns about a complete draw down at Flaming Gorge Reservoir should there be a compact call by the lower basin states. We are also concerned about lower water quality from the reservoir as it is returned to the river bed below the dam during such an emergency situation. We therefore ask that the issue of climate change be addressed in the final EIS.

1f We are also disappointed that a survey—sediment survey was not done for the following reservoirs: Fontenelle, Flaming Gorge on the Green River and the Taylor Draw on the White River. To our knowledge, no sediment study has ever been formally

completed on any of these reservoirs. We feel that it is not only essential, but it is also the responsibility to monitor the rate of reservoir sedimentation so that the Bureau can effectively manage the dam and reservoir for the purposes and needs for which it was built, and for the safety of the general public.

This is my big picture testimony.

We are not convinced that the Bureau of Reclamation is providing the necessary leadership that is truly required to improve the critical habitat of the Colorado River Basin for the benefit of the endangered fish species. Nor for that matter, the benefit of human beings.

In 1979 the General Accounting Office reported that unless substantial management changes were completed by the year 2000, the Colorado River plumbing system would fail the needs of both the environment and for human consumption. Their caution has since become a promise fulfilled.

1g The Bureau must stop this piecemeal, one-dam-at-a-time approach to Colorado River management. We need solutions to our problems throughout the basin and not the standard maintenance of the status quo. A basin-wide programmatic EIS must begin as soon as possible for the entire Colorado River Basin.

This programmatic EIS must be willing to accept all alternatives, especially those which are politically uncomfortable and unpalatable, such as dam decommissioning. We need to get rid of some of the infrastructure immediately to bring about better water efficiency for both human needs and for the endangered fish.

1h That alternative is the recharging of the depleted aquifers throughout the Colorado River Basin.

These aquifers can hold more water than the 62 million acre-feet of storage the Bureau has constructed since the 1902. These aquifers were already dangerously—are already dangerously depleted and need to be refilled before they close or subside more than they already have. By recharging our underground storage sites near cities and farms, we have no more reason to depend on wasteful reservoirs that evaporate precious water, reduce the water of—quality of the water, particularly the reduction of salt, nor do we have to worry about the consequences of dam failure.

I just wanted to say that we will be writing some more significant comments. I still have yet to read the entire document. I have comments in support to look at the biological opinion, which I haven't been able to find.

I also need to interview U.S. Fish and Wildlife and biologists and get more information, so I just wanted to let you know that thanks for having—letting us have another six days. I might need it. And so I look forward to learning more about what some of the other people are saying about this and promise to include them in future letters in the form of our final—our letter for the final EIS.

1. JOHN WEISHEIT, LIVING RIVERS

1a

Comment noted.

1b

Reclamation will develop an annual operational plan with substantial input from the Technical Working Group. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made using the criteria listed in table 2-5 of the EIS. Additional input from the Flaming Gorge Working Group would also be considered in planning operations. This allows opportunities to refine flow attributes based on an adaptive management process.

Also, the Recovery Program has monitored and likely will continue to closely monitor timing of endangered fish larval drift for the purposes of contributing to the flow planning process. Studies occurred in May-June 2005 to monitor dynamics of larval drift and entrainment over a range of flow elevations. The 2000 Flow and Temperature Recommendations recommend use of such real-time information gathered by the Recovery Program in determining the specific magnitude, duration, and timing of flows within any given year; and the EIS further recognizes the role(s) of continued research and monitoring in refinement of flow recommendations through an adaptive management process.

1c

The commenter speaks to establishing cottonwood in the national monument, part of which is in Reach 2. For example, the cottonwood forest in Island Park was studied in conjunction with hydraulic modeling of flows of the Green River completed by the National Park Service in 2001. Channel aggradation was noted for that portion of the Green River. It was also noted that growth of vegetation in the channel would increase the rate of sediment deposition locally in this area (*Two Dimensional Computer Modeling of the Green River at Dinosaur National Monument and Canyonlands National Park*, Gessler and Moser, July 2001).

1d

A decision as to the necessity and feasibility of a fish passage at Tusher Wash Diversion is a responsibility of the Recovery Program and is outside the scope of the Flaming Gorge EIS.

1e

Reclamation did not attempt to project specific climate changes into the future as these projections are considered speculative and difficult to quantify from a hydrologic standpoint. If climate change does occur, it will impact the inflow statistics and the hydrological year classification that will be used for making decisions about how to operate in a given year.

1f-1h

The commenter's concerns are outside of the stated scope of the EIS.

PUBLIC HEARING
HELD: OCTOBER 13, 2004, 6:00 P.M.
AT: MARRIOTT HOTEL
75 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH

Enos Bennion

I came unprepared tonight. I was looking to have an opportunity to review this draft copy. And my only comment on this is I've had a hard time finding this document. I really think that you could do a better job advertising some way so that the public would have an opportunity to review this before this type of meeting. I don't know how we do that. I'm sure if I was not so ignorant, I would know what office I could go to, because you did mention you had sent a number of these things out. And they were available to the public.

I attended a meeting that was held in Vernal several years ago, and it was a discussion of the operations of Flaming Gorge itself, the water flow, fish management, recreational management and the whole schmear, and it was a public meeting, and maybe some of you people were in attendance at that meeting. But I got—I signed up for feedback on the information that was presented that night, and I did not receive it. So I know this is rather negative, but this has been my concern.

And I really can't comment on this tonight because I haven't had an opportunity to review it. But I would like to say that I have a concern over the total operation of the Flaming Gorge recreational area and the downstream area. From the standpoint that the objectives of the project itself, which started out early on as a flood control, a recreational area and power, economic power to pay for the project.

Later on, I guess, in the—after the completion of the dam, we got into the—the—you know, the law that cranked in protection of the fish and so forth, and since then I figure that—from what I can find out, that that's the primary reason for the dam at this point, number one priority, rather than the power or the recreational area that is often at the Flaming Gorge facility.

And I think it's a little out of balance. And that's probably because I haven't had an opportunity to see what kind of progress we've made here. I know that two or three years ago, of the four fish that were identified here, it was reported that one of them was basically extinct, and we hadn't had very much success in—in, you know, recovering the fish.

I can probably read this and find out how that progress is coming. Are we enhancing the environment for the fish by what we're doing? And I hope this will answer that. Or are we trying to do something else now to enhance it further?

2a

In my simple way of thinking, it would seem to me like the best way to duplicate the environment that these fish should see when they were flourishing would be to fill the dam all the way up and let the high water take care of the overflow and just basically create an environment that was there before the dam was there to start with.

I can't see what is the matter with that plan or why it would be any different than the way it was before the dam was in place. We'd have high water in the springtime

when the dam was overflowing and it would be a natural way of providing the environment that these fish once had.

And that's about all I have to say, but I—I do appreciate getting this information. And I plan on making some comment once I have an opportunity.

Leslie James

My name is Leslie James, representing the Colorado River Energy Distributors Association, CREDA. Our—my address is 4625 South Wendler Drive, Suite 111, Tempe, Arizona, 85282.

I'd just like to make a few remarks and we will submit some written comments within the time period.

CREDA is an organization, nonprofit, that represents the majority of the CRSP, our customers in the six western states. Our members serve about three million citizens in these six states.

I'd like to just point—make a couple of general statements. We fully appreciate the efforts that Reclamation has undertaken in developing this draft EIS. We recognize the difficulty is to balance all of the comments and all of the interested party information.

3a

I'd like to point out two things, though. The Colorado River Basin Project Act expressly provides in it that nothing shall amend or modify the compacts, the treaty with Mexico or the Colorado River Storage Project.

And I make that comment with regard to the purpose and need section of the draft EIS.

3b

A second general comment. Endangered fish recovery efforts are the express purview of the Endangered Fish Recovery Implementation Program, and to impose a standard other than to avoid jeopardy in our view is inconsistent with NEPA and the ESA.

We will submit, as I said, some detailed comments on some of the following areas of the draft EIS: the cumulative impact section, the hydropower section, environmental consequences with regard to the spillway use, financial analysis results. And we will also recommend that cash flow analysis also be incorporated into this draft EIS, particularly with regard to the current basin fund situation related to the drought conditions. And also flow recommendations and flooding section.

3c

We are a participant in the Upper Basin Endangered Fish Recovery Program, and working through our biologist in that program, who was very involved in developing the full recommendations, it's our opinion that the intent of those recommendations is to obtain an average of flows and not to meet specific flows.

3d

These are recommendations, they are not mandates. And we also understand that there is significant new scientific information which has been discussed by the biology committee of that program as late as August that information should be incorporated into this draft EIS.

Thank you for the time.

2. ENOS BENNION

2a

The commenter's suggestion is a run of the river alternative. Please refer to section 2.2 of the EIS for related information.

3. LESLIE JAMES, CREDA

3a

The purpose and need is consistent with all applicable Federal laws, and Reclamation agrees that nothing in the CRBPA amends or modifies the compact or international treaty with Mexico.

3b

Development of water resources was highlighted in the EIS narrative to illustrate the close connection between this authorized project purpose, the proposed action, and the Recovery Program. Avoiding jeopardy to listed species and assisting in their recovery is consistent with both statute and the agreements of the Recovery Program.

3c

The intent of the proposed action (Action Alternative) is to achieve the 2000 Flow and Temperature Recommendations while maintaining and continuing all authorized purposes of the dam. Both the 2000 Flow and Temperature Recommendations and the EIS describe spring peak flows as "greater-than-or-equal-to" a given flow, indicating a minimum peak flow, not an average.

3d

The EIS was prepared using the best available information, and updates were included where appropriate in preparing the final EIS. The EIS acknowledges the flexibilities and uncertainties of implementing the 2000 Flow and Temperature Recommendations, and adaptive management will be used to address uncertainties as explained in the EIS.

PUBLIC HEARING
HELD: OCTOBER 19, 2004, 6:00 P.M.
AT: HOLIDAY INN
1675 SUNSET DRIVE
ROCK SPRINGS, WYOMING

Janet Hartford

I'm Janet Hartford. I'm the director for the Chamber of Commerce of Green River, Wyoming, located at 541 East Flaming Gorge Way in Green River, Wyoming, 82935.

At the September Board of Directors meeting I brought up and passed out a copy of a basic statement about the EIS and your folks asking for comments. The Board of Directors unanimously voted for me to write a letter to you—and so I will read that letter to you—in regards to your EIS, and their unanimous action or support is to take no action. So I will read that letter and then I will give it to you.

“Dear Mr. Crookston,

“I am writing you in regard to the EIS that will affect the Flaming Gorge Dam and the proposed flow regulations. The Green River Chamber of Commerce would like to strongly express its recommendation and support to the NO ACTION plan. The Chamber feels that any change in flow would dramatically affect several aspects of the Flaming Gorge area.

4a “Sweetwater County looks upon Flaming Gorge Lake as a great tourist attraction that funnels over 90,000 tourists (sic) to the area a year. That translates into dollars that are spent not only at marinas but also at the service industries, in other words, the gas stations, sporting goods stores, grocery stores, restaurants, hotels. We also rely on the lake as a recreation for our local residents. Our youth, as well as the rest of the Sweetwater County community, spend many days of the summer at the lake.

4b “The lower level would be detrimental to the economy as well as our way of life. Sometimes change is good, but in this case, we do not feel this kind of change is beneficial. There is no guarantee that by changing the flows, the endangered fish in question will prosper, but it is a guarantee that game fish, recreation, quality of life and the economy will become endangered.

“Thank you for the opportunity to express our opinion.”

And it's signed by myself and it is in support from the Board of Directors.
Thank you.

**4. JANET HARTFORD,
CHAMBER OF COMMERCE OF
GREEN RIVER, WYOMING**

4a

Comment noted.

4b

There are no requirements of the 2000 Flow and Temperature Recommendations or the 1992 Biological Opinion

which specify particular reservoir elevations. Reservoir elevations are a product of dam safety and water storage. The EIS shows that the reservoir elevation would be more stable under the Action Alternative. See figure 4-1 in the EIS for a comparison between alternatives of the mean monthly reservoir elevation.

PUBLIC HEARING
HELD: OCTOBER 20, 2004, 6:00 P.M.
AT: DUTCH JOHN CONFERENCE CENTER
SOUTH BOULEVARD
DUTCH JOHN, UTAH

Chad L. Reed

I am Chad L. Reed, representing Daggett County as a county commissioner. We will be submitting written comment, but we wanted the opportunity to make verbal comment at this time.

In reviewing the EIS and in participating in past meetings dealing with the flows of Flaming Gorge Dam, we are somewhat pleased with some of the outcome of what is at least in the proposed EIS, but we would like to refer to at the inception of the Flaming Gorge Dam, there was assurances that were given to the county commissioners at that time that the process was of a national recreation area being developed, and those areas of recreation, management and utilization of the natural resources and the promotion of the area would not negatively affect the overall economic development of Daggett County.

And to refer to page S-4 of the Executive Summary, it gives some statements referring to the National Recreation Area Act of 1968 that gives some three specific reasons or purposes that a creation of Flaming Gorge Recreation Area and the Flaming Gorge Dam.

I'm going to comment on more than three but they state that the purposes for the area was to—and the development was for the public—public outdoor recreation benefits, conservation of scenic, scientific, historic and other values contributing to enjoyment and such management, utilization and disposal of natural resources that would promote or are capable—compatible with and do not significantly impair the purposes for which the recreation area was established.

Furthermore, there has been other information provided through—information has been given to the public and through the creation of the legislation of Flaming Gorge Dam that one of its sole purposes was for the creation of hydroelectric power.

5a

With these statements that we've made, it's of grave concern to the county officials of Daggett County that all economic impacts of this state would be protected in the future dealing with the study that has been done for the stability of those businesses that are already in the area and those in which we are trying to also bring to the area through the development of Dutch John, Utah, and the privatization of Dutch John and the resources that was transferred to Daggett County with the purpose of further development, which was—transferred to approximately 25 hundred acres for further development of the public area to enjoy.

The main three reasons that the—you know, dealing with three reasons that I mentioned earlier, mainly they're recreation benefits. We appreciate the opportunity to comment and we'll make written comments also.

Deloy Adams

My name is Deloy Adams. I'm one of the owners of Flaming Gorge Lodge. We are—we actually own two of the outfitter permits on the Green River from the dam to the Colorado border. And basically I do have some concerns about the action plan, but I will consolidate those in writing.

6a One of—in a conversation I had earlier today with Roger Schneidervin from Utah Division of Wildlife Resources, one of the items he touched on was ramping the flows. And I think as an outfitter that's an area of deep concern not only for the benefit and
6b welfare of the trout fishery, but one of safety for the public, especially the wade fishermen that are wading at flows of 800 cfs to—there's really nothing that I could see in writing and no specific written agreements to control the amount of flow that could be taken up for generation of power or for an emergency of any kind. Of course, probably in an emergency, it would probably be going the other way from some flow down.

But just this past summer we had several fishermen that were wade fishing down around Little Hole that got stranded with just the flows of going from 800 cfs to 1600 cfs. It would be nice if we could give some kind of notice, even though we have been
6c announcing to everyone that the flows did come up in the afternoon, but if—at 800 cfs, I don't think there's much—as much problem with somebody getting into trouble as if maybe we jumped from 800 to 24 cfs -- 2400 cfs.

That could certainly put some people in some real jeopardy if they were out in the middle of the river at Little Hole. They would not only would not able—be able to get back to the shore, they would basically be stranded with money—with water coming up at a level that they wouldn't be able to move, and at some point in time being washed down and possibly having a serious accident. So I did want to touch on that.

6d Other than that, probably the biggest concern that I see with the action plan is the temperature requirements and what is of most benefit for the trout fishery on Reach One.

And having said that, I will be putting in a written comment and I appreciate the opportunity of letting me speak, even though I wasn't planning on it.

Dennis Breer

I'm Dennis Breer, B-r-e-e-r. Okay. I planned to sit down today and put my thoughts together on some paper but didn't—didn't get everything done because I got involved in this thing and got carried away and realized it was deeper than what I wanted to get involved in, but.

The first thing I want to do is thank the—for the opportunity to comment on the operation of the Flaming Gorge Dam and the draft EIS and its appendages.

I'm here as a couple of different positions, one as a resident of Dutch John and also secondly as a business owner who lives three miles from the dam and whose livelihood depends on the Green River and consequently is—you know, how the dam is operated affects how my business would be affected as well, so we—you know, thanks for including Dutch John in this process, because I know originally it was not a part of your programming and—which kind of surprised me, because you had Moab on there

and yet the place where the most severe impact is right here in Dutch John and it wasn't included, and so I thank you for putting us on the map for your meeting tonight.

I've been a part of the Flaming Gorge Work Group since its beginnings in '93. So I've got a little more perspective than many folks in that. I've sat through the process of all the efforts that the Bureau of Reclamation has made in order to bring all the interested groups together and really try to form a consensus of, you know, all the—the various interests that have—that have developed around the Flaming Gorge asset, and—and now the dam has been operated and all the values that that has created.

And so I think I have a good understanding of a lot of the issues, and certainly I think the Flaming Gorge Work Group and I have to say I have to commend the Bureau for making that Flaming Gorge Work Group such an effective organization. So thanks to the Bureau for providing that—that window where everybody can get together and express and exchange values and ideas and try to develop some kind of consensus.

I have two approaches that I want to talk about tonight. In fact, I'm going to have to extend the other one and probably come to the Vernal meeting tomorrow night to make another comment on the economic part of the DEIS, but.

In the biological aspect, I think I've come to support most of the aspects of the biological opinion, and in particular what I'm looking at is that, you know, the flow and temperature recommendations for the threatened and endangered species, as long as they're consistent with the maintaining of and whenever possible the enhancement of the Flaming Gorge Tail water Sport Fishery are certain things that I have interest in. And I think that we have seen a lot of common ground in those work groups where the interest of trout and the interest of T and E fish have had a commonality.

In particular, the recommendations that were made in the DIS—EIS is—that I support are the recommendation of flow limitations, fluctuation limitations, which includes a single daily hump fluctuation. In other words, the absence of multiple fluctuations during the day, and that they be done in a reasonable manner, which the recommendation is 800 cfs on the ascending and descending ramp rates, which I think are extremely important as well so we're not jumping the flows up and down and displacing fish in that effort.

And that's in—basically in line with a lot of the historic operations that have occurred over the last ten years during this interim.

The recommendation also for the 55 degree water—Fahrenheit water temperature releases, you know, really help us maintain water trout temperatures down to the Colorado/Utah state line, and—which, you know, keeps the range of trout from the tail water—in the tail water section extremely valuable to us. So, you know, the further the trout can survive down the river, and that 55 degree Fahrenheit water temperature certainly does that.

Those—those things we can agree on because it's—it's things that I think we share with the T and E fish downriver and—and—in their attempt to effect change and help the T and E fish in their effort for recovery. So, you know, anything—and while my basis is on trout fishing, and the reason that is because I'm tied to the trout fishery here, as a guide and outfitter and also as a sport fisher, having been to this river for many years.

And it's been about—since about 1975, so I have a great deal of interest in the river.

I'm going to probably make some comments tomorrow night. I'm going to show up to the Vernal meeting and make some comments, but the first things that I'd like to say about the economic part of this, and when looking at recreation, recreation in Daggett County and in Dutch John is—is probably keen in terms of economics.

7a And in some of the things that were put into the economic aspects and looking at the consequences of the action or no action alternatives, it really stuck out to me in terms of talking about losses of jobs and declines under certain scenarios, which would be the average dry and wet years, and having seen the last four or five years be extremely dry, you know, and I have to wonder what average is anymore. You know, it just—it is—there's no average anymore that really fits that criteria, and so it's kind of hard to really look at it.

7b But anything that affects jobs in Daggett County is generally affecting—being affected by changes in recreation. And so I'm kind of concerned about some of the aspects that are in the biological opinion, in particular when it comes to the recreation industry, because where I'm seeing the most changes are when it comes not to the Flaming Gorge Reservoir, but to the Green River. And so the impacts on that seem to be the most affected area.

7c Well, then that puts Dutch John itself in the most jeopardy and the Green River activities being in the most jeopardy of having economic consequences, and so that's why I'm very, very concerned if the recreation or the guides and outfitters here are taking the brunt of the change—I read a fact or a statement in here that in the tri-county area that recreational services and also car rentals were a small sector of—very small, only like 2 or 3 percent affecting the numbers of jobs. Well, 2 or 3 percent spread over three counties isn't that much, but 2 or 3 percent really equates into 30 or 40 percent in Dutch John, because we are recreation.

So those aspects I think really need to be evaluated and looked at. And some of the bases for some of the information in here, there's parts of it that just does not make sense to me and I think it's too easy to get into voodoo economics. You can prove or disprove anything by, you know, the facts. And one of the things that I did notice in the—in addressing recreation in here was that a lot of the language is skewed towards the positive side of it.

So I'm going to make written and possibly show up for the meeting tomorrow night about the economics, and I think that our county commissioners should be extremely concerned about the loss of jobs and recreation opportunities on the river under these different scenarios and be very concerned and at least have some idea of what's going to happen as these things move forward.

Biologically I'm very much in favor of the steps that the Bureau has taken in terms of T and E fish and with the trout fishery, but it comes as an economic cost to the local community, and I'm concerned about that.

Thank you.

Jerry Taylor

My name is Jerry Taylor. I am owner and operator of Lucerne Valley Marina and Flaming Gorge Corporation. We're concessionaires with the Forest Service. We've been on the lake in operation since 1965. We put Buckboard Marina in originally and sold it to Les Tanner, who still operates it.

And basically we're here to make sure that the infrastructures that are operating on the lake, the marina operations and stuff are represented with their concerns about the economic viability of those operations.

All of the marine operations around Flaming Gorge essentially are marginal marine operations in inland-water waters. They're seasonal in nature, they are—if you look at the economy of scales and if you check with a Ph.D. at Western Illinois University who does inland water marina studies, he will tell you that the economy of scale for marine operations is 300 slips.

8a None of the operations on Flaming Gorge meet that criteria. So if you look at the economies of scale, you're talking about a system that has operating expenses right on the back end of their income on a—on a regular basis, a seasonal basis, and a yearly basis. Because we can't—we haven't achieved the economies of scale that would allow us to have a larger margin to work with.

8b Because we're working on such short margins, our operations are very sensitive to fluctuation of water levels and those kinds of things. Currently all three marinas are going through some transition with the current water levels.

We probably spent an additional \$23,000 in expenses for the '04 operations of Lucerne Valley Marina this year, relative to moving fuel lines, power systems, water systems, communications systems to operate our fuel dock on the other side of the ramp at Lucerne.

Those are things that have a major impact on our—our overall income for this operating season. Coupled with some of the other things that's going on, so what I'm saying is that the operations and the marina operations that are on Flaming Gorge are very sensitive to economic impact. And fluctuating waters is a major thing to deal with.

Our situations are somewhat unique and we do operate on very steep inclines on the lake, except for Buckboard, which has some shallow water warnings. And of course, when they lose the shallow water warnings, then they have to move the facilities even farther to facilitate enough floatation to facilitate the slips in the location on the water, so. They can actually have more impact up there in the shallow operations.

The Forest Service has considered additional marina operations on the lake, which would be Firehole. That's not even feasible under current water conditions for that operation to either be established or to operate under current water levels.

8c So those are some of our concerns. I have attended the flow meetings for this process historically from the time that it first started and will be there each time they talk about the annual flows, and those should reflect the amount of water that's available for Mother Nature for each year's releases.

Thank you.

5. CHAD L. REED, DAGGETT COUNTY COMMISSIONER

5a

Comment noted.

6. DELOY ADAMS, FLAMING GORGE LODGE

6a

Ramping the flows is outside the scope of the EIS. However, it is noted that the changes in flows, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Meeting peak demands is currently tempered by environmental and other concerns. This operational detail would be the same under either the Action or No Action Alternative. Please see section 4.4.1 in the EIS which accurately describes the limitations of ramp rates.

6b and 6c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. Currently, through efforts of the Flaming Gorge Working Group, the agreed upon ramping rate is established at 800 cfs per hour. This ramping rate has been the agreed upon standard since the Flaming Gorge Working Group meeting of April 11, 1994. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its

management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

6d

See section 4.7.2.4.1.2 in the EIS. In dry and moderate years, 55 °F (13 °C) water would continue to be released from the dam as it is currently, resulting in no more impacts to trout during summer months than are currently sustained. Long-term negative effects to the trout fishery are not expected under the Action Alternative.

7. DENNIS BREER

7a

Average, wet, and dry flows and reservoir water levels by alternative were estimated by the hydrologic model by superimposing Action and No Action Alternative operations on conditions experienced across a hydrologic period of record.

7b

The EIS shows that Green River recreation visitation could be negatively affected, particularly during wet and dry conditions.

7c

While lack of county specific recreation expenditure data precluded a county by county socioeconomic analysis, the loss of Green River recreation visitation and expenditures during wet and dry conditions (each estimated to occur 10 percent of all years) may suggest adverse impacts to Dutch John. Gains on the reservoir may outweigh losses on the river for certain businesses, while others (e.g., commercial guide operations) may be disproportionately affected. The point that a relatively small loss within the

three-county area, if concentrated within a single county or community, could occur is well taken. Clarifying text was added to section 4.12 in the EIS.

8. JERRY TAYLOR, LUCERNE VALLEY MARINA

8a-8c
Comments noted.

PUBLIC HEARING
HELD: OCTOBER 21, 2004, 6:00 P.M.
AT: WESTERN PARK CONVENTION CENTER
300 EAST 200 SOUTH
VERNAL, UTAH

Steven Romney

I've already left a copy of my oral record with your recorder. This will be surely less than five minutes, but I'll just read it off quickly.

I am Steve Romney, director of the Uintah Mosquito Abatement District that's located now coming up on 30 years in Vernal, Utah. And I'll present my commentary.

This is specifically as per the Green River Bottomlands Reach 2 of Project Area That's fundamentally our major operating area as far as the river drainage goes.

All right. I'll just quickly read this and go from there.

"When seasonally flooded with river sub-up or overflow water, the Green River bottomlands region in question presents enormous acreages of some of the most productive aquatic mosquito habitat in western North America. Literally millions of mosquitoes per acre can be produced. Many thousands of acres of such habitat are involved. The most important mosquito species are of the genera *Aedes*, *Ochlerotatus*, *Culex* and *Anopheles*. Some floodwater species can and often do migrate in staggering numbers as far as 20 or more miles from their bottomlands points of origin and present a substantial threat to the public health, veterinary health, ranching and agriculture, outdoor recreation, outdoor commerce and the economically vital tourist industry in Uintah County.

"Of new and greatest concern is the ongoing potential for the large scale river bottomlands production of the mosquito species *Culex tarsalis*, an extremely abundant and highly competent local vector of West Nile Virus. Ecologically, the additional and superbly productive mosquito habitat to be activated with the artificially enhanced and prolonged flooding of the Green River periphery presents a reproductive bonanza for this now critically important species. Due to the flattened, almost level contour of much of the Green River bottomlands topography, even minor increases in river elevation at high water can translate into huge additional acreages of sub-up and overflow mosquito habitat.

"The presence of mosquito-borne West Nile Virus in Utah was first documented in the late summer of 2003. That year the first human and equine West Nile Virus infections ever recorded in Utah were acquired in Uintah County"—not too many feet from this building. "Our neighbor state of Colorado suffered an incredible 2,947 human West Nile Virus infections in 2003. 63 were fatal. At season's end, 2004, ten human West Nile infections had been recorded in Utah. Two cases were acquired in Duchesne County. The newly arrived virus is now permanently established in the Uintah Basin and many other regions of Utah. The 2005 and future seasons will thus undeniably present every real possibility of severe outbreaks of mosquito-borne West Nile Virus in local human, equine and reservoir bird populations.

9a “The above is a far too brief but absolutely valid account of the circumstance at hand. I struggle with what would seem to be a lack of meaningful onsite field observations having been conducted for the EIS assessment of the potential impact of various Flaming Gorge operational scenarios on bottomlands mosquito production. Over some thirty years of very personal interactions with Green River mosquitoes I have repeatedly found that far more can be learned by wading in their habitat rather than flying over it in the course of aerial surveys of the same.

“Some Fair Questions:

9b “Are the hoped for research benefits which might be gained by way of the controlled release of Green River flows so as to both substantially increase and artificially prolong the flooding of the river periphery worth the for certain harmful public health and economic impact which would be forced upon the citizens of Uintah County? Simply put, more water in this case means far more mosquitoes, some of which the next time around may be able to kill you.

9c “Large scale Green River bottomlands mosquito control is extremely expensive and, for numerous logistical and biological reasons, is immensely challenging. It demands perfectly timed and repeated low-level aerial applications of degradable biological control mosquito larvicides to aquatic mosquito sources dispersed throughout some 50 linear miles of remote, often densely vegetated, nearly impenetrable river periphery. The Uintah Mosquito Abatement District is funded by local property taxes. Should Uintah County citizens be the only ones to pay for the best possible and utterly essential control of what will be much larger and medically important mosquito populations when their otherwise simple prevention is wholly dependent on the whim of the Recovery Program for Endangered Fish Species?

9d “When the Operation Of Flaming Gorge Dam EIS ‘Action Alternative’ is inevitably implemented, I will be requesting that the Uintah Mosquito Abatement District (and thus the taxpayers of Uintah County) at least be awarded full and fair federal compensation for those additional, much higher public health mosquito control expenses which will ultimately result from that policy decision.

“Such supplemental federal funding for Uintah County public health mosquito/disease vector control, though in no way fair compensation for the true extent of the adverse consequences of the ‘Action Alternative,’ would at least to some limited extent serve to elevate our citizens above the status of hapless victims in this matter. From a mosquito’s perspective, federal funds in exchange for Uintah County’s blood may seem like a good deal.

“Thank you for your valuable time and attention.

“Steven V. Romney, Ph.D., Director, Uintah Mosquito Abatement District.”

Thank you, gentlemen.

Edmond Wick

Yeah, I think—I will not be submitting written comments, but I was over here working on a field project and heard about the meeting, decided I'd come in and comment a little bit.

I'm just a consultant at the present time and I've worked for the National Park Service, the U.S. Fish and Wildlife Service, and Colorado Division of Wildlife on endangered fishes for about 25 years, and would like to just point out a few areas of the report that I thought were a little bit inconsistent and might need some rewriting.

And my main concerns center around the timing of flows. In other words, I agree quite a bit with the magnitude levels of the flows that you're proposing, but the work that we've been doing on sediment issues in particular have brought up a lot of issues concerning the timing of flows.

And on page S-30 of your summary report here, on Table S-7, a lot of the flow timing of the releases from Flaming Gorge are based on the Yampa River peak flows. And what we've found over the years is the Green River and the Yampa River often do not coincide with the peaks.

10a And I understand that the reason we try to time the releases of Flaming Gorge to coincide with the Yampa is obviously to—you know, to get the maximum peak flow. But in reality, these peaks have not coincided often and the Green River many times peaks a lot later.

10b And the work we've been doing with razorback suckers in particular show it's problematic in terms of sedimentation on the spawning bar when the flows from Flaming Gorge are released early coinciding with the Yampa, because we initiate sediment transport in the river, which tends to deposit sediment over the spawning bar.

So I see here that on page, I guess it's S-25 -- or 24 -- 24 and 25, you have a table called S-4. And I understand that during average years that we have a set of criteria on which we'll initiate the onset of peak flows. And some of those criteria are, for instance, the initial appearance of larval razorback suckers in the river and the condition of habitat for razorback sucker adults on the spawning bar and young.

10c And you'd find that in many cases what you need to do perhaps is reference back to your different tables and so forth and clarify that on the years you're indicating that one out of three years, particularly on average years, that you would have flows that would be relatively high that would help the razorback sucker. That's what that's for. So that in many cases you have to override your one statement of coinciding with the Yampa should be overridden by the factors concerning the life history of the razorback sucker to make sure that the spawning habitat is protected.

10d So I think what I see here is kind of a conflict of one table versus a general statement of matching Yampa River flows. It kind of conflicts because very seldom do the appearance of larval razorback suckers coincide with the flows of the Yampa River.

So that's my main concern, and I guess from our work that we've seen over the years, we've seen a lot of problems with flow timing, for instance, in wet years the tendency is to release flows early in May and wet years prior to even the Yampa peaking. So what's happening is the Flaming Gorge initiates large releases prior to the Yampa even peaking. And that combining with the Yampa flows initiates tremendous sediment transport and problems.

10e So what's happening is a lot of times during wet years when we could maximize production of razorbacks because the flood plains are available, we see poor production. So in order to improve the situation long term, we need to go ahead and probably do more management in average years for razorback, because that's when we get the best production. So we need to clarify those tables that I mentioned and clarify those statements.

Melissa Trammell

I'm Melissa Trammell and I'm representing the National Park Service, and I'd like to say that basically and in general we think that the flow and temperature recommendations and the way that the EIS has been laid out represents an improvement in the situation on the Green River and probably additionally protect resources in Dinosaur National Monument.

11a Having said that, I will go on to say that we don't necessarily think that the EIS has gone far enough in the right direction, particularly in terms of peak magnitude of spring flows. And we hope to work within the adapted management system after the EIS is implemented to encourage more variability, annual variability with flows in the upper end of the range.

And that's all I have.

9. STEVEN ROMNEY, UINTAH MOSQUITO ABATEMENT DISTRICT

9a

The EIS uses the best available information as called for by the CEQ regulations implementing NEPA. Reclamation relied heavily on Dr. Romney's input to ensure valid data. In site visits along the Green River near Jensen during June and July 2005, Reclamation staff discovered the greatest concentrations of mosquitoes in and adjacent to irrigated crops rather than in or near standing water in the flood plain.

9b

We do not anticipate adverse consequences to humans if the 2000 Flow and Temperature Recommendations are implemented. The river flood plain is likely to be inundated in wet years under either alternative.

9c and 9d

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

Reclamation notes that the issue of mosquito control along the Green River has been discussed annually at the Flaming Gorge Working Group meetings, and we expect such dialogue to continue

in the future, whether or not the proposed action is implemented. As noted in section 4.21 of the EIS, Reclamation is committed to continuing dialogue with county officials to explore the potential to assist with mosquito control.

10. EDMOND WICK

10a

It is true that the Green River peak flows naturally occur later than those for the Yampa River. In order to minimize impacts to the authorized purposes of Flaming Gorge, however, the most optimal timing of peak releases is when the Yampa River peak flows occur. If releases from Flaming Gorge Dam are timed to be later than the peak flows of the Yampa River, the releases from Flaming Gorge Dam would have to be greater in magnitude and duration to achieve the flow objectives.

10b–10e

The 2000 Flow and Temperature Recommendations are intended to aid in recovery of four endangered fish species by restoring a more natural flow regime to the Green River. The authors of the 2000 Flow and Temperature Recommendations recognized that certain aspects of the flows may affect certain species differently than others. Razorback sucker historically have spawned on increasing and peak runoff flows. One objective of spring peak flows is to entrain razorback sucker larvae in flood plain depressions, so it is possible that dam-release augmentation of the Yampa River peak flow would occur after spawning activity. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group which will evaluate criteria listed in table 2-5 when

making recommendations. Additionally, the Recovery Program has and likely will continue to monitor both timing of endangered fish reproductive activity and geomorphic processes for the purposes of contributing to the flow planning process. The 2000 Flow and Temperature Recommendations recommend use of such information gathered by the Recovery Program in determining the specific magnitude, duration, and timing of flows within any given year; and the EIS further recognizes the role(s) of continued research and monitoring in

refinement of flow recommendations through an adaptive management process.

**11. MELISSA TRAMMELL,
NATIONAL PARK SERVICE**

11a

Comment noted.

INDIVIDUALS

1. G. Howard Abplanalp
2. Lew Albright
3. Mark Allen
4. John and Mickey Allen
5. Dick Apedale
6. Justin Barker
7. Lynn Barlow
8. Nancy Bostick-Ebbert
9. Allen Brisk
10. Alan Bronston
11. Michael Brown
12. Bob Brownlee
13. Scott Brunk
14. Ted Butterfield
15. René Buzarde
16. Bryan Campbell
17. Jay P. Carlson
18. Mel Cisneros
19. Randall M. Connett
20. Robert W. Day
21. James DeSpain
22. Frank Doyle
23. Paul J. Ebbert
24. Bryan Eldredge
25. Jeff Erkenbeck
26. Kurt Finlayson
27. Richard Fitzgerald
28. Robert Freestone
29. Bruce Gibbs
30. Kerry M. Gubits
31. J. Dean Hansen
32. Virginia L. Harrington
33. Corey Harris
34. Craig W. Hauser
35. Rick Hayes
36. Jeffrey Himsl
37. Jack Hunter
38. Dale Huskey
39. Bob Johnston
40. Don E. Jorgensen
41. Dora J. Jorgensen
42. Wade Kafkaloff
43. Bruce Kautz
44. Ted E. Kulongoski
45. Heather Kuoppamaki
46. Scott A. Marshall
47. Jeff Martin
48. Jerry McGarey
49. Patrick Mehle
50. Norman Miller
51. Richard L. Mimms
52. Arthur D. Moeller
53. Mark Naccarato
54. Sean P. O'Connor
55. Mauria Pappagallo
56. Edward Park
57. Lex Patterson
58. Chet Preston
59. Tom Prettyman
60. Jairo Ramirez
61. Robert Rutkowski
62. Peter Sagara
63. Cris and Amanda Shiffler
64. Jay Smith
65. Les Smith
66. Kent Spittler
67. Wayne Stewart
68. Steven Strong
69. Jeffrey W. Talus
70. John I. Taylor
71. James W. Thompson
72. Phil Waters
73. Bryan Weight
74. Jim Wilson
75. Marshall Wilson
76. Crista Worthy

Mr. Peter Crookston
Flaming Gorge EIS Manager
PRO-774 Bureau of Reclamation
Provo Area Office
302 E. 1860 So. Provo UT
84606-7317

November 14, 2004

Dear Sir,

- After reading the newspaper article in the Vernal Express dated 11-4-04, I would like to submit
- 1a my comments: I fully support Dr. Steven Romney's concerns of creating excess flood plain to promote increased endangered fish populations - I witnessed the hard work Dr. Romney and his crew did this year to keep mosquito populations in check as they were continually checking and eradicating larvae throughout the area.
- 1b It also doesn't make sense to flood usable fields, irrigation systems & to lose power generation when the endangered fish are
- 1c making a comeback anyway. There's a good chance the youpa river will provide an extremely
- 1d large flow this year & provide some of the

benefits you are hoping for. I think the desire to increase the endangered species is one we all support.

I also feel that we need to increase the storage capacity of the Green River at higher elevations such as Fruitville & Flaming Gorge for future use since we've been experiencing a 6 year drought. Water is too valuable a commodity to use for just one reason.

Respectfully,

Ottavard Olymualf

1. G. HOWARD ABPLANALP

1a

Please see responses to the Uintah Mosquito Abatement District letter 6 and public hearing speaker 9 (Dr. Steve Romney).

1b

Under either alternative, higher flows will inundate the historic flood plain. Any improvements by landowners in the flood plain have always been at the landowners' risk.

1c

There are few data suggesting that the four endangered species are making a comeback; in fact, most data suggest that populations of four species are either stable at dangerously low levels or declining in some cases. At best, all four species currently exist at diminished population levels which preclude removing them from the Endangered Species Act (ESA) or improving their

ESA status. See the Recovery Program website <<http://www.r6.fws.gov/crrip/rea.htm>> or call the Recovery Program at 303-969-7322, ext. 227 for more information.

1d

As stated in the EIS, Yampa River flows have a greater influence on the flows in Reaches 2 and 3, and the Action Alternative takes this into account.

1e

Comment noted; increasing storage capacity is outside the scope of the EIS.

1f

Reclamation's intent is to continue balancing the needs of all resources when making operational decisions and not focus on just one resource. Reclamation would continue this practice under both the Action and No Action Alternatives.

From: "lew" <albrightlr@iwvisp.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 5:27 PM
Subject: Water Flows on the Green

Dear Mr.. Crookston,

I have been fishing the Green River for at least 12 years. The last 6 years I have fished it twice a year. This last year, especially October, the flows really disrupted the fishing. It seems that the flows were changed during prime time, during the middle of the day. It was the worst fishing that we have ever had on the Green. We spend over a \$1000.00 to the Utah merchants for every trip that we make but if the flows stay like they are, we plan on fishing in Oregon and Colorado. We do love the Green River fishery, but why fish it if the flows keep changing during the day and cutting hours of fishing out of our day. It is very discouraging. It wouldn't it be better for everyone if the flows were changed during the late evening and not during the day when the river is full of anglers, boats and rafters?? It is also a safety hazard because many wade fishers cross over to the opposite bank to fish and when the water rises it is almost impossible to get back, unless you are a good wader. I hope that an agreement can be reached that will not disrupt the fishing during prime time.
Thank you for your support.
Lew Albright

2. LEW ALBRIGHT

2a and 2b

Fluctuating releases during the day have been the normal operations of the powerplant since it began power generation 40 years ago and would continue under either alternative. The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

2c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38.

From: "Mark Allen" <markallen2@qwest.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 7:28 PM
Subject: Green River Problems

Mr Peter Crookston
 Flaming Gorge Environmental Impact Statement Manager
 PRO-774
 Bureau of Reclamation, Provo Area Office
 302 East 1860 South
 Provo, UT. 84606-7317
 801-379-1152
 801-379-1159 FAX

Mr. Crookston,

- 3a I have been fishing on the Green River for many years. There are a number of things which are of grave concern to me. The past several times I have been fishing out there I catch many fish that seem to have health issues. I am not sure of all the things that disrupt the feeding cycles of the fish, but I think the change of flows in a quick manner does in fact impact the fish in negative fashion.
- 3b It is difficult to know if I wade to the far side of the river if I will be stranded by high releases or if I will be able to safely return at the end of a fishing day.
- 3c The reputation of the Green River as being a world class fishery has come into question when I find the disruption that high water brings to my personal experience. If water flows need to be ramped up I would suggest this happen from midnight until 4am, so things can settle back down during the day hours. If the flows are ramped up during the night the electricity generated could be sold to those in the East at a premium.
- 3d
- 3e Please consider the issues which affect the fishing, which result in economic gains or losses to the area as they are directly tied to individuals fishing experiences and word of mouth as to how the fishery is doing. It has been quite sometime since fishing has been splendid. I would guess that if an environmental and biological study were done on the disruption of feed in the river channels due to rapid increase of water flows, we would find that much of the food sources for fish are being blasted downstream and hence those fish that remain have undue competition, this results in marginally healthy fish.
- 3f
- 3g I would like to get an update as to the solutions you deem appropriate for this wonderful resource. Please protect it. As a former river guide in the Grand Canyon we experienced dramatic flow changes. There is great safety issues here that need to be considered. High water and swift currents can consume lives. It is common sense that if flows are to be increased that it is done prudently and at a time which presents the lowest opportunity to affect fisherman frequenting the area.

Thank you,

Mark Allen
1729 North 80 West
Orem, Utah 84057

3. MARK ALLEN

3a and 3f

Comment noted.

3b and 3g

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

3c

Fluctuating releases during the day have been the normal operations of the powerplant since it began power generation 40 years ago and would continue under either alternative. The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the

day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

3d

Electricity in the East is provided by separate transmission systems that are not connected or synchronized with the Western network, so the power could not be sent directly to the East.

3e

The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of fluctuating releases, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery. Please see response to individual letter 38.

From: "Mary Allen" <jackpinesavageco@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 11:52 PM
Subject: Increased Flows from Flaming Gorge Dam

4a To whom it may concern:
We are residents of Rangely, and take much pleasure from the rivers of Dinosaur National Monument.
We strongly support the Action Alternative.

John and Mickey Allen
Rangely, CO

Mary Allen
jackpinesavageco@earthlink.net
Why Wait? Move to EarthLink.

4. JOHN AND MICKEY ALLEN

4a

Comment noted.

From: "Dick" <flyfishing@readytek.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 6:47 PM
Subject: Operation of Flaming Gorge Dam

- 5a I support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing. An issue of safety, wading fishermen's safety is affected negatively when river flows change abruptly during peak fishing hours of the day.
- 5b

Please take in consideration my notes

Thank you

Dick Apedaile

flyfishing@readytek.net

5. DICK APEDALLE

5a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

5b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: <Jlbarker5@cs.com>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 23, 2004 11:48 PM
Subject: Flaming Gorge Dam Flows

Mr. Peter Crookston

Flaming Gorge Environmental Impact Statement Manager

PRO-774

Bureau of Reclamation, Provo Area Office

302 East 1860 South

Provo, UT. 84606-7317

801-379-1152

I am writing in regard to the changing flows on the Green River below Flaming Gorge Dam this last summer. I come to the area about every other month to fish and stay in Vernal for the duration of the trip. I usually come with at least one friend.

I wade fish on the Green and the flows are particularly important to me.

6a Changing the water flows during the day is a safety issue for many fishermen that wade like myself. I know the river changes and plan accordingly, but the river is constantly full of newcomers and they are rarely ready for a large increase in the amount of water being let out of the dam.

6b I support the single daily peak hump restriction, but it could be done at a time when it would not impact the fishing. The daily changes this last summer killed the fishing during most of the day. It takes the fish a while after the increased flow to calm down and begin feeding. By this time, the flow was decreased and the fishing was again thrown off. I know the Green River is a national destination river for fly fishermen and this summer was a disappointing experience for many of them. We need to keep the flows as constant as possible during the day in order to maintain the excellent fishing and keep tourist dollars flowing in to this region. Thank you for your time.

Justin Barker
1911 W 800 N
Pleasant Grove, UT 84062
801-785-7811

6. JUSTIN BARKER

6a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in

the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

6b

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Lynn" <lynn@kathyquilts.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 10:58 PM
Subject: Power generation impact on Green River fishing

To: Peter Crookston
From: Lynn Barlow

Dear Sir,

I would like to mention to you how I enjoy visiting the Green River, especially the A section below the Flaming Gorge Dam. I have visited numerous times and had different experiences each time. Out of all the places I like to fish, the Green River can be the most fun and the most frustrating. There have been times when the raising of the river has severely affected the fish. Since I live about 4 hours away from Dutch John, in Brigham City, Utah, the time investment is quite significant. When I visit the Green River I am rewarded with the beauty and awesome canyon view as I float serenely down the river. The opportunity to catch fish makes the trip all the more enjoyable.

- 7a** It is come to my attention that the power generation can occur during time periods when fishing will not be affected. This could make for more enjoyable trips to the river as well as safer fishing. Not knowing whether the river will be raised or lowered without warning really is a cause for concern. It is my hope that a time frame can be reached for power generation that will not affect the fishing.
- 7b**

Better fishing conditions will affect the amount of dollars for local merchants as well as for Utah in general.

I thank you for reading this message,

Lynn Barlow

7. LYNN BARLOW

7a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

7b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at

the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Nancy Bostick-Ebbert" <nancyb@sbt.net.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:39 AM
Subject: Comment Addendum

Below you will find a duplicate comment to which I have added my contact information that I inadvertently left off earlier.

Thanks,

Nancy Bostick-Ebbert

To Whom it May Concern:

8a My name is Nancy Bostick-Ebbert. I am a fifth generation Utah resident and was born and raised in Vernal. I very strongly support the action alternative for increasing flows every 10 years on the Green River below the dam. I think it is critical that we do everything we can to mimic conditions favorable for the endangered species of fish in the Colorado River drainage. In addition, these releases help improve the riparian ecosystems along the river and provide better habitat for the birds and animals who inhabit those environs.

I appreciate the opportunity to comment on this and encourage you to make a decision based on good science not fears and misinformation.

Sincerely Yours,

Nancy Bostick-Ebbert
1 North 2500 West
Vernal, UT 84078
(435) 781-1518

"If you want another to adopt your beliefs, you must first become someone they wish to emulate..."

---nancy bostick-ebbert---
nancyb@sbt.net

8. NANCY BOSTICK-EBBERT

8a

Comment noted.

From: Allen Brisk <Allen.Brisk@paccoast.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:06 PM
Subject: Green River

I am a 64 year old man who has fished the Green River for the past 25 years. I take an average of 4 guided trips per year. I have fished when the water is high and when it is low. I have fished and been caught in high water when the water levels have fluctuated. I have seen trees and debris washed downstream when the water is increased.

In all cases when the level increases or decreases during normal fishing hours, the experience decreases and is not so enjoyable.

9a Please do not change the flow pattern. Increase the volume at night if more water is required.

From a financial point, my Green river float trips would cease and so would the lodging.

I do not necessarily want to go to Montana to fish.

Please.

Allen Brisk allen.brisk@paccoast.com

9. ALLEN BRISK

9a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Bronston, Alan" <Alan.Bronston@USFOOD.COM>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 10:57 AM

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317
801-379-1152

Dear Mr. Crookston,

I am writing this note in regard to the review of the Environmental Impact Statement of the Flaming Gorge Dam that is underway. I would like to comment on how the flows were managed this last year from two separate perspectives.

10a First, let me say that I live in Utah, do business in Utah, recreate in Utah, and do as much as possible of all three at Flaming Gorge. Flaming Gorge has not only been the best place in the west for a top quality fishing experience, it is also the most convenient. This year, however, with the daily rise and fall of the water levels; the fishing was so suppressed that it was hardly worth the effort and expense to come, other than for the scenery. It is inevitable that if the flows are managed in the same way in the future, I, and others like me, will have no alternative than to find other places to go. This would be a real shame since Flaming Gorge by all rights ought to stand alone as the prime fishing destination in the United States, if not the world. The impact on the local economy cannot be overstated.

10b
10c Secondly, this is a serious safety hazard. Let me relate an experience that I myself had this summer, which I understand was not unique from what others have told me. We launched just after midday from the put in below the dam. On board my drift boat was a young child and older man. Just after the second or third bend we encountered a wading fisherman who had become stranded in the middle of the river when the levels began to rise. He was very close to losing his footing when we came along. We had no choice but to attempt to rescue him, of course. However, due to where he was, the current, and our having to ferry across to get to him, in the end the only way we could get him was for him to grasp hold of the upriver side of the boat by the oarlock. This crippled the maneuverability of the boat since I no longer had the use of one oar, and the additional weight and dragging effect to the upriver side of the boat nearly swamped us. This was not an event I would enjoy repeating.

I hope that when the Environmental Impact Statement is complete it will be discovered that there is a way to accomplish whatever it is that is required from the dam without having such a dramatic impact on those who are trying to enjoy the river.

Thank You,

Alan Bronston
Territory Manager

888-295-4803 Ext. 502
435-901-3138 Mobile
alan.bronston@usfood.com

10. ALAN BRONSTON

10a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

10b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

10c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is

prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Michael Brown" <mike_utdairy@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 8:36 AM
Subject: Daily Peak Restriction

Dear Mr. Crookston,

11a As a frequent visitor to the Flaming Gorge recreation area, primarily to fish the Green River below the dam, I would like to voice my support of a single daily peak hump restriction, but I believe its timing should be in a manner that it has no impact on river recreation activities, especially fishing.

I know I am preaching to the choir when I talk about the revenue generated by those who fish the river, but I think the drastic change in flows has the possibility of reducing that revenue. I know my frequency has decreased since I was stranded on the West side of the river during a high flow.

11b Again, I understand the need to maximize the usefulness of the dam, but not at the expense of the purpose for which the dam was authorized.

Respectfully,

Mike Brown
Riverton, Utah

11. MICHAEL BROWN

11a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

11b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power

generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: "Bob Brownlee" <brwnle@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:27 PM
Subject: Flaming Gorge Discharge Rates

- 12a Dear Mr. Crookston, I am writing to encourage use of the single daily peak hump restriction but in a manner which does not impact fishermen. I have fished the Green River extensively and have been negatively surprised by the flow changes more than once. Not only does the flow change turn the fish bite off for a time but it also has some potentially dangerous consequences. I have been trapped twice by rising flows and had to fill my waders to reach shore when I realized what was happening. People who are not aware of the possible flow changes could be trapped on a shallow bar for an extended time, or worse.
- 12b If there are ways of preventing this potential I would certainly like to encourage the consideration of those actions.

Thanks for your consideration. *Bob Brownlee, Golden, Colorado.*

12. BOB BROWNLEE

12a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

12b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "scott brunk" <bighorn1478@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 12:24 PM
Subject: Flaming Gorge water flows.

- 13a I have found that the fishing experience at Flaming Gorge can be dangerous as well as frustrating do to the peaks and valleys of water releases for power generation. Please try to do a better job of managing the flows.

Scott Brunk
303-665-3261

13. SCOTT BRUNK

13a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Ted Butterfield" <buttuhs@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 6:10 PM
Subject: In regards to flaming gorge dam.

- 14a** I'm writing in regards to the flow changes at flaming gorge in order to produce electricity. I believe that a constant flow is preferable to fluctuating flows. This is due to experiences which I had in early July of this year while fishing the Green just below flaming gorge. The fishing was severely affected by the flow changes and I know of several men on that day who were stranded on the other side of the river as they did not know that the flows would rise later in the day. One man even lost his driftboat when the river rose and picked it up off the rocks. This causes personal loss and distasteful memories of what could have been a long anticipated trip to a one off America's top rivers. Therefore I support the single daily peak
- 14b** hump restriction, and hope that the timing of the peaked flow will be such that it will not disturb fishing or
- 14c** place fishermen in needless danger. Thank you for your time.

Ted Butterfield
buttuhs@hotmail.com

14. TED BUTTERFIELD

14a and 14b

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

14c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river

warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: "Renee Buzarde" <rbuzarde@union-tel.com>
To: <fgeis@uc.usbr.gov>
Date: Thu, Nov 4, 2004 2:26 PM
Subject: Flaming Gorge EIS

I would like to join Dr. Romney in opposition to changes in operations of the Flaming Gorge Dam. I live near the dam and love this area and hope we can protect it.

- 15a** With the huge threat of the West Nile Virus and possible danger to our fishing industry, I strongly oppose proposed changes in water flow.
- 15b** We need to protect the trout in the Green River.

Please leave things the way they are.
A concerned citizen of Daggett/Uintah County.

Reneé Henderson Buzarde
670 Flaming Gorge Acres
Dutch John, Utah 84023
rbuzarde@union-tel.com

**15. RENEÉ HENDERSON
BUZARDE**

15a

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including standing water on private

property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and a threat from West Nile virus or other mosquito-borne diseases.

15b

Long-term negative effects to the tailwater trout fishery are not expected under the Action Alternative.

From: "BRYAN CAMPBELL" <BCAMPBELL@wmccat.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:19 PM
Subject: flaming gorge dam...

It has come to my attention that the Bureau of Reclamation is undergoing a Draft Environmental Statement on the Operation of Flaming Gorge Dam and asking for comments. I was only able to fish my favorite river, the Green River twice this summer. Both times the trip was dramatically effected by fluctuating flows coming from the dam. On the first occasion, our group crossed the river early in the morning, and we underestimated the effect of the increase in flow, that evening we tried several times to cross back over, but it was impossible. Finally we had to return to little hole to cross where two of us took water over the top of our waders, and a younger member of our group barely made it across. On the second occasion, we left very early in the morning to make it to the river in time to fish, we were having a great day until again the flow increased and the fishing came to a screeching halt forcing us to leave earlier than we had hoped. I understand the purpose of the dam, but I also feel that dramatic fluctuations during daylight hours not only affects fishing, but affects the safety of people on the river. Please change the fluctuation times to a time when people aren't negatively affected.

16a

16b

Thank you,
Bryan Campbell

CC: fishgreenriver <dbreer@union-tel.com>

16. BRYAN CAMPBELL

16a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

16b

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the

releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 below.

FGEIS ZZ401 PRO

From: "Jay Carlson" <jpcvail@msn.com>
To: <fgeis@uc.usbr.gov>
Date: 11/15/2004 8:49 AM

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317
801-379-1152
801-379-1159 FAX

I would like to share something that frustrates many of us who fish below dams especially the Flaming Gorge Dam is the erratic way flows can suddenly jump up and down while we are fishing. This can often disrupts water quality and upset the fish for set periods of time. The end result

- 17a** is a spoiling of our fishing day. know this is occurring, I would like to mention how my fishing dollars impact local businesses and Utahs overall economy. I support the single daily peakhump restriction, but its timing should bein a manner that it has no impacts on river
17b recreation activities, especiallyfishing. I would also like to address the issues of safety, a waders safety is effectednegatively when river
17c flows change abruptly.
- 17d** You have the ability to do the power generation flows in non-fishing hours or maintain a slightly higher steady flow that generates the same amount of electricity.

Please rectify this situation.

Jay P. Carlson
jpcvail@msn.com

17. JAY P. CARLSON

17a

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

17b

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

17c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the

fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

17d

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 below.

From: "mel cisneros" <mel_cisneros@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 5:06 PM
Subject: Green River Flows

18a I support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.
Is their not a way to meet the needs for power in a maner allowing both sportsman and consumers to enjoy their day?

Mel Cisneros

18. MEL CISNEROS

18a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Connett, Randy" <Randy.Connett@VECO.COM>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 7:29 AM
Subject: Flaming Gorge Environmental Impact Statement Comments

Mr Peter Crookston

Dear Sir:

19a I am forwarding my comments regarding the desire of the operators of Flaming Gorge Dam to respond to peak power requirements by varying the flows from Flaming Gorge Reservoir. I am very concerned about the impact that this has on this world class fishery, and the safety of those who are wading the river.

19b Sudden increases in flow can lead to unobservant or unfamiliar river users to wad water which becomes unwadable at higher flows, thus presenting a safety risk to the public.

19c I am very opposed to allowing fluctuating flows to negatively impact the fishing of this magnificent river. I do support the daily single hump
19d restriction, but encourage the Bureau to require the timing of the fluctuating flows to avoid unnecessary impact to fishing or other river use.

Thank you

Randall M. Connett, PE
VECO USA, Inc
9000 E Nichols, Suite 250
Centennial, CO 80112
(303) 268-3499
(800) 292-1012
(303) 549-3227 (cell)

19. RANDALL M. CONNETT

19a and 19d

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative.

19b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the

dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

19c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative.

From: "Robert W. Day" <abqbob@ix.netcom.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 12:07 AM
Subject: Green River Flow changes

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
Bureau of Reclamation, Provo Area Office

Sir:

- I have fished the Green River below Flaming Gorge for over 10 years and have considered it as one of the greatest trout rivers in the world. As in all tail water fisheries the change of water flow materially deteriorates the the quality of the fishing as well as providing a serious item of safety to the fishermen. It would seem that if these flow changes were to be made during the time that fishermen are not on the river it would add to the attraction of fishing the area. It is discouraging to travel a good distance and then find that the fishing is artificially manipulated and so diminished.
- The local economy, I am sure, would benefit from this change as well as Utah and Wyoming. I understand also that fishing and recreation have a priority in the operation of the dam and this priority is not always considered. I don't know what considerations are met by having the flow at mid-day but if there are no overriding reasons for mid-day then it would seem the fishing and recreation priorities could be used in having the flow changes at non fishing and recreation times.

Thank you for your attention.

Robert W. Day
2924 Cagua NE
Albuquerque, NM 87110

Robert W. Day
abqbob@ix.netcom.com
EarthLink Revolves Around You.

20. ROBERT W. DAY

20a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

20b and 20d

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 below.

20c

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

From: "James DeSpain" <despainjames@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 5:30 PM
Subject: Draft Environmental Statement

Dear Mr. Crookston,

I am a native Utahn, living in Pennsylvania. I make three fishing trips every year to the Flaming Gorge recreation area, specifically to fish the Green River. There is a group of 5 that go, and generally have a great time. It can be disappointing though when river flows change dramatically, and we experience periods of bad fishing. It makes us re-think the money we spend, and how we could have experiences in other parts of the country that are not interrupted by water changes. We love the area, and want to continue our tradition. We support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially

21a fishing. I'm sure you've also heard many times the risky situations sudden changes present to waders and other fisherman. I hope you can take these

21b comments, and use them constructively as the draft environmental statement is being created, and know that these views are possessed by almost all fishermen I encounter on the green. We love the river, and obviously want our experience enriched, but at the same time understand the need of electrical production. We just feel like it could be done in a more controlled and predictable environment.

Thank you for your time,

James DeSpain
Telford, PA

21. JAMES DESPAIN

21a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

21b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased

dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Franc Doyle" <francd1999@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 16, 2004 4:15 PM
Subject: Flaming Gorge Dam

To Whom It May Concern:

- 22a** I would like to express my displeasure with the fluctuations in the river levels that have been occurring on the Green River during the summer months. I understand that demand for electricity goes up in the summer to provide air conditioning to the millions of people that have made a choice to live in a desert environment and can't handle the heat, but I have my interests as well. During the summer months, fishing and floating on rivers is my main pastime. I am a teacher and have plenty of time to pursue my interests.
- The awesome fishing on the Green for years past prompted me to buy a fishing boat to use on the rivers. I fished over 30 days on the Green for 3 years in a row, but I noticed a sharp decline this past year with the flow fluctuations, so this year I only was up there for about 12 days. The fishing was lousy when normally it is spectacular. I believe that the fluctuations not only affect fish behavior but the timing of the bug hatches as well. Due to this, I fished more in Colorado this year, but was unable to use my boat as much because most of our rivers are too small to float.
- 22b**
- 22c** I urge you to consider providing electricity by raising the flows to a level that would allow the flow to be more constant and deliver the power you need for electric demand. This would create a win-win situation, you would generate electricity, fishing would be more fun, and people wading the river would be in less danger of getting stuck on the opposite bank.

Your engineers can certainly create a model that would average the flows to equal the generating capacity of raising the flows with such a steep peak and drop every day.

Frank Doyle
Denver, CO

22. FRANK DOYLE

22a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

22b

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative.

22c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

From: "Nancy Bostick-Ebbert" <nancyb@sbt.net.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:36 AM
Subject: Action Alternative

To Whom it May Concern:

23a My name is Paul Ebbert. I am a resident of Vernal and a member of the UDWR Regional Advisory Council. I am writing to express my support for the Action Alternative which allows for increased flows down the Green River during the 10th wet year. The best information available indicates that this is important for the recovery of the endangered fish in the Colorado River system as well as improving habitat along the river corridor.

Thank you for this opportunity to comment.

Sincerely Yours,

Paul J. Ebbert
1 North 2500 West
Vernal, UT 84078

(435) 722-5122 (work)

23. PAUL J. EBBERT

23a

Comment noted.

From: "Bryan Eldredge" <bryeld@zcloud.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 7:45 PM
Subject: Green River Water Flows

Dear Mr. Crookston,

24a It is my understanding that you are asking for comments in regards to the operation of the Green River Dam at Flaming Gorge. I am an avid flyfisherman who very much enjoys the recreational opportunities available below the dam, of fly fishing the River. This Past September I was part of a group of 5 men who took valuable time off from our jobs to spend a few days fishing in the Little Hole area. We were very disappointed to find the fishing so slow. None of us are very well off and it was quite some sacrifice financially for all of us, not only to take the time off work but the cost of travel and fishing tackle as well. I think we all left the river feeling that the sacrifice of time and money was not worth it. I feel that the high flows of the river in the middle of the afternoon were a big reason for the fishing to be so slow. Further I would like you to know that I support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.

Thank you for listening, Bryan Eldredge
This email scanned for Viruses and Spam by ZCloud.net
For more information on our \$99 per year dial-up internet with filtered email please visit us at:
<http://www.zcloud.net>

24. BRYAN ELDREDGE

24a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: <erkpsyd@cox.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 2:18 PM
Subject: Green River Flows at Flaming Gorge

Dear Mr. Crookston,

- 25a** I would like to express my thoughts regarding the fluctuating flows at Flaming Gorge I experienced while fishing the Green River this past season. Because of these flow changes, I chose not to fish the Green after flying into Salt Lake because it ruins the dry fly fishing at mid day. Instead, I spent my vacation dollars that day in the Heber area. Regarding safety, nothing gets one's attention like having the river rise while one is wading near the opposite bank, leaving one to contemplate fording the river at waist to chest
- 25b**
- 25c** deep levels! We support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.

Respectfully,

Jeff Erkenbeck, Psy.D.
San Diego, CA

25. JEFF ERKENBECK

25a and 25c

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

25b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river

warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: "Kurt Finlayson" <KFinlayson@iconfitness.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 8:29 AM
Subject: flow changes

- 26a** I am an angler and I enjoy fishing the green River. I am strongly against mid day flow changes. It is my understanding these can be done once a day, possibly at night. Flow changes are bad for fishing and are unsafe for wading anglers.
- 26b**

Thanks

Kurt Finlayson

26. KURT FINLAYSON

26a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

26b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below.

From: "Fitz Fitzgerald" <troutbum@colorado.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:22 PM
Subject: green river flows

27a If possible please keep the green river flows constant during the day light fishing hours.

Thank you,

Richard Fitzgerald

27. RICHARD FITZGERALD

27a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "Robert Freestone" <rafreestone@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 9:29 PM
Subject: Flaming Gorge Environmental Impact Statement

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Dear Mister Cookston

I was born and raised in Utah. I now live in the Chicago area. The highlight of my vacation each year to Utah is going fishing in the Green River below Flaming Gorge Dam.

This past June was a disappointing fishing trip. The low flows in the morning followed by the high flows in the afternoon moved the fish from where they had been in past years. I prefer to fish from the bank of the river. I have never seen so few visible fish as there was this year during the low flows. The fish would appear with the higher waters but were not interested in feeding.

Some fisherman who waded across the river at the Little Hole boat ramp would have had a real surprise when they tried to get back across the river.

28a I realize that the purpose of the dam is more than to provide a place to fish. I support the single daily peak hump restriction. Any daily peak hump should be in hours where the recreation activities of the river are affected the least.

Thank you,
Robert Freestone
5S400 Stewart
Naperville, IL 60563

Robert Freestone
rafreestone@earthlink.net
Why Wait? Move to EarthLink.

28. ROBERT FREESTONE

28a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: "bruce.gibbs@juno.com" <bruce.gibbs@juno.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:00 AM
Subject: Green River flows

- 29a** I received an email saying that you are considering jacking with the flows on the Green River at Flaming Gorge. Please don't! This bouncing the flows makes it much less attractive to fish and raft. My kids and I
- 29b** would like to use this river and enjoy this canyon and I don't want to worry about flows and related safety questions.

Thanks!
Bruce Gibbs
8425 Wright St
Arvada CO 80005
(303) 467-2656

29. BRUCE GIBBS

29a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

29b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: <KMGSage@aol.com>
To: <fgels@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:36 AM
Subject: Green River flows

Dear Mr. Crookston,

I am a resident of the Denver metropolitan area. I have been fishing the tailwater below Flaming Gorge for the last twelve years. I make an average of three trips per year to Dutch John to pursue my passion for fishing, and I also visit locations in New Mexico, Colorado and Montana with the same frequency. I seldom travel alone. My two sons and my wife also fish, and we enjoy the beauty of the Green and the hospitality of the local tourism industry.

On a September trip to the Green this year, my wife and I fished the A section for three days. On the second day, we particularly noticed the flow fluctuation during the day. As we stopped for a late lunch, we noticed the rise in stream flow. Our boat, which had been partially beached, became buoyant. We adjusted the anchor line and continued to picnic and fish without incident. However, we noticed that just downstream a large raft had become riverborne without an oarsman. We watched helplessly as the party below us called out to fishermen below them to save their raft. Miraculously, a rescue was mounted and the raft was saved at the last moment. The runaway raft was commandeered and the grateful boaters were reunited with their craft without mishap.

- 30a** Did such an incident need to occur? No. Extreme flow fluctuations can occur naturally on freestone rivers, but do not need to happen on "managed" rivers. At least, not during the afternoon hours on a popular flyfishing and rafting tailwater that is supposed to be "managed" for recreation. As an experienced fisherman, I can state unequivocally that extreme fluctuations in flow also have a deleterious effect on fishing. The fish simply stop feeding in reaction to the drastic change in their environment. In freestone rivers, where
- 30b** fluctuations occur normally, it often will take days for fish to resume their "normal" feeding behavior. Drastic daily flow fluctuations simply can not be good for the fish population. Certainly, flow fluctuations during the daylight hours are terrible for the fisherman as well.

- 30c** I am writing to ask you to reconsider this policy. The rivers in the West (and the resident fish populations) are in serious trouble from a variety of influences: de-watering due to drought and agricultural diversion; pollution from mining, agriculture, and industrial runoff; whirling disease; non-native species introduction; and erosion from wildfires. It is unconscionable to continue a policy that creates further stress on this important resource.

Thank you for your consideration of this request. It is my fondest hope that I can continue to visit the Green River with my friends and family for many years to come, and that the experience will remain as enjoyable as it has always been.

Sincerely,

Kerry M. Gublits
 1 Meadow Rose Lane
 Littleton, CO 80127
 303 972-8153

30. KERRY M. GUBITS**30a**

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

30b and 30c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 below.

From: "uela" <uela@ubtanef.com>
To: <fgeis@uc.usbr.gov.>
Date: Fri, Nov 12, 2004 11:50 AM
Subject: Flaming Gorge Dam Proposed Change of Water Flow

Bureau of Reclamation
Provo Area Office
302 E. 1860 S.
Provo, Utah 84606-7317

Attention: Peter Crookston
Flaming Gorge EIS Manager
PRO-774

Dear Sir:

31a I believe one of the prime purposes for building the Flaming Gorge Dam was to ameliorate the Ravages of flooding, not to enhance them. Speaking as one who has had to deal with the high water surges along the Green River, the idea of increasing the flow from "the dam" to correspond with the flow of the Yampa borders on insanity. The liabilities certainly

31b outweigh the benefits of such an action. Given the likelihood of above normal precipitation, flooding will be severe enough, without making it worse.

Signed,
J. Dean Hansen
2631 E 2500 S
Vernal, Utah 84078

31. J. DEAN HANSEN

31a

The presence of the dam for over 40 years has indeed served to moderate flooding. However, this was never intended to mean that the flood plain would remain permanently dry. It means only that there is increased ability to moderate potentially catastrophic flows. Since the dam was built, there have been a number of wet years where high flows have occurred, such as 1983. Whether or not the proposed action is implemented, high flows would be expected in the future; and none of the high flow targets in the Action Alternative exceed the very high natural flows that have occurred historically.

31b

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

From: Virginia Harrington <vernalwriter@yahoo.com>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 9, 2004 3:17 PM
Subject: EIS for Flaming Gorge

I am a Ph.D. medical anthropologist and former teacher with the University of Utah and Weber State University as well as the University of Maryland. I have a thorough understanding of the evolutionary relationship between the environment, disease pathogens and resident mammal species, including humans.

With this background, I am totally opposed to the proposed change in the operation of Flaming Gorge Dam to match the flow and temperature of water in the Green River and the Yampa River at their point of confluence. The flat bottomlands of the Green River would cause a massive increase in the breeding grounds for all species of mosquitoes if this flooding is allowed to take place.

32a

The mosquitoes would rapidly spread West Nile virus to people, horses and other animals. In addition, the spread of heart worm to family pets and working farm dogs would be dramatic.

Dr. Steven Romney of the Uintah Basin Mosquito Abatement District does an admirable job. However, he cannot be expected to protect our health with his limited funds if thousands of additional acres of mosquito breeding grounds are created.

32b

In addition, there are serious problems with trying to match the flow of the two rivers. It is apparent from statements made by local experts, including the Department of Fish and Wildlife, that there is the potential for damaging spawning bars used by at least one of the four species of endangered fish that this

32c

proposed change is supposed to protect. The fish are making a comeback, granted a slow one, without this change. Why take the chance on harming them while at the same time endangering the health of Uintah County residents and their animals?

32d

I have one last concern with the proposed change. The farmers and ranchers in this area already struggle with noxious weeds damaging their crops and interfering with grazing. (These noxious weeds also damage the grazing grounds for deer, elk, etc.) Increased flooding would spread the weed seeds across many acres of farm land. The land would be unusable in wet seasons and covered with weeds in dry seasons.

Please put the people of Uintah County first as you make your decision on this proposed change.

Thank you for your consideration,
 Virginia L. Harrington, Ph.D.
 PO Box 3
 Vernal, UT, 84078

32. VIRGINIA HARRINGTON

32a

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and a threat from West Nile virus or other mosquito-borne diseases.

32b

The 2000 Flow and Temperature Recommendations are intended to aid in recovery of four endangered fish species by restoring a more natural flow regime to the Green River. The uncertainties associated with operating Flaming Gorge Dam under the Action Alternative, summarized in section 4.19, would be monitored and addressed through an adaptive management process if the Action Alternative is implemented. This adaptive management process would consist of an integrated method for addressing uncertainty in natural resource management. It is an ongoing, interactive process that reduces uncertainty and continually incorporates new information in the decisionmaking process.

Damage to spawning bars due to the proposed action is not anticipated but would likely be addressed through adaptive management projects designed to evaluate channel maintenance and endangered fish spawning activities.

32c

There are few data suggesting that the four endangered species are making a comeback; in fact, most data suggest that populations of four species are either stable at dangerously low levels or declining in some cases. At best, all four species currently exist at diminished population levels which preclude removing them from the ESA or improving their ESA status. Implementing the 2000 Flow and Temperature Recommendations is one measure which is expected to substantially aid in their recovery. See the Recovery Program website <<http://www.r6.fws.gov/crrip/rea.htm>> or call the Recovery Program at 303-969-7322, ext. 227 for more information.

32d

Reclamation is not responsible for damages to improvements or property in the flood plain. Any improvements have always been made by property owners at their own risk. Since the arrival of invasive species in the Uintah Basin (tamarisk was probably present by the 1930s), flooding has facilitated their spread. Flood plain inundation has always occurred along the Green River, though less frequently since Flaming Gorge Dam was built. Nevertheless, though the frequency has declined since the dam has been in place, there has always remained the potential for significant flood plain inundation in wet years and for the spread of invasive species, and that potential will continue under either alternative.

From: "Corey Harris" <corey@big3consulting.com>
To: <fgels@uc.usbr.gov>
Date: Mon, Nov 15, 2004 11:25 AM
Subject: Green River Flows

Peter,

- 33a Please accept my opinion about the proposed fluctuation of flows on the Green River at Flaming Gorge Dam during peak fishing hours. As an avid flyfisherman, I make numerous trips to the Green River each year to float and fish the Green River and camp in local campgrounds.

- 33b Last summer the flow fluctuations during mid-day really impacted not only the fishing but the overall experience on the Green River. We had to be conscious of where we could anchor our boat while eating lunch or wade fishing and where we could wade safely. The flow changes also dramatically impact the quality of fishing.

As fisherman and outdoor enthusiasts, we spend a lot of money on fishing licenses, fishing equipment, boats and registration, fuel, lodging, campground reservations and supporting local restaurants and gas stations. The flow fluctuations on the Green continuing (especially during peak fishing hours) will seriously affect my decision to own a drift boat and make fishing trips from the Salt Lake valley to the Green River. If the quality of fishing is not the same and we have to deal with the flow fluctuations, I will drive the other direction and spend my time and dollars in Idaho on the Henry's Fork.

Please accept our comments and help us find "middle ground" between power generation and fishing opportunities.

Regards,

Corey Harris, Managing Partner
Big 3 Consulting
724 West 500 South, Suite 700B
Bountiful, Utah 84087
801-677-6006 x2
801-677-6007 Fax
801-856-6795 cell
<mailto:Corey@big3consulting.com> Corey@big3consulting.com
<<http://www.big3consulting.com>> www.big3consulting.com

33. COREY HARRIS

33a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

33b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns. Please see response to individual letter 38 below

From: "Craig W. Hauser" <chauser@rockymountainfoodsinc.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:24 AM
Subject: Green River/Flaming gorge dam

- 34a I understand you have the issue of the change flow out of the Flaming Gorge Dam before you at this time. It is my opinion that the flow should either be changed during none fishing hours, or regulated though out the day so that we do not experience the big changes that occurred this year. It had a very negative impact on many of my trips to the Green River this year. The changing flow has a negative impact on the fishing often putting the fish down for hour during the peak of the day. It also is dangerous for those of
- 34b who are wading to have the sudden increased flow while we are in the river. I make many trips a year to the Green River and spend several \$ on lodging, food , gas, tackle etc. Please do all in your power to control the flow and
- 34c keep the Green River a great fishing experience.

Craig W. Hauser

34. CRAIG W. HAUSER

34a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

34b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the

dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

34c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 below.

From: "Rick Hayes" <eps@sopris.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:18 AM
Subject: Flaming Gorges Releases of water

Dear Sirs,

35a As a concerned fisherman I would like to comment on the releases of water from Flaming Gorge Dam. I feel strongly that the releases could be timed better so that the flows do not effect the safety of fisherman during daylight hours. As well the fish do not respond well to fluctuations and it sets them off. Thus, making the sport even more difficult. I love the Green River and spend many dollars there each year along with my family and friends. Please try to set the fluctuations for nighttime hours. Thank You
35b for your help in this matter.

Sincerely,

Rick Hayes

257 Cheyenne Ave.

Carbondale, CO 81623

970-704-1154

CC: <dbreer@union-tel.com>

35. RICK HAYES

35a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge

among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

35b

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

From: <Jeb.Himsl@RxAmerica.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 3:52 PM
Subject: DEIS on the Operation of Flaming Gorge Dam

Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office

Dear Mr. Crookston:

- 36a The following is a comment regarding the operation of the Flaming Gorge Dam. Specifically, I oppose daily release fluctuations during daylight hours. The reasons for my opposition are due to impacts on safety and environment.

- 36b I have been an avid floater of the Green River since becoming a resident of Utah in 1986. Since that time, I have witnessed many dangerous activities that are only complicated with increased flows. These range from waders being stranded and attempting a crossing that had been previously safe, to floaters that are simply unprepared to deal with the dangers of increased hydraulics. Changing flow conditions during peak daily use puts users in unanticipated situations. While there is no substitute for common sense, changing flows and limited access points through the Green River corridor actually increases the risks that users must confront. Inexperienced users, which are the overwhelming majority on the Green, often make poor decisions when confronted with the changing conditions.

Keeping flow constant during peak daily use periods minimizes risk and improves safety.

- 36c As for the environment, changing flows during daylight hours also has an adverse affect on the fishing resources of the Green. It changes the distribution patterns of anglers, causing congestion and overuse during certain periods of the day. It also affects daytime food availability to the fish. Although I do not know the biological implications on a river that is so dependent on terrestrial food sources, I do know the impact on the recreational use of the fishery.

Please be sure to address these concerns in the DEIS and oppose ongoing daily flow fluctuations.

Thank you,

Jeffrey Himsl
2441 Cliff Swallow Dr.
Sandy, UT 84093

36. JEFFREY HIMSL

36a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

36b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the

fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

36c

The world class trout fishery was established 40 years ago within the context and limitations of dam operations. Long-term negative effects to the trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 below.

From: "Hunter, Jack" <jack.hunter@hp.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 9:16 PM
Subject: Green River Flows below Flaming Gorge Dam

To: Mr Peter Crookston

RE: Flaming Gorge Environmental Impact Statement Manager

Dear Mr. Crookston,

37a As an avid sportsman and a frequent visitor to the Flaming Gorge area I
37b am concerned about the recent Draft Environmental Statement being
considered but the Bureau of Reclamation. Specifically, I am concerned
about the apparent disregard for maintaining consistent flows from the
flaming gorge dam in support of fishing conditions below the dam.
Clearly this draft statement favors power production over the needs of
the fish and the fisherman. Last year I experienced the major change in
flows from 800 cfs to 1500 cfs during mid-day fishing. It completely
shuts down the fishing below the dam and negatively impacts both the
fish and the fisherman. If this plan is implemented again this year it
is fair to say that I will not visit the area because I will not be able
count of the consistent fishing and river flows of the past. Please
consider this input and that of other fisherman in making your decision
on this matter...

Best Regards,

Jack Hunter

37. JACK HUNTER

37a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 below.

37b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power

generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: "Dale Huskey" <kayceejake@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 7:23 AM
Subject: Fw: Green River Alert- Please Read This!

If this is accurate, and you can increase the flows during "non recreational" hours, why not? I have spent a lot of money in the local economy for fishing trips. I take two annual trips with my customers. I may look elsewhere if the fishing was not so good and predictable.

Please take this into consideration when making your decision.

Thank you,

Dale Huskey
 Signode Western Operations
 ----- Original Message -----

From: Allen Brisk <mailto:Allen.Brisk@paccoast.com>
 To: 'kayceejake@msn.com' <mailto:'kayceejake@msn.com'>
 Sent: Friday, November 12, 2004 4:51 PM
 Subject: FW: Green River Alert- Please Read This!

-----Original Message-----

From: fishgreenriver [mailto:dbreer@union-tel.com]
 Sent: Friday, November 12, 2004 2:01 PM
 To: Allen Brisk
 Subject: Green River Alert- Please Read This!

GREEN RIVER ACTION ALERT!

Dear Green River fishers. We need your help! November 12,
 2004

The Bureau of Reclamation is undergoing a Draft Environmental Statement on the Operation of Flaming Gorge Dam and asking for comments.

One of the things that frustrates many of us who fish below dams is the erratic way flows can suddenly jump up and down while we are fishing. This can often disrupt water quality and upset the fish for set periods of time.

- 38a** The end result is a spoiling of our fishing day. The Draft EIS allows for fluctuating flows for power generation up once a day and then down. In 2004 this was experienced by many of us on the Green as they went from 800 cfs to 1500 cfs every day (at 1:00 pm, right in the middle of the day) after our high flows in early June to the end of September. We hated the reaction from the trout, the fishing could and often did go flat for periods of time. Then they brought the flows down while we were trying to start fishing again and the process started again. The ups and downs and the disruption they caused to our fishing experiences were uncalled for. They have the ability to do the power generation flows in non-fishing hours or maintain a slightly higher steady f
- 38b** low that generates the same amount of electricity.

- 38c** Recreation and fish have a priority over power generation under the

authorized purposes of the Flaming Gorge dam. They never advertise this. They have hoodwinked us into never protesting their exploitation of your rights. Make your views known.

38d If you can share our frustration with this, e-mail or fax these guys and
 38e tell them. Relate to them your experiences with changes in flows while you
 38f were fishing. What happened and whether or not you are likely visit rivers
 where you know this is occurring. You might mention how your fishing dollars
 impact local businesses and Utahs overall economy. The technical sentence
 you might include is- We support the single daily peak hump restriction, but
 its timing should be in a manner that it has no impacts on river recreation
 activities, especially fishing. You can also address the issues of safety, a
 waders safety is effected negatively when river flows change abruptly.

We need note writers and fast. These don't have to be extended notes unless
 you feel compelled to do so. Just give your feelings on the subject, if you
 have experiences that you can relate to them, even better. Anything will
 help. This is your chance to be heard. Time is unfortunately an issue. We
 are nearing the comment periods ending, it closes next Monday, November 15,
 2004. That's why we suggest e-mail or faxes.

Help us if you can, pass this note onto others that you know fish or that
 appreciates the world class trout fishery at Flaming Gorge that might add
 their voices as well. We know we are late in requesting your help, the
 document is large and we have had to spend a lot of time determining issues
 and their impacts on fishing. We would appreciate all the assistance we can
 get. Denny. dbreer@union-tel.com<mailto:dbreer@union-tel.com>

Address your comments to-
 Mr Peter Crookston
 Flaming Gorge Environmental Impact Statement Manager
 PRO-774
 Bureau of Reclamation, Provo Area Office
 302 East 1860 South
 Provo, UT. 84606-7317
 801-379-1152
 801-379-1159 FAX
 E-MAIL- fgeis@uc.usbr.gov<mailto:fgeis@uc.usbr.gov>

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38. DALE HUSKEY

38a

Daily fluctuating releases are permitted under both the Action and No Action Alternatives.

38b

Fluctuating releases during the day have been the normal operations of the powerplant since it began power generation 40 years ago and would continue under either alternative. The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

38c

Reclamation seeks to meet all of the requirements placed upon the reservoir and dam and seeks to balance the benefits among all authorized purposes of the facility. The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. Please see section 1.4 of the EIS for authorized purposes of the dam.

38d

The single daily peak hump restriction is outside the scope of the EIS; however, it is noted that the changes in flows, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Hydropower is the best source available for meeting peak demands. Meeting peak demands is currently tempered; however,

by the need to meet environmental concerns and safety of anglers.

38e

Reclamation is well aware of the recreation value created by the construction of Flaming Gorge Dam, including the trout fishery which did not previously exist. The EIS acknowledges the possibility of both positive and negative effects under differing conditions if the Action Alternative is implemented. It should be noted that the nature and timing of fluctuating releases, and other daily operational details, would remain substantially the same under either the Action or No Action Alternative. The trout fishery was established 40 years ago within the context and limitations of dam operations; and over time, certain operational changes have benefited the trout fishery.

38f

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: <BISON1BOB@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:07 PM
Subject: Green River Flow Management

Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO 774
BuRec, Provo, UT

- 39a** For safety, economic and recreation purposes, please do not allow the erratic flow changes from Flaming Gorge Dam. Please find a flow pattern which does not disrupt water quality and still permits adequate power generation. Please uphold the priority that recreation and fish have over power generation. Past
- 39b** behavior suggests that your agency has little regard ro these priorities.

Bob Johnston
p.o. box 50872
Henderson, NV 89016

bison1bob@aol.com

CC: <BISON1BOB@aol.com>, <dbreer@union-tel.com>

39. BOB JOHNSTON

39a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

39b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives.

We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: <Donx.Jane@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Thu, Nov 4, 2004 9:09 PM
Subject: EIS report on flooding the Green River bottoms

Mr. Peter Crookston:

- 40a I would like to express my strong opposition to the flooding of green river bottoms.
I live within one mile of Green River, and when the bottoms are flooded, the bugs come
- 40b out in the millions. With West Nile problem, it could be deadly.
To suggest a fish if more important than my family is very wrong. We know the West Nile will kill, and we don't know what the endangered will do, or if they have any benefit
Please give this more and serious throught doing something that would kill people

Thank You....Don E. Jorgensen

40. DON E. JORGENSEN

40a

Flood plain inundation has occurred along the Green River in the past, though less frequently since Flaming Gorge Dam was built. There has always remained the potential for significant flood plain inundation in wet years, and that potential will continue under either alternative. The presence of the dam for over 40 years has indeed served to moderate flooding. However, this was never intended to mean that the flood plain would remain permanently dry. It means only that there is increased ability to moderate potentially catastrophic flows. Since the dam was built, there have been a number of wet years where high flows have occurred, such as 1983. Whether or not the proposed action is implemented, high flows would be expected in the future, and none of the high flow targets in the Action Alternative exceed the very high natural flows that have occurred historically.

As part of its operation of Flaming Gorge Dam, Reclamation has in the past and will under either alternative continue to provide public notification when flows are expected to increase, to enable property owners along the river to remove or secure equipment and livestock.

40b

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

Reclamation notes that the issue of mosquito control along the Green River has been discussed annually at the Flaming Gorge Working Group meetings, and we expect such dialogue to continue in the future, whether or not the proposed action is implemented. As noted in section 4.21 of the EIS, Reclamation is committed to continuing dialogue with county officials to explore the potential to assist with mosquito control.

From: <DonxJane@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 5, 2004 2:15 PM
Subject: EIS report on flooding the Green River bottoms

Mr. Peter Crookston:

- 41a** I would like to express my strong opposition to the flooding of Green River bottoms.
- 41b** I live within one mile of Green River, and when the bottoms are flooded, the bugs come out in the millions. With West Nile Virus on the move, it could be a great problem for those who live near by. I have experienced some health problems with severe bronchitis and other respiratory infections. I would strongly suggest that you take another look at this issue.

Thank You, Dora J. Jorgensen

41. DORA J. JORGENSEN

41a and 41b

Please see response to individual letter 40 above.

From: Wade Kafkaloff <wade.kafkaloff@jpl.nasa.gov>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 8:55 AM

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Mr. Crookston, I have visited the Green River several times over the last few years. This year I have been fishing in Northern California in part because of the variable flows being experienced on the Green this year. I urge you to consider increasing/decreasing the flows during non-fishing hours on the Green. Although my fly fishing buddy and I are only two people, I'm sure there are many others with the same concerns. You're competing directly with the city of Redding California. It's an easy flight from Southern California (I fly a small plane to my fly fishing destinations). The Redding Airport, The Fly Shop, its guides, and the State of California will be happy to continue receiving my fly fishing dollars if you continue to adversely affect the fishing on the Green by varying flows during the day.

42a

Thank you for listening to my concerns.
Sincerely,
Wade Kafkaloff
South Pasadena, Ca.
818-354-4769

42. WADE KAFKALOFF

42a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Bruce Kautz" <blkautz@adelphia.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 7:18 AM
Subject: Green River flows

Dear Mr. Peter Cookson,

I, my family and my friends frequently come to north eastern Utah to fish the Green River below the Flaming Gorge Reservoir. The only reason we drive 8 hours is to fish. We always hire a guided drift boat for at least 2 days of our trip. We spent 4 days there this past May and had an enjoyable time for the most part. We did notice that because of the way the outlet flow from the dam had been ramped up and then turned down, the fishing was off a couple days. That made it very difficult for our guide and made the trip less enjoyable as in the past. Again, our trips there are for 1 reason - to fish. Losing us and others because of poor fishing due to sporadic flow changes will potentially send us to other rivers in Colorado, New Mexico, Wyoming and Idaho in our pursuit of great fishing. That will affect the financial economy of the Flaming Gorge / Dutch John, Utah area.

I would like to encourage you and your division to do whatever you can to keep flow adjustments in a realm that continues to give the electrical power needed, yet maintain a great fishery every day of the year.

Sincerely,

Bruce Kautz

43. BRUCE KAUTZ

43a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

43b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

MEMO

TO: Mr. Peter Crookston, Flaming Gorge Environmental Impact Manager
PRO-774, Bureau of Reclamation, Provo Area Office,
302 East 1860 South
Provo, Utah 84606-7317

FROM: Mr. Ted E. Kulongoski, E.I.T.
Graduate Student
Environmental Resources Engineering Department
Humboldt State University
1 Harpst Street
Arcata, CA 95521

DATE: Wednesday, October 06, 2004

SUBJECT: Comment on Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS) ending November 15, 2004.

1.0 SUMMARY

To protect and assist in the recovery of four endangered fish species currently listed as threatened by the Endangered Species Act, the Bureau of Reclamation is considering whether to implement a Proposed Action under which the Flaming Gorge Dam would be operated to meet specified peak flows, water temperatures, flow durations, and base flow levels on the Green River. Alternatives will require greater variation in annual river flow as a means to recreate and reestablish a more historic riverine ecosystem conducive to the endangered fish populations.

Although the Bureau of Reclamation has made substantial progress in identifying and addressing the many impacts associated with the two alternatives, the DEIS in its current form was found incomplete in three technical areas:

1. Groundwater Impacts

Both of the alternatives considered in the DEIS will increase the flows of the Green River, resulting in increased infiltration and a potential impact on the groundwater system. Further modeling of the groundwater system, in regard to the Action and No Action Alternatives, will be needed to better understand how the increased flows will likely impact the basin groundwater.

2. Sensitivity Analysis for Models

The lack of parameter sensitivity information for any of the models used in the DEIS casts a shadow of uncertainty on the results discussed. Much of the work completed for the Flaming Gorge DEIS involved sophisticated modeling of the Flaming Gorge Dam and downstream reaches. Evaluation of the model's robustness by means of a sensitivity analysis of key parameters was not included in the DEIS. Completing and providing a documented sensitivity analysis is necessary in validating the model's results and supporting the conclusions derived from those results.

3. Impacts of Future Diversions and Increased Consumption

The need to examine in greater detail scenarios of reduced flow is justified by the Final Biological Opinion on the Operation of Flaming Gorge Dam where the U.S. Fish and Wildlife Service (1992) determined that flow depletions from water resource projects, both up and downstream, would likely jeopardize the continued existence of endangered fish. Further use of the Flaming Gorge Dam model will be needed to adequately explore how future water diversions, increased consumption, and depletions from the Green River will alter the flow regimes considered by the two alternatives considered in the DEIS.

I request the Bureau of Reclamation to consider these recommendations and to assimilate the needed information for the Final Environmental Impact Statement.

BACKGROUND

The Bureau of Reclamation is considering whether to implement a Proposed Action under which the Flaming Gorge Dam would be operated to achieve the flow and temperature regimes recommended in the September 2000 report *Flow and Temperature Recommendations for Endangered Fishes in the Green River Downstream of Flaming Gorge Dam*, published by the Upper Colorado River Endangered Fish Recovery Program. The 2000 Flow and Temperature Recommendations specifically describe the recommended peak flows, durations, water temperatures, and base flow criteria on the

Green River, to protect and assist in the recovery of four endangered fish species currently listed as threatened by the Endangered Species Act. The four endangered fish species are the humpback chub (*Gila cypha*), the Colorado pikeminnow (*Ptychocheilus lucius*), the razorback sucker (*Xyrauchen texanus*), and the bonytail (*Gila elegans*).

DEIS TECHNICAL POINTS NEEDING FURTHER ATTENTION

Although the Bureau of Reclamation has made substantial progress in identifying and addressing the many impacts associated with the Proposed Action, the DEIS in its current form was found incomplete in three technical areas.

Groundwater Impacts

44a The Proposed Action Alternative and the No Action Alternative outlined in the DEIS will increase river flows for the 410 river miles of the Green River below Flaming Gorge Dam and inundate the historic flood plain. The increase in available surface water will influence the groundwater of the Green River Basin. Although analysis and discussion were presented in Chapter 4, Section 4.3.2, that “addresses impacts to water resources within the affected environment downstream from Flaming Gorge Dam,” the DEIS failed to identify groundwater as a hydrological impact. A search of the DEIS document reveals that no consideration was made to groundwater impacts. The only mention of groundwater is in Chapter 3, Section 3.3.2, regarding water salinity where drawdown of the reservoir may result in bank storage (groundwater) flowing into the reservoir. Neglecting to introduce the impact of the two Alternatives on the groundwater system of the Green River Basin was a gross oversight and should be given due consideration.

Hydrology for a riverine system where there is an increase in flood plain surface water will commonly result in an increase in groundwater infiltration. The quantity of water infiltrating depends on the soil texture, soil structure, vegetation, and soil moisture status. Because soil characteristics vary over the 410 river miles of the lower Green River, the amount of groundwater infiltration occurring from the proposed flow regimes is unknown. Further modeling of the groundwater system, in regard to the Action and No Action Alternatives, will be needed to better understand how the increased flows will likely impact the basin groundwater. This is an important consideration given the geographic location and environment of the Green River Basin.

The Green River Basin is classified as a high desert environment and has an average annual rainfall of less than ten inches (World Climate, 2004). Given the limited annual precipitation, water rights and the development of water resources is critical to the economic and recreational vitality of the area and is subject to numerous federal, state, and county laws and regulations. Because the region can be described as water poor, an increase in available groundwater will qualify as a significant impact to the Green River Basin. Higher groundwater levels would significantly impact agriculture, ecology, and land use around the Green River. If larger quantities of groundwater became available due to the increased flows on the Green River (as a result of the Action and No Action Alternatives) and that water was allocated for beneficial use through water rights, it would be very difficult to substantially modify the Flaming Gorge Dam discharge program in the future. A groundwater study of the Lower Green River Basin is therefore necessary to evaluate and consider the possible impacts of the Action and No Action Alternatives.

Sensitivity Analysis for Models

An important tool to assist in developing any model is a sensitivity analysis. The sensitivity analysis illustrates the model's response to slight changes in model parameters. For a model to prove robust, it must produce similar results (output) when small changes to key parameter values are made. If the model's results vary significantly after slight variation of the key parameter values, then the model may require further calibration, or in some cases, the parameter values used will need to be documented and/or tested to assure model validity.

44b Completing and providing a documented sensitivity analysis is necessary not only to help in validating the model's results, but also to support the conclusions derived from those results. Much of the work completed for the Flaming Gorge DEIS involved sophisticated modeling of the Flaming Gorge Dam and downstream reaches. Documentation of the model building, calibration, and validation process was included in Appendix 2 – Hydrologic Modeling. Unfortunately, no results of a sensitivity analysis on the Flaming Gorge Dam model could be found in the Appendices or main DEIS. The same was true

44c for the hydroelectric power model developed to compare electricity generation capacities of the two alternatives (Appendix 5). The lack of parameter sensitivity information for any of the models used in the DEIS casts a shadow of uncertainty on the results discussed.

The inclusion of a sensitivity analysis will also allow the opportunity to document “What if” scenarios. A “What if” scenario will document the model’s results when realistic changes are made to the model’s parameters or input values. An example of a “What if” scenario for the Flaming Gorge DEIS is the economics of electricity generation using the power model. The economics of the No Action and Action Alternatives are based on net present value (NPV) calculations of the hourly value of Flaming Gorge electricity generation over the 25-year study period. The value of generation is computed by multiplying hourly electricity production by the hourly spot market price. All NPV calculations are based on an annual discount rate of 5.5 percent. The model results presented in the DEIS indicated no significant difference in electricity generated revenue 44d among the two alternatives, but that was for only the 5.5 percent discount rate. What if the model was run again but the discount rate was changed by ± 0.5 percent? Are the results, the difference between NPVs of each alternative, still insignificant? What if the discount rate were changed by ± 1.0 percent? What if the Average Spot Market Price was changed by $\pm \$5/\text{MWh}$? The sensitivity analysis would document the nuances of these different variations and any significant findings they revealed.

Impacts of Future Diversions and Increased Consumption

44e Future water demands need to be considered in the Flaming Gorge Dam model. In Chapter 4, Section 4.19.1, the Flaming Gorge Dam DEIS (2004) states, “The Flaming Gorge Model assumed that water development in the Upper Green River Basin and the Yampa River Basin would continue at the rate projected by the Upper Colorado River Commission.” The DEIS then continues, “it is uncertain what resource impacts would occur as a result of future water development in the Green River Basin above and below Flaming Gorge Reservoir.” Considering that the Affected Environment (Chapter 3) and the Environmental Consequences (Chapter 4) depicted in the DEIS are based on the results of the Flaming Gorge Dam model, it is disconcerting to read that no “What if”

scenarios were performed to examine impacts from future water diversions and increased consumption.

The need to examine reduced flow scenarios is justified by the Final Biological Opinion on the Operation of Flaming Gorge Dam where the U.S. Fish and Wildlife Service (1992) determined that flow depletions from the Duchesne and Green Rivers caused by the Strawberry Aqueduct and Collection System, “would likely jeopardize the continued existence of the endangered Colorado pikeminnow and humpback chub.” This Biological Opinion included a Reasonable and Prudent Alternative stating that, “Flaming Gorge Dam and Reservoir would compensate for those depletions and be operated for the benefit of the endangered fishes in conjunction with its other authorized purposes.” The concern raised by the Biological Opinion is, “What happens if the water in the reservoir isn’t enough to compensate for depletions?”

A wider range of flow scenarios for modeling must be considered to protect and assist in recovery of the populations and designated critical habitat of the four endangered fishes. Further use of the Flaming Gorge Dam model will be needed to adequately explore how future water diversions, increased consumption, and depletions from the Green River will alter the two alternatives considered in the DEIS. Without considering the potential impacts that less water in the system will have on the two alternatives, the alternative selection process is incomplete. It is imprudent not to evaluate the two alternatives under reduced flow conditions because the model’s results, based on reduced flow, may negate the feasibility of one or even both alternatives. It would be disappointing to complete the entire Flaming Gorge EIS process, select the preferred alternative, and then have it become infeasible because increased diversions and consumption produced insufficient water availability for its implementation.

CONCLUSION

Although the Bureau of Reclamation has made substantial progress in identifying and addressing the many impacts associated with the two alternatives, the Operation of

Flaming Gorge Dam DEIS in its current form was found deficient in three technical areas:

1. Groundwater Impacts

The alternatives considered in the DEIS will increase the flows of the Green River, resulting in increased infiltration and a potential impact on the groundwater system. Further modeling of the groundwater system, in regard to the Action and No Action Alternatives, will be needed to better understand how the increased flows will likely impact the basin groundwater.

2. Sensitivity Analysis for Models

Much of the work completed for the Flaming Gorge DEIS involved sophisticated modeling of the Flaming Gorge Dam and downstream reaches. Evaluation of the model's robustness by means of a sensitivity analysis of key parameters was not included in the DEIS. The lack of parameter sensitivity information for any of the models used in the DEIS casts a shadow of uncertainty on the results discussed. Completing and providing a documented sensitivity analysis is necessary not only to help in validating the model's results, but also in supporting the conclusions derived from those results.

3. Impacts of Future Diversions and Increased Consumption

The need to examine in greater detail scenarios of reduced flow is justified by the Final Biological Opinion on the Operation of Flaming Gorge Dam where the U.S. Fish and Wildlife Service (1992) determined that flow depletions from water resource projects, both up and downstream, would likely jeopardize the continued existence of endangered fish. Further use of the Flaming Gorge Dam model will be needed to adequately explore how future water diversions, increased consumption, and depletions from the Green River will affect the two alternatives considered in the DEIS.

I request that the Bureau of Reclamation consider these recommendations and assimilate the needed information into the Final Environmental Impact Statement.

6.0 REFERENCES

World Climate. (2004). Climate Data for 40°N 109°W. Available [Online]:
<<http://www.worldclimate.com/cgi-bin/grid.pl?gr=N40W109>>, September 26, 2004.

U.S. Fish and Wildlife Service. (1992). Final Biological Opinion on the Operation of Flaming Gorge Dam. Fish and Wildlife Service, Mountain-Prairie Region, Denver, Colorado, November 25, 1992.

44. TED E. KULONGOSKI

44a

Reclamation believes that no significant difference exists between Action and No Action Alternatives for groundwater and surface water interactions along the Green River downstream from Flaming Gorge Dam.

44b

Sensitivity analyses with regard to specific parameters were reviewed by the modelers during Flaming Gorge Model development. Sensitivity to forecast errors, depletion schedules, and specific policy rules were evaluated during the formulation of the Action and No Action rulesets. In terms of the presentation of the model results, however, sensitivity analysis was not included in the EIS.

44c

Changing inputs would change the results of the hydropower model, but most inputs are defined by the operations of the powerplant.

44d

The EIS used a discount rate of 5.5 percent to estimate present value of the hydropower analysis with the given results. Use of a lower interest rate would increase the present value of both alternatives by roughly the same amount, and increasing the discount rate would have the opposite effect. The net difference between the two alternatives would be slightly different with another discount rate, but the percent difference would be approximately the same. For example, using a discount rate of

6.125 percent, a difference between alternatives would be \$18.3 million; using a discount rate of 4.875 percent, the difference is \$21.7 million, with still about 5 percent difference between the two alternatives. Therefore, the hydropower model lacks sensitivity to the interest rate.

The hydropower model used hourly forecasted prices, not average prices. Changing the hourly prices by a given amount would not affect the results as an increase of \$5 per megawatthour would have the same effect on both alternatives. However, an asymmetric change to prices would impact the results depending on how the prices were changed. For example, arbitrarily changing prices such that peak prices would be reduced would decrease the net value of the Action Alternative since this alternative generates less energy. An infinite set of prices could be generated, each changing the results in a unique way. The price set that was used was independently generated by a group not connected with the analysis or operation of the powerplant.

44e

Future water development was assumed in the analysis of the Action and No Action Alternatives. The Flaming Gorge Model incorporated increasing future depletions that were equivalent to the rates of depletion projected by the Upper Colorado River Commission (memo: dated December 23, 1999 entitled "Estimates of Future Depletions in the Upper Division States"). Analyzing the impact of future depletions is not within the scope of this EIS.

Memo

To: Mr. Peter Crookston
Flaming Gorge Environmental Impact Statement Manager, PRO 774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

From: Heather Kuoppamaki, E.I.T.
Environmental Resources Student
Humboldt State University
1 Harpst St.
Arcata, Ca 95521

Subject: Comments on Flaming Gorge Dam DEIS.

Summary:

The comments on this DEIS are made by Heather Kuoppamaki, an Environmental Resources Engineering senior and E.I.T. at Humboldt State University, California. My emphasis in engineering includes river restoration. Due to this and my continued interest in river health, I have chosen to comment on this DEIS. There are portions of the Draft EIS which overlook important aspects of the project. These portions are summarized below, and presented in further detail later in this memo.

General problems with the DEIR include:

- Formatting –
 - The formatting of the report makes it difficult to locate information. Rewording of section 4 from “Environmental Consequences” to “Impacts” would follow the recommended format for NEPA.
 - As well, there is no section or subsection for “mitigation”; this is a fault that continues throughout the entire DEIS as little to no information on *mitigation is mentioned*.

- Significant jumps of information occur throughout the document. For example, in the “Environmental Consequences” section, the logic which allowed for sediment transport increases to be considered insignificant is not included in the report.
- A summary of abbreviations page, as well as a glossary would, make reading of the document easier. These should be included to meet the average reader comprehension requirement.
- Alternatives - The reasons for having only one action alternative are not convincing. Many alternatives should be addressed before making a final decision on the new flow release schedule of the dam.
- Exclusion of details included in the 1992 and/or 2000 studies - Often throughout the document, statements were made based on the 1992 Biological Opinion Report (BOR) and/or the 2000 Flow and Temperature Recommendations (FTR). It would have been very helpful to include relevant sections, or at least the executive summaries, of these documents in the DEIS appendices.
- Mitigation - There does not appear to be any funding for future mitigation, including increased costs of operation and maintenance, clearly stated in the DEIS. Most impacts are stated as being non-significant but will be addressed if necessary. Who will perform ,and how this mitigation will occur, is not addressed through the DEIS.
- Environmental Consequences – As mentioned above, the “Environmental Consequences” section should be renamed to Impacts. Throughout the environmental consequences section, negative environmental consequences are mentioned briefly without any mitigation measures. This occurs throughout this section of the document and should be addressed prior to finalization.

Purpose and Need Statement:

The purpose and need statement is outlined as follows:

“The purpose of the Proposed Action is to operate Flaming Gorge Dam to protect and assist in recovery of the populations and designated critical habitat of the four endangered fishes, while maintaining all authorized purposes of the Flaming Gorge Unit of the CRSP, particularly those related to the development of water resources in accordance with the Colorado River Compact.”

The purpose and need statement limits potential alternatives by stating that **all** authorized purposes of the Flaming Gorge Unit of the CRSP must be maintained. For example, an alternative which is eliminated from further study is the total dismantling of the dam and reservoir system. Because the purpose and need includes the maintenance of all authorized purposes of the Flaming Gorge Unit, dam removal is not examined, when in this case it may be the best alternative for the health of the river and the endangered fish species located within the river.

Alternatives:

- The alternatives section should provide more detail into alternatives that were considered yet not proposed.
- Further detail into varying dam operations (which were as a group, disregarded) would increase the validity of the two alternatives selected. Information regarding what dam operations were examined, and how they fit into the alternative section would be useful.
- 45a • In the action alternative, why are flows in Reach 2 met first, with changes to the flow regime if necessary to maintain flows in Reach 1? As mentioned in the FTR, Reach 1 is the most significantly affected by flows from Flaming Gorge Dam, while flows in Reach 2 are significantly affected by its tributary, the Yampa River.
- 45b • The Modified Run River Alternative appears to be disregarded without enough analysis, because the inflows are too variable due to agricultural water storage,,

which lets water back in to the river months later. It seems reasonable that with analysis of a few gages upstream of Flaming Gorge Reservoir, actual inflows could be interpolated.

- 45c • Timing of the peak flows should be addressed in further detail. Table 2-1 of the DEIS details duration of peak flows. How these peak flows occur relative to each other may be an important issue for fish habitat as well as natural river restoration.
- 45d • A study of more than two alternatives would add to the validity of this EIS. The no-action alternative would not meet the Endangered Species Act and is therefore, for the most part, unreasonable. Analysis of further actions which would meet the Endangered Species Act requirements would increase the substance of the EIS. The remainder of the DEIS appears “stunted” due to the limitation of, basically, no alternatives. In the 2000 report, it is suggested that varying flows each year would allow for the best long term improvement of the river. An alternative which addresses altering the patterns used during low, medium, and high flow years, could address this issue. Perhaps further alternatives with altering flow schedules could be addressed in the alternatives section.
- Allowing for changes in the flow regime during the year would allow for more alternatives. This would also increase management options when the incorrect flow regime is put in place for the year. I was raised near the Folsom, California reservoir and remember numerous years when the incorrect flow regime was scheduled, and reservoir levels at the end of the season were drastically low.
- 45e • A maximum number of consecutive years where the minimum flow regime is allowed should be included in all alternatives. Numerous sequential years of low flow could drastically alter the downstream aquatic environment.

Affected Environment

The affected environment is discussed in detail; few substantive comments are made in this section of the DEIS. However, on Figures 3-1 and 3-2, a scale is missing but necessary. This would enable further analysis of the figures with respect to algae blooms.

45f Tables 3-2, 3-3, 3-4, 3-6 should include pre-dam temperatures for reference. Figure 3-4 should also include a pre-dam temperature regime for reference.

Environmental Consequences

As mentioned above, this section should be renamed "Impacts" for clarity and to follow the NEPA recommendations. As well, increased usage of the terms "significant impact" and "insignificant impact" would follow NEPA guidelines better. These terms would allow the reader of the document to find conclusions to the findings very easily and understand what the conclusions are.

Sediment Transport

Increased loads of sediment transport are mentioned as an expected effect of the Action alternative. Reach 1 is expected to increase by 13,000 tons; Reach 2 is expected to
45g increase by 100,000 tons; and Reach 3 is expected to increase by 250,000 tons. Without any supporting information, these increases are expected to have no change on the channel morphology. Information on the process by which this conclusion was reached would be very helpful. It is possible that this increase in sediment load would be *beneficial to altering the channel for increased fish habitat*. Mentions of the expected outcomes of this effect should be included, as well as necessary mitigations.

Agriculture

In the agriculture section, numerous negative effects of the Action alternative are mentioned. At the end of this section, these potential effects are disregarded, and no mitigations are initiated. The Action alternative may not be the sole action responsible
45h for economic damages to the agricultural sector, but this does not excuse or exempt that portion of environmental damage that the Action Alternative does cause. Economic

damages by the Action alternative should be mitigated so they can be considered less than significant.

Vegetation

More impacts are associated with the possible increased occurrence of non-native as well as invasive species. According to the report, invasive species would likely increase, but
45i mitigation again is not mentioned. These impacts should be addressed in more detail. Are the increased flood occurrences due to the Action alternative mitigatable? Are mitigations a necessary concern for this, and why or why not? Discussion of these questions would be very useful.

Threatened and Endangered Fish

This section appears to include strong information for the decisions reached. To aid the
45j average reader in the comprehension of this section, include a figure which depicts the predicted inundated flood plains for each of the flow regimes.

Terrestrial and Avian animals

45k Further analysis of why the action and no action alternatives have no impact on avian or terrestrial creatures would increase the validity of the report. Since variations in vegetation are expected from the action alternative, effects on fauna are probable.

During further analysis of the impacts on terrestrial and avian animals impacts to “terrestrial wildlife” are expected for a period of time which is not defined. A change in species present may occur through this time of re-equilibrium. Mitigations for this period of time should be implemented so that more animals are not added to the endangered species act. During the time of imbalance, measures should be implemented to promote native animal health and diversity.

Other Threatened or Endangered Species*Southwestern Willow Flycatcher*

The Action alternative may temporarily decrease habitat of the Southwestern Willow
45l Flycatcher. If this species is endangered, any negative effects must be mitigated.
Further, if flood flows are large enough, short term effects will be offset by long term
habitat development. What happens if the flood flows are not large enough? Are there
any mitigation plans for this possibility?

Overall all of the threatened or endangered species should have a plan for habitat
mitigation in case the Action alternative does negatively affect their lives. This would
decrease the time necessary to determine the mitigation plan once negative effects are
noticed.

Cultural Resources

In section 4.8.2.2, the effects of the action alternative are stated. Effects from
implementation of the new flow regime appear to be minor with the exception to flooding
certain historic areas in Reach 1 in the Browns Park Area, which may receive more
45m flooding and longer inundation if the Action alternative is selected. Is it not important to
do whatever possible to preserve these historic areas, even though it has experience
potentially harmful events in the past?

Addressing Uncertainties through Adaptive Management

This was the first section where any mention of mitigation occurred. Further explanation,
of the research and adaptive management practices which would occur, would be
beneficial. Particularly, what sort of research is going to occur in the near future, who in
the dam operations will be responsible for implementing the management plan? Would
45n there be a special team included in the dam operators? Would the people chosen to
perform these duties have certain background characteristics to ensure proper research
methodology?

Environmental Commitments

This section, as well as the above section, should be renamed to include the word “mitigation measures”. This would increase the flow of the document and follow NEPA guidelines a little closer. As well, referencing of this section during analysis of the environmental consequences would allow the reader to examine the “mitigations” to be implemented for the negative impacts.

Specific economic means which Reclamation will use to perform all of the monitoring and adaptive management schemes presented should be discussed.

1992 Biological Opinion Report

This report should be either included in the DEIS as an appendix, or linked to the DEIS. A further analysis of the 1992 Biological Opinion Report would allow me to discuss the significant of the conclusions of the report and analyze the action alternative. Without the inclusion of this report, the DEIS is incomplete as all the determining factors are not accounted for. I would be even more beneficial to the outside person reviewing the report if a summary of the information related in this report were included as a section of the DEIS.

2000 Flow and Temperature Recommendations for the Green River, Downstream of Flaming Gorge Dam

As with the 1992 Biological Opinion Report, numerous references to the 2000 Flow and Temperature Recommendations are made. Often in the document, conclusions are determined. It is assumed that these conclusions are made at least in part due to the findings of the FTR. Whenever applicable, the FTR should be referenced with a section number so that concerned individuals have the opportunity to examine the methodology. Since the action alternative is highly based on the information portrayed in this report, and the report formatting makes writing/reading difficult a concerned individual such as myself cannot fully evaluate the action alternative without the report.

45. HEATHER KUOPPAMAKI

45a

In the 2000 Flow and Temperature Recommendations, the following statements are made which support using Reach 2 as the priority reach:

- ❖ Section 5.2.1 “Recommended flows for Reach 1... are those measured at the USGS gauge near Greendale, Utah, and are, for the most part, release patterns from Flaming Gorge Dam needed to achieve the target peak and base flows identified for habitats of the endangered fishes in Reaches 2 and 3.”
- ❖ Section 5.2.1 “Base flows in Reach 1 should be managed to ensure that within-year and within-day variability targets for Reach 2 are met.”
- ❖ Table 5.4 General Recommendations: “Peak flows in Reach 1 should be of the magnitude, timing, and duration to achieve recommended peak flows in Reaches 2 and 3.”

Throughout the 2000 Flow and Temperature Recommendations document, it is stated that the critical habitat for the endangered fish reside in Reaches 2 and 3. This is also stated in the EIS. Through modeling, Reclamation came to the determination that it was possible to reasonably predict future flows in Reach 2 with enough precision to efficiently augment these flows to achieve the target levels established in the 2000 Flow and Temperature Recommendations for Reach 2.

45b

The Modified Run of the River Alternative releases on a daily basis during the spring would be a percentage of the previous day’s unregulated inflow. In this way, the release regime would closely match the inflow regime. By varying the percentage from a low percentage of up to 100%, we could test

the reaction of the reservoir in terms of reservoir storage. Because of the narrow scope of this EIS, the Modified Run of the River Alternative had to achieve all of the flow objectives of the 2000 Flow and Temperature Recommendations in Reaches 1 and 2 of the Green River in the same way that the Action Alternative did. The suggestion regarding the use of data from upstream gauges is unclear, but absence of inflow data was not the reason that this alternative failed to meet the purpose and need.

The Modified Run of the River Alternative did include unregulated daily inflows to Flaming Gorge. These values were used to determine what each daily release would be. Perhaps this comment refers to natural flow. It is possible to roughly estimate natural flow from actual measurements; however, the computation of natural flows is a very complex and involved process, and this work has been done on a monthly time scale but not on a daily time scale.

Based on sensitivity analysis of the percentage rate, it was found that the flow objectives could not be met even when the percentage was set to 100%. There were two main reasons for this result. First, water consumption and diversion above Flaming Gorge Reservoir reduced the measurable unregulated inflow. Second, the timing of releases from Flaming Gorge Dam under this regime were not optimally timed with the flows of the Yampa River.

45c

Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group, which will evaluate criteria listed in table 2-5 of the EIS when making recommendations. This allows opportunities to refine flow attributes based on an adaptive management process.

45d

The purpose and need of this EIS is limited to alternatives that implement the 2000 Flow and Temperature Recommendations while maintaining and continuing the authorized purposes of the dam. Reclamation acknowledges that a full range of reasonable alternatives is desirable. However, despite considerable effort to develop additional alternatives that meet the purpose and need of the EIS, additional viable action alternatives could not be identified. Please see sections 1.4.5, 1.4.6, and 2.2 of the EIS.

45e

The target flows and durations to be achieved each year are dependent on the natural hydrograph of that year and the hydrological classification of that year. If 6 consecutive drought years occur in a row, as is currently the case, then only low targets and durations would be achieved. In very wet years, high targets with long durations would be achieved.

45f

The scales are a measurement of Chlorophyll a in micrograms per liter ($\mu\text{g/L}$). The red scales are for concentrations greater than $27 \mu\text{g/L}$; and in fact, they can reach several hundred $\mu\text{g/L}$ or hyper-eutrophic status at times in the red zones. The scale was clarified in the figures and in the text. Pre-dam temperatures below Flaming Gorge reached about 23-24 °C in the summer and near freezing during the winter. The pre-dam temperatures were warmer at the peaks in the summer than now occur.

45g

The resulting changes in average annual sediment transport will likely produce some channel morphological changes in Reach 1. For example, increased local erosion of bank materials could lead to channel widening in some portions of Reach 1. In Reaches 2 and 3, the increases in sediment transport

conditions, on a percentage basis, under the Action Alternative relative to No Action conditions, are relatively smaller than the changes anticipated for Reach 1. For these conditions, changes in channel morphology due to increased sediment transport are anticipated to be subtle and will likely be difficult to track. See the Effects of Flaming Gorge Operations Under the 1992 Biological Opinion and the 2000 Flow and Temperature Recommendations on Sediment Transport in Green River Technical Appendix for a description and a discussion of the sediment transport analysis completed for the EIS.

45h

The analysis of potential effects to agriculture (section 4.5) shows that there are not significant differences between the Action and No Action Alternatives.

45i

Recent research findings suggest that the proposed action may encourage a shift in location, but not an increase, in tamarisk establishment (see sections 4.7.5 and 4.19.6 in the EIS). The EIS more clearly reflects these new findings. One of the predicted benefits of this shift in establishment location would be positive changes to fish habitat. As a result of these new findings, Reclamation does not believe that mitigation for this action is warranted. However, unrelated to any effects of this action, Reclamation has recently supported research aimed at defining those microhabitats most likely to remain tamarisk free following mechanical removal. Any improvement in this arena may help Reclamation and other management agencies along the Green River more effectively control tamarisk as per Executive Order 13112 on Invasive Species, 1999.

45j

Please refer to figure 4-16 in the EIS; for more information. See figure 3-1 in Valdez, R.A. and P. Nelson. 2004, *Green River Subbasin Floodplain Management Plan*, Final Report to Upper Colorado River Endangered Fish Recovery Program, Denver, Colorado, Project No. C-6. This report can be obtained by writing the Recovery Program.

45k

The no effect determination for animals exploiting reservoir or river habitats was made because variations in the vegetative community attributable to dam operations would be slight and occur over a sufficiently long period that mobile terrestrial and avian communities could alter their ranges and habits in such a way that no appreciable change in population size or dynamics would occur to these populations.

Perturbations to the vegetative community (and, consequently, to the habitats of the animals in question) below the dam that are attributable to dam operations would not be extensive enough to cause the presence or absence of a species to change within the entire study area. The total area being discussed is large, and resources for these animals are abundant. Changes in the vegetative communities and associated wildlife habitats would be relatively localized and could contribute to a somewhat different composition of species within these areas.

45l

Flooding of the riparian zone is a important, natural, disturbance mechanism for recharging vegetation and resetting succession and the Action Alternative purposefully attempts to contribute to this process. Loss of vegetation is a part of that process. Reclamation believes that mimicking the natural hydrograph is a positive step in restoring and/or maintaining viable

southwestern willow flycatcher habitat. Since the identified territories are located on low elevation surfaces, inundation of nests by large flood flows would occur under either alternative.

Regarding the question of whether flood flows will be large enough to offset short-term effects, section 4.7.8.1.2 in the EIS has been rewritten to more clearly state our intent—that is, if large enough, flood flows should create additional habitat above and beyond that which would develop following any scour and deposition event.

45m

Reclamation recognizes the importance of potential disturbance to historic properties within the project area. Please see section 4.8.2.2 regarding cultural resource data analysis with the relevant land managing agencies.

45n

The adaptive management process described in section 4.20 of the EIS would rely on ongoing or added Recovery Program activities for monitoring and studies to test the outcomes of modifying the flows and release temperatures from Flaming Gorge Dam. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group which will evaluate criteria listed in table 2-5 of the EIS when making recommendations. This allows opportunities to refine flow attributes based on good science in an adaptive management process. See section 2.5.3 of the EIS describing the Technical Working Group and the Flaming Gorge Working Group and how they would work together in planning the flow prescription each year.

From: "Scott Marshall" <SMarshall@miscowater.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 11:26 AM
Subject: Green River flow fluctuations - comments from a fly fisherman

Mr. Peter Crookston,

It has come to my attention that the Bureau of Reclamation is performing a draft Environmental Impact Statement (EIS) on the operation of Flaming Gorge Dam. I wanted to share some thoughts with you regarding my most recent trip to the Green River (below Flaming Gorge Dam) and how my experiences, along with similar stories of other anglers, should be considered before any decisions are made.

I am an avid fly fisherman and do my best to make it to the Green River at least twice per year to enjoy the fabulous trout fishery. My last trip to the Green River below Flaming Gorge was a bit unusual in that fluctuating river flows caused a negative impact on my experience and threatened my individual safety along with the other two fisherman in my party.

46a Unlike many anglers who visit the area, I prefer to fish the "B" section of the river and choose to walk in and camp at the USFS camp sites along the river. In all of my trips to the Green River, my friends and I enjoy wade fishing both sides of the river. In my most recent trip to the Green River (late June 2004), we arrived late in the day and barely fished the evening hatch before we turned in for the night. We woke up early the next morning to a beautiful sunrise and low water levels. We decided to cross the river in an attempt to fish the opposite side (west side) that generally receives less fishing pressure. We started out having a consistent day of catching trout. After lunch, water levels began to suddenly rise at which point several things happened: the fish stopped feeding and the route back across the river started to become more and more dangerous. If my memory holds, river flows were approximately 800 cfs in the mornings and increased to 1500 cfs in the afternoons and evenings. The river flow basically doubled during the early afternoon. The increased flow threatened our individual safety (if you don't think this is life threatening, cross the river at 800 cfs and then try and come back across when it is 1500 cfs - I have done it and it is very dangerous). The fluctuating river flows caused the fish to stop feeding (which reflected negatively on my experience) and threatened the physical safety of my entire group. I believe this to be consistent with all other wade anglers and most other float anglers. Personally, I will be keeping an eye on any changes in dam (flow) operation and will base my decision for any future trips on this aspect.

46b Thousands of anglers visit the Green River below Flaming Gorge Dam each year and have been doing so for many years. The thousands of dollars fishermen bring to the local economies are crucial to the survival of most people living in the area not to mention the wonderful experiences on the river that are shared with each generation.

46c In general, I support the single daily peak hump restriction but the timing should be in a manner to have no impacts on the river recreation activities - in my case (and thousands of others), specifically fishing. As I have witnessed in my last trip, increased flows made the fishing

very poor and threatened my personal safety.

I hope that you can come up with an amiable solution to the operation of Flaming Gorge Dam that will create no significant impacts to the fishery or the experience shared by thousands.

Sincerely,

Scott A. Marshall, P.E.
Misco Intermountain
3033 South Parker Road
Tower I, Suite 350
Aurora, CO 80014
office (303) 309-6150
fax (303) 309-6154
cell (303) 601-5215

46. SCOTT A. MARSHALL

46a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing

notification to the public of river fluctuations and other public safety concerns.

46b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

46c

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Jeff Martin" <bcstoneram@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Tue, Nov 30, 2004 6:26 PM
Subject: Green River Flows

Hello,

My name is Jeff Martin, I know you are probably very busy and I am grateful for your time in reading my email. I visit the Green River several times each year to enjoy the spectacular fishing that many take advantage of in our state.

47a During this past year I have been very dissappointed in the quality of the fishing there due to the eratic changes in water flows out of the Flaming Gorge Dam. Many morings have started out great and then the water flows kick up and upset the fish, thus creating a very tough fishing situation. I realize that folks have got to have power, but to disrupt such an awesome fishing and outdoor recreation spot so that
47b people can make more money on power generated from the increased water flows seems unfair. It is also a darn shame that a place with such a great reputation for fly fishing and recreation for so many people in this country and abroad is suffering such a huge blow. With the Snake River in Idaho, and so many other waters available in Wyoming, Idaho, and Montana I am afraid that continuing this practice in the future will end up being counter productive for our great state. I and many others will take our dollars to other states so that we don't have to deal with spotty fishing and dangerous conditions experienced on the Green so that people can generate more power.

The really sad thing here is that if you asked fly-fishermen in this state which river had the most fish per square mile, scenic beauty, and overall best fly-fishing for larger fish, you would find the majority would tell you the Green River. This isn't just any river to most fishermen, this is our Crown Jewel fishery. Why compromise this and give our state's fishing and recreation opprotunities a black eye?

I know you have to weigh things out, I just hope that you can sympathize with us in this regards.

Thank you for your time.

Sincerely,

Jeff Martin

Jeff Martin
bcstoneram@earthlink.net
Why Wait? Move to EarthLink.

47. JEFF MARTIN**47a**

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

47b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives.

We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: Jerry McGarey <bidss15@yahoo.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:38 AM
Subject: Flaming Gorge Reservoir Draft EIS

48a Sir - I write today to express my dismay over the timing of power generation flow increases during prime fishing hours in the A section of the Green River below Flaming Gorge dam. Over the last couple of years (notably in 2004) the timing of mid-morning flow increases and mid-afternoon flow decreases is disruptive to trout feeding activity and had markedly impacted my enjoyment of this otherwise wonderful fishery.

I have travelled to the Flaming Gorge area several times a year since 1992, spending my money with local lodging, restaurant and fishing establishments. I would strongly urge you to factor the needs of the recreational fishing tourists into your plans and timing for summer power generation in the future.

48b I believe recreational use of the Flaming Gorge area is supposed to precede that of dam power generation, isn't it?

Respectfully, Jerry McGarey (bidss15@yahoo.com)

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

48. JERRY MCGAREY

48a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

48b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives.

We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: "Patrick M. Mehle" <smachine@sweetwater.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 10:43 PM
Subject: Comments on Flaming Gorge Dam Operation DEIS

11-14-2004

To: Mr. Peter Crookston

Flaming Gorge EIS Manager, PRO-774

Bureau of Reclamation, Provo Area Office

Dear Mr. Crookston,

The following are my comments on the Flaming Gorge Operation Draft EIS.

49a In reading over the DEIS, it seems that there are two very conflicting assumptions made. On page 189, Section 4.8.1.1, is stated that "Fluctuations of the water levels of the reservoir would not change from what has become a normal, although flexible, operation". Conversely, on page 230, first column, it is seen that "Because of increasing water consumption in the tributaries of the Green River below FG Dam, it is anticipated that releases... will have to be greater in the future." Just two paragraphs after that we see that "Water consumption above FG Dam is also expected to increase, and this could reduce inflows into FG Reservoir." It is clearly impossible to have more water going out, less water coming in, and still maintain a "normal" lake level.

For this reason alone, I feel that there is much more that needs to be done to achieve a workable operations plan. I am a member of the Wyoming Water Development Commission's Green River Basin Advisory Group. Over the course of the last several years and twenty-five or more meetings-I have lost count of how many- our group has been exposed to many diversified points of view, and has had the opportunity to hear from many different expert and credible speakers. From this experience I have come to the conclusion that there are several points that you need to consider in greater detail. First is the issue of drought. As you probably are aware, the Colorado River Compact

annual flow figures, as seen in the original compact agreement, have proven to be lower than reality. Further, recent studies of tree rings going back to about 1200 AD, have conclusively shown that the past 100 years have been exceptionally wet. Also mentioned was yet another study concerning the Wind River Glaciers. These glaciers have been receding rapidly over the past several decades, and assuming continuation of the current drought conditions and warmer mean temperature trends, it is possible that the glaciers could be completely melted in ten years. These glaciers are the primary source of summer stream flow in the upper Green River Basin. The "demise" of these glaciers could realistically lead to the Green River actually running dry-- in the worst case scenario. The Wyoming Water Development Commission considers conditions serious enough to where they feel a need to develop an emergency plan to address issues of continuing severe/ exceptional drought. I think that your EIS should address this possibility also.

49b

Also at issue is the continued increasing demand for water downstream. Lake Powell was at 58% of capacity in October. It is surely even lower now. If current trends continue, the lake elevation will drop to the point where the generators will have to be shut down in mid 2006. It is speculated that upstream dams might be forced to lower their lake levels to supply enough water to forestall that shutdown. I highly oppose a transfer of water under those conditions. There is an old saying among airplane pilots-"The two most useless things to a pilot are runway behind you and altitude above you". For a dam operation, it can be said in the same vein that the two most useless things to power generation are water downstream and dam elevation above lake level. It is fine to send water downstream for power generation since the same water can be used several times to spin several turbines. The issue is efficiency. Any water sent down to Lake Powell will be sent through their power plant at minimum head, hence minimum efficiency. It makes no sense to operate Flaming Gorge at a reduced elevation/reduced efficiency. Keeping Flaming Gorge as full as possible will give the greatest possible gross power production for the system as a whole.

49c

I wish also to express concerns for the implementation of increased flows the endangered fish recovery program. The potential damage to FG Dam caused by increased flows through the spillway is, in my opinion, much underestimated, as are the safety issues that would result. Although the fish recovery efforts are a worthy goal, the flows required to achieve this goal do not justify the costs. The physical damage to the dam, the loss of electrical generation, the erosion damage to downstream infrastructure, and the flood damage to downstream landowners, far outweighs the benefits. It is interesting to note that the water required for a single "flushing" is on the same order of magnitude as the total annual domestic water consumption for the entire state of Wyoming. I am left with the feeling that this proposal will, at best, just serve as a vehicle to benefit the over-allocated lower basin at the expense of the upper basin States. How can these costs be justified?

49d

- 49e Finally, I would like to suggest that you consider formulating a priority list for the operation of the dam. First, of course would safety- both for the dam itself and for the public that it serves. Second would be the dam's original purpose-to serve as an instrument to help regulate the Colorado River System per the Compact. Of the several priorities that you might feel would follow these, the endangered fish recovery flows should place well toward the bottom of the list-especially if the hydrological conditions that existed hundreds of years ago should prove to be the true average.

Thank you for the opportunity to express my views on these important issues.

Patrick Mehle

1037 Cypress Circle

Rock Springs, Wyoming

82901

49. PATRICK M. MEHLE

49a

The Action Alternative does not necessarily release more water than the No Action Alternative. In some cases, the Action Alternative would release less water. It is recognized in the EIS (section 4.16.1.1) as water consumption increases through time that it will become more difficult to maintain reservoir storage while also achieving the flow objective of the 2000 Flow and Temperature Recommendations.

49b

Comment noted; there is at present a drought in the Green River Basin. The hydrology that was analyzed for this EIS did include droughts more severe than the present drought.

The Flaming Gorge Model was run with historic hydrology from 1921 through 1985. During this period, several droughts did occur; the worst of which occurred from 1934 to 1938 when the average annual Green River flow (measured at Greendale, Utah) was 550,000 acre-feet. For comparison the average annual flow of the Green River from 2000 to 2004 was 661,000 acre-feet.

49c

Comment noted. Lake Powell operations are outside the scope of this EIS.

49d

Comment noted. As stated in section 2.5.3.2 of the EIS, Reclamation would annually coordinate the decision whether to use the bypass tubes or spillway to meet particular flow targets. That same section, and other sections in the EIS, note uncertainties associated with use of the spillway that will have to be monitored and addressed through the adaptive management process.

49e

As stated in section 1.5 of the EIS, Reclamation's priorities are first, dam safety and then second, meeting project purposes in compliance with ESA. When conflicts in operations arise, Reclamation's approach to conflict resolution and decisionmaking includes accepting input from all stakeholders and formulating a strategy that meets the most needs possible consistent with these established priorities. Reclamation's intent is to continue balancing the needs of all resources when making operational decisions and would continue this practice under both the Action and No Action Alternatives.

From: norman miller <nmlillerca@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 6:49 PM
Subject: Flows on Green River

Dear Sir;

50a The high afternoon flows experienced on the Green River this year made what had always been a top fishing destination, an unneeded and unwanted adventure. Please restore sanity and safety to the flows so that the great fishing experience and return once again.

Thank you,

Norman Miller

50. NORMAN MILLER

50a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: <Richardmimms@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:23 AM
Subject: (no subject)

51a We support the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing.

Richard L. Mimms

51. RICHARD L. MIMMS

51a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Arthur Moeller" <moellerad@comcast.net>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 6:26 PM
Subject: Draft Environmental Impact Statement on Flaming Gorge Dam

- I do not favor the proposed fluctuating flows for power generation. I
52a feel it will have a negative impact on the fishing. I fish there
several times a year and if I have to put up with the fluctuating flows
I will consider going elsewhere and spending my money in a different
52b location. I could support the single daily peak hump restriction if it
was timed in a manner that does not impact river recreation activities,
52c especially fishing. I would also feel safer while wading if I did not
have to worry about the river rising suddenly.

A. D. Moeller
4247 W. 4570 So.
West Valley City, UT 84120

52. ARTHUR D. MOELLER

52a and 52b

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

52c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for

sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

From: "Mark" <marco@wfmis.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 8:24 AM
Subject: Green River at Dutch John River Flow Impact

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

- 53a** I support the single daily peak hump restriction, but its timing should be in a manner that has no impacts on river recreation activities, especially fishing. It is dangerous to the fisherman wading across the river, spoils the fishing and will keep many of us who bring the much needed dollars to the local economy of Dutch John and the State of Utah. In addition it is the recreational users who have priority over the power generation.
- 53b**

Mark Naccarato
Holladay, UT.

53. MARK NACCARATO**53a**

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

53b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power

generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "Sean O'Connor" <SOConnor@sheppardmullin.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 6:01 PM
Subject: Draft Environmental Statement on the Operation of Flaming Gorge Dam

I understand that the Bureau of Reclamation is undergoing a Draft Environmental Statement on the Operation of Flaming Gorge Dam and asking for comments.

- 54a** I fly fish the Green River often, and it is frustrating how the erratic way flows can suddenly jump up and down while I am fishing. This can often disrupt water quality and upset the fish for set periods of time. The end result is a spoiling of our fishing day. The Draft EIS allows for fluctuating flows for power generation up once a day and then down. In 2004 this was experienced by many of us on the Green as they went from 800 cfs to 1500 cfs every day (at 1:00 pm, right in the middle of the day) after our high flows in early June to the end of September. We hated the reaction from the trout, the fishing could and often did go flat for periods of time. Then they brought the flows down while we were trying to start fishing again and the process started again. The ups and downs and the disruption you caused to our fishing experiences were uncalled for. You have the ability to do the power generation flows in non-fishing hours or maintain a slightly higher steady flow that
- 54b** generates the same amount of electricity.
- 54c** Recreation and fish have a priority over power generation under the authorized purposes of the Flaming Gorge dam. Please recognize this and act accordingly.

Sean P. O'Connor

DD: (714) 424-2846

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Sheppard, Mullin, Richter & Hampton LLP

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54. SEAN P. O'CONNOR

54a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

54b

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

54c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

MEMORANDUM

TO: PETER CROOKSTON
Flaming Gorge EIS Manager, Pro 774
Bureau Of Reclamation, Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

FROM: MAURIA PAPPAGALLO,
Environmental Resources Engineering Student
Humboldt State University
1st Harpst St, House 18
Arcata, CA 95521

SUBJECT: COMMENTS ON FLAMING GORGE DAM DRAFT EIS

DATE: 11/13/2004

SUMMARY

This memo is to inform you of my analysis of the Operation of Flaming Gorge Dam Draft Environmental Impact Statement (DEIS). The critique is broken into sections covering overall document suggestions, analysis of alternatives, the affected environment, and environmental consequences. Overall, I found the document to be a good examination of the situation.

DOCUMENT SUGGESTIONS

The beginning of the document should be revised; information in chapter three should come before the alternatives are assessed. The following are examples:

- 55a
- A summary description of the natural habitat and environment of the endangered fish should be introduced before alternatives are discussed. The summary description should include at least their average water temperature and flow requirements. A description would also inform the reader of vital information needed to assess the flows recommended by the alternatives.

- A thorough description of the Green River System (GRS) should be introduced earlier. A description at the beginning would help the reader become more familiar with the system and point out important details that can not be obtained from glancing at a map. For example, on page 19 of Chapter 1, the Browns Park Highway EIS is discussed, but the document does not indicate why this is relevant information. An earlier GRS description should state where the Browns Park Highway is and why it's important enough to be discussed in relation to the Flaming George Dam project. A full description is given in 3.6.2, this but is too far into the document; a summary should be given in the beginning.

The background of the dam situation includes authorized uses of the FGD project. Due to the authorized uses being an important part of the purpose and needs statement, they should be identified in the Purpose and Needs section and could be put into easy-to-read bullets.

Inclusion of, or reference to, important sections of the 2000 Recommendations report and the 1992 Biological Opinion as appendices to the document, would be helpful in assessing the processes used to determine the recommendations. The important sections should list the criteria used for making decisions in each report, or should list the assumptions used in the modeling analysis. Furthermore, referencing appendices within the text would direct the reader to additional information on important subjects.

55b The overall language of the DEIS is easy to read. A few words are not defined, but would help the reader to better understand the document. One example is the "bypass tubes"; an explanation of what they are and how exactly they affect power generation is needed. The quantity of bypass tube use is discussed as a comparison between the two alternatives but it is not clear what that means.

55c On page 142, in the last paragraph, where temperature changes are discussed, data should be re-evaluated and checked; it is not possible for 9°F to equal 5°C. The same mistake is made again on page 144 in the first paragraph.

- 55d A discussion of the operation and maintenance for the new operating plan should be included in the document. Where will the funding come from, and who is responsible for the maintenance and operation of the operating plan?

SCOPING

- From the scoping process, public issues were identified and separated into categories. The process was conducted under the question: "How would operating the Flaming Gorge Dam to meet 2000 flow and temperature recommendations affect..."
- 55e Conducting the scoping process under this heading defeats the purpose of scoping. Scoping is conducted to look at the issues that should be included in the alternative development and impact analysis. This question limits the scoping process and produces "tunnel vision" in determining the alternatives. To improve this analysis, the scoping process should not have been so narrow and the indicators should include measurable descriptions. For example, an indicator for Issue 8 is "condition of vegetation and species composition of wetlands". Instead it should say "population density of vegetation, acreage and condition of wetlands and their species composition". This wording allows for measurable conclusions. The following additional indicators should be similarly reworded:

- Issue 9, Effect on vegetation: Number and density of endangered plant species.
- Issue 13, Effects on sediment: Look at the predicted changes in salmonid spawning gravel areas. "Area of spawning gravels before new flows and predicted spawning gravel area after implementing new flows".
- Issue 15, Effects on quantity and quality of water: Changes in temperature

ALTERNATIVES ANALYSIS

The purpose and needs statement discusses two main points: 1) the need to operate the dam to protect and assist in recovery of four endangered fish species and their critical habitat, and 2) to maintain all authorized purposes of the Flaming Gorge Unit of the Colorado River Storage Project (CRSP). To fulfill both points, the only feasible alternative would be to implement the 2000 Recommendations. Thus the alternative formulation for this project should include alternative flow regimes, as well as the 2000

Recommendations, with differing alternatives for impact mitigations along with looking at a no action alternative. The alternatives discussed in this analysis focus on the flow regimes instead of mitigations. Two alternatives are discussed, an Action alternative in which the 2000 Recommendations are implemented, and a No Action alternative. The No Action alternative follows flows recommended by the 1992 Biological Opinion.

The action alternative splits the Green River into three different reaches, with each being affected by the FGD flows differently. It is stated on page 24 in the last paragraph that:

“The intent of the Action Alternative is first to meet the recommended objectives for reach 2 and then, if necessary, make adjustments to releases so that the recommended objectives for Reach 1 could also be met. It is assumed that the flow objectives in Reach 3 are met whenever the flow objectives in Reach 2 are met.”

- 55f This statement leaves me with a number of questions; 1) What are the recommended objectives for each reach, 2) Why are they different? These should be stated in section
- 55g 2.3.2 before this statement is made. 3) How can the assumption be made that the
- 55h objectives in Reach 3 are met when the Reach 2 objectives have been met? An explanation of this assumption needs to be included in this section. The following paragraph on page 26 goes into further detail of the 2000 Recommendations. This paragraph then states that the primary focus of the 2000 Recommendations is on the flow regimes in Reaches 2 and 3. The two statements seem to contradict themselves. Why not
- 55i focus on Reach 1, the section of the river that is predominantly affected by the dam releases?

- 55j In continued discussion of the action alternative flows, it is mentioned that by trying to reach 2000 Recommendations for Reach 1, that the minimum 2000 Recommendations would then be exceeded in the following reaches. Due to agricultural needs, I can understand why water conservation is an important goal. However, based on the purpose and needs statement, exceedence of minimum flows is a positive impact and a benefit to the fish.

When comparing the two alternatives under the context of agriculture, the impacts are stated as the same whether the No Action or the Action alternative is used, thus these impacts are dismissed. The DEIS states that under both alternatives, approximately 245 acres of cropland will be flooded each year. The Action alternative will cause the fields to be inundated for 2 days longer which will not cause any more significant impacts thus the effects are the same. Though the impacts will be the same, they should still be addressed within the document.

55k

It is stated that the effectiveness of the action alternative will be measured by the long-term frequency of achieving flow thresholds prescribed by the 2000 Recommendations. The language should be changed to include a quantitative value for long-term. It is also stated that an administrative record of the operational decision making *would* be maintained and that this record *would* include analysis of previous operations and effectiveness of achieving desired targets on a year by year basis. The word *would* should be changed to *will* to ensure that this practice is done.

55l

55m

GREEN RIVER SYSTEM MODELING

The current description of the model analysis used to simulate the GRS doesn't provide enough detail. For example, the model requires natural flow volume inputs and estimates the release volumes and storage volumes. There is no discussion of how the natural inflows were chosen, or what range and number of hydrologic years were used in analysis. The language indicates that the model simulates the system to the USGS stream gauge 93 miles away from the dam, when the system being analyzed is 410 miles long? Is only one gauge used for calibration? Is the rest of the system included in the model? Further explanations should be used in the document. Placing this section within the Affected Environment chapter would increase the flow of the paper.

55n

I liked that the preparers of the 2000 Recommendations were asked to review the document. In most situations, the reviewers found that the model properly simulates the 2000 Recommendations in Reach 2. This would indicate that it does not properly simulate the 2000 Recommendations in Reaches 1 and 3. If this is so, it should be stated

55o

and further analysis should be done to find conditions that do meet Reach 2 and 3 goals. Important impacts to the system could be missed or overlooked due to this inaccuracy in modeling.

AFFECTED ENVIRONMENT

As mentioned earlier, sections from the affected environment should come earlier in the document, prior to the discussion of the alternatives.

Under the Potentially affected area (3.2), a section for the Green River needs to be included. Currently there is mention of the Green River downstream of the dam, but it only mentions that the dam is 410 miles before the confluence with the Colorado River.

VEGETATION

- 55p The section on vegetation (3.7.1.3) does not fully discuss the current environment in terms of the indicators previously stated in Issue 9 (Pg 14). Further detail on evasive species, numbers of populations including the flooded areas should be included. Further
- 55q more, in the environmental consequences section, no studies were conducted or references given to backup statements made on vegetation impacts.

ENVIRONMENTAL CONSEQUENCES

- 55r A value for the average influence of the Dam releases on each Reach of the system should be included in the analysis. An average percentage of overall river flow that comes from the dam releases in each reach would provide a good value. For example, on page 127, the statement “Impacts to flows from Flaming Gorge Dam diminish with *distance from the dam*”, as a reason for not including Reach 3 flows into the model. This statement should be supported with a value indicating that the effects of dam releases are minimal at that location.

TERRESTRIAL AND AVIAN ANIMALS

- 55s Discussion of terrestrial and avian animals does not include any type of study or analysis to back up the decision of no impact. Further analysis of terrestrial foraging and habitat should be analyzed to see if terrestrial and avian food sources will be impacted.

55t The overall discussion of mitigations is insufficient. It would be easier for the reader if the discussion of impact significance were discussed directly after impacts were presented. There is no discussion of how impacts are rated for significance. I found it hard to find mitigations or final decisions on significance. If there are proposed mitigations for effects caused by the action alternative, I did not find them.

UNCERTAINTIES

This section includes a discussion of the uncertainties included in the models and the assumptions that were required to make the models work. The assumptions and uncertainties with the models should be included earlier in the document with the discussions of information obtained from the model, thus allowing the reader to decide how well they agree with the information presented.

Inclusion of an adaptive management program will be very helpful in mitigating impacts of uncertain significance. The adaptive management program should include measurable and dated results. The wording on the adaptive management goals for numbers 6 through 10 should be changed from *would* to *will*. Using the word *would* indicates that it could happen. Due the number of uncertainties involved in the project the implementation of all aspects of the adaptive management program is very important to insure unrealized impacts are mitigated. A discussion of possible mitigations would further support the documents discussion of adaptive management.

55. MAURIA PAPPAGALLO

55a

Please see section 1.3 for an explanation of the EIS contents. The format is consistent with the CEQ and Interior regulations implementing NEPA.

55b

Comment noted. The term, “bypass tubes,” was added to the glossary.

55c

These references are not to specific temperatures, but to changes in temperature; thus a change of 9 °F is equal to a change of 5 °C.

55d

Please see sections 1.5, 2.5, 4.19 and 4.20 for information regarding operations.

55e

Comments noted.

55f

The recommended objectives for each reach are flow and temperature targets defined by the 2000 Flow and Temperature Recommendations. Please see table 2-1 in the EIS.

55g–55i

Throughout the 2000 Flow and Temperature Recommendations document, it is stated that the critical habitat for the endangered fish reside in Reaches 2 and 3. This is also stated in the EIS. Through modeling, Reclamation came to the determination that it was possible to reasonably predict future flows in Reach 2 with enough precision to efficiently augment these flows to achieve the target levels established in the 2000 Flow and Temperature Recommendations for Reach 2. The following statements are made in the 2000 Flow and

Temperature Recommendations which support using Reach 2 as the priority reach:

- ❖ Section 5.2.1 “Recommended flows for Reach 1... are those measured at the USGS gauge near Greendale, Utah, and are, for the most part, release patterns from Flaming Gorge Dam needed to achieve the target peak and base flows identified for habitats of the endangered fishes in Reaches 2 and 3.”
- ❖ Section 5.2.1 “Base flows in Reach 1 should be managed to ensure that within-year and within-day variability targets for Reach 2 are met.”
- ❖ Table 5.4 General Recommendations: “Peak flows in Reach 1 should be of the magnitude, timing, and duration to achieve recommended peak flows in Reaches 2 and 3.”

55j

Comment noted.

55k

Please see section 4.5.2 in the EIS which identifies the impacts.

55l

It is difficult to isolate a specific number of years to evaluate the percentage of targets and durations achieved because it is unknown what the natural hydrograph will be in the future. Over the long run when several different natural hydrological years have occurred, Reclamation would be able to determine whether the percentages are consistent with the 2000 Flow and Temperature Recommendations. The target flows and durations to be achieved each year are dependent on the natural hydrograph of that year and the hydrological classification of that year. If 6 consecutive drought years occur in a row, like now, then only low targets and durations would

be achieved. In very wet years, high targets with long durations would be achieved.

55m

Comment noted. Reclamation intends to maintain an administrative record for how decisions are made that will be available to the public. Reclamation is considering use of a web page and other means to keep the public informed on implementation of the proposed action. The administrative record is portrayed in section 2.5.3 in the EIS and will be maintained if the Action Alternative is implemented.

55n

It is recognized that much of the supporting data regarding the Flaming Gorge Model did not appear in the draft EIS. The Hydrologic Modeling Team produced an initial report entitled “Flaming Gorge Environmental Impact Statement Hydrologic Modeling Study Report” issued in October 1, 2001. This report contains much of the information regarding how the Flaming Gorge Model was constructed. This report was added to the Technical Appendices.

The Flaming Gorge Model extends to the stream gauge at Jensen, Utah. It was assumed that if Reach 2 flows were met, Reach 3 flows would also be met. This is described in the October report.

55o

Please refer to section 2.3.2 in the EIS.

55p

Reclamation chose to measure distribution via a focus on those mechanisms exerting the greatest influence on establishment of invasive species. Consequentially, this led

Reclamation to focus as well on microhabitats or geomorphic features most associated with those mechanisms. The anticipated small difference between the No Action and Action Alternatives in total acreage of invasive species contributed to Reclamation’s decision to focus research on those issues that can best be addressed through adaptive management efforts.

55q

Statements made in this section reflect research discussed (and cited) for vegetation in chapter 3. For clarification, additional citations have been added to section 3.7.2.6.

55r

Information describing flow conditions on the three reaches of the Green River is available in section 3.3.3 of the EIS.

55s

This section of the EIS was written to disclose environmental consequences of the No Action and Action Alternatives affecting terrestrial and avian animals existing on or near Flaming Gorge Reservoir. Text has been added to section 4.7.1.4 to clarify and support the conclusion. Please refer to 46k above.

55t

The EIS analyzed the difference between the Action and No Action Alternative and did not find any adverse impacts that required mitigation. Under the Action Alternative, if there are concerns, they would be addressed through the adaptive management process described in section 4.20 of the EIS. Please refer also to section 4.21 of the EIS which lists environmental commitments.

From: "Park, Edward" <edward.park@IngramMicro.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 10:34 AM
Subject: Ed Park: Comment on Operation of Flaming Gorge Dam for Draft Environmental Statement

This message is for Mr. Peter Crookston, Flaming Gorge Environmental Impact Statement Manager:

Sir,

I was referred to you by some friends that were advised of the option to participate in submission of comments regarding the impact of flows in the Flaming Gorge/Green River area.

As someone that was recently impacted by the flow management practices, I decided to take a few moments to relate to you an incident that happened a few months ago as well as how that has convinced me of the importance of making my voice heard.

Back in September, a group consisting of myself and a few friends were fishing the gorge on a sandbar in the area. We had reached the sandbar by power boat and were wading in waist deep water.

Unknown to us, the dam started releasing a higher flow and we found ourselves in a situation where the water level was rapidly increasing. . . . we had to beat a hasty retreat into shallow water and then back into the boat. Needless to say, we felt it was not only inconvenient, but

56a downright dangerous as some of our party had quite a way to go to get back to the boat. By the time we retrieved the last of our party, the sandbar was already completely underwater.

56b My comment with regard to this is that while there is an importance with maintaining power generating optimization and water levels above the dam, specific regard to recreation and preservation of human life below the dam is important and any future planning and considerations should, in my opinion, include this.

Not to mention, we spent a considerable amount of time, effort, and money to make this special excursion and not even halfway through the trip, the water quality degraded enough to cancel all additional fishing throughout the remainder of the weekend. I guess the worst aspect about all of this was not the time, money, or driving to get there, but simply how difficult it is to get the "weekend" pass from all of our wives at the same time.

Thanks for lending an ear. I hope my input has been helpful

best regards

Ed Park
AV, CA
949 395 1964

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56. ED PARK

56a

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

56b

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "Lex Patterson" <lex@dakcs.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 4:30 PM
Subject: Green River Flows

To Whom It May Concern:

57a

As an avid fly fisherman and Utah resident who spends time fishing the Blue Ribbon resource we enjoy in Utah, I would like to add my name to the list of taxpayers who would like to see the flows on the river stabilized during the daylight/fishing hours. I'm sure a win/win situation can be worked out that will allow for the power needs, and still keep this valuable resource fishing up to it's full potential. Thanks for taking the time to read my comments.

Lex Patterson

V.P. of Technical Services

<<http://www.dakcs.com/>> DAKCS Software Systems, Inc.

<mailto:lex@dakcs.com>

3017 Taylor Ave.

Ogden, UT 84403

(801)394-5791 x242

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Thank you.

57. LEX PATTERSON

57a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: Chet Preston <Chet.Preston@paccoast.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 2:19 PM
Subject: green river fishing

Mr. Peter Crookston,

58a I take 1 to 2 fishing trips a year to the green river and the last trip I took was the worst one yet the fishing was not very good at all it was ok in the morning but by the time the river come up to the peck the fishing stopped and got very slow . I stay at flaming George lodge and float with one of the guides so I spend the money to have a great time fishing that river but it's not wroth my time if I have to worry about the river going up and down and how it will affect the fish. In years past I have done very well fishing the river with at least 30 to 40 fish a day when I float with the guide but this past year I had to work hard just to get about 15 fish so if there is any way that we could get around this it would be great if not it's not worth my time or my money
thanks for your time
green river fisherman

58. CHET PRESTON

58a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Tom Prettyman" <prettyfoto@adelphia.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 5:15 PM
Subject: Green River

Sirs,

59a I hope you will understand that my input is intended to be constructive for the Flaming Gorge area. There have been flow fluctuations from the dam over the past several months that have resulted in a degradation of fishing success and generally turned a lot of fishermen off from visiting the area. I do not fully understand the reason for these fluctuations, but I do know that the end result must impact the local economy somewhat when fishermen don't return due to a disappointing experience. I would think there would be some way to compromise whatever electrical needs there are, with the recreational value to the community.

Thanks for your attention to this issue.

Tom Prettyman
140 the Village #409
Redondo Beach, CA. 90277

59. TOM PRETTYMAN

59a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative.

59b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

59c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both

the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses.

However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information.

The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "Jairo Ramirez" <jairoram@comcast.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 11:24 PM
Subject: Green River Single Daily Peak Hump Restriction

Mr. Crookston,

- 60a** I want to voice my concern regarding the timing of the daily flow changes to the Green River below Flaming Gorge Reservoir. Increasing the flows during midday is both dangerous to wading fisherman and very disruptive to the fishing in general. Me and a group of guys routinely travel from Denver to the Green several times a year but have not been going recently because of this practice. I would encourage you to
- 60b** change the peak increases in flow from midday to during the night. If we can be assured that this practice will change to during the night, we will return to the green much more frequently.

Thanks for listening.

Jairo Ramirez
jairoram@comcast.net
Denver, CO

60. JAIRO RAMIREZ

60a

The issue of daily fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

60b

The changes in releases, as part of the operation of the powerplant, are designed

to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day.

From: "Robert Rutkowski" <rutkowski@terraworld.net>
To: <fgeis@uc.usbr.gov>
Date: Mon, Oct 11, 2004 9:49 AM
Subject: Flaming Gorge Dam DEIS

Peter Crookston
Bureau of Reclamation
Provo Area Office
302 East, 1860 South
Provo, Utah 84606
Phone: (801) 379-1152
Fax: (801) 379-1159
Email: fgeis@uc.usbr.gov

Ref: Flaming Gorge Dam DEIS Comments

Dear Mr. Crookston:

61a

I ask the Bureau of Reclamation to begin a comprehensive basin-wide approach to the recovery of the endangered fish of the Colorado River and its tributaries. The Bureau's piece-meal, one-dam-at-a-time approach to endangered fish recovery has yet to demonstrate any program success in the Colorado River basin. This approach must thoroughly evaluate how and if dams such as Flaming Gorge should continue to be operated.

Throughout the Colorado River basin, over 40 federal dams have reduced, or truncated, natural fish habitat to the meager miles set between large reservoirs. These altered habitats do not have the conditions necessary to fully recover the native fish from their endangered status. Such altered conditions include: reduced spawning beds, lower spawning temperatures, reduced water flows, reduced sediment and nutrient loads, and isolation from improving their genetic viability.

61b
61c
61d

I ask for a basin-wide, programmatic EIS that will truly restore the Colorado River ecosystem. I also ask that the congressional ban on studying the need to decommission Glen Canyon Dam be removed. Finally, I ask that alternatives for reservoir storage, such as recharging the depleted underground aquifers of the basin, be fully considered for study.

Yes, it is possible to restore the original connectivity of the Green, Colorado and San Juan rivers for the benefit of endangered fish and, at the same time, provide water for people.

Thank you for the opportunity to bring these remarks to your attention.

Mindful of the enormous responsibilities which stand before you, I am,

Yours sincerely,
Robert E. Rutkowski

cc:
Nancy Pelosi

2527 Faxon Court
Topeka, Kansas 66605-2086
P/F: 1 785 379-9671
r_e_rutkowski@myrealbox.com

61. ROBERT E. RUTKOWSKI

61a –61d

Comments noted.

From: Peter Sagara <morsaga@cybermesa.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 8:18 AM
Subject: To put it bluntly...please change your tactics

Mr. Peter Crookston:

I fish the Green River below Flaming Gorge Dam and have been doing so for years. *During that time, I have been: with a friend who was caught across the river when the water was raised, unable to wade back until a guide in his boat stopped and brought him across; I have been there when the fish stopped rising even with the recent hatch of insects still on top....as the water rose up my waders and I had to make a hasty retreat to shore.*

Over the years I have been helping to support the economy of that area by staying at the Lodge, or at Red Canyon, and using guides and boats from Trout Creek Flies and of course, getting my Utah fishing license.

62a I support the single daily peak hump restriction but suggest that the timing could be managed so it has little or no impact on fishing activity.

Yours truly,

Peter Sagara
58A Loma Blanca
Santa Fe, NM 87506

62. PETER SAGARA

62a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Cris Shiffler" <cmshiffl@nuskin.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 9:19 AM
Subject: Draft EIS on the Operation of Flaming Gorge Dam

Mr. Crookston,

63a Good morning! I am writing to you this morning about a very important issue to both my wife Amanda and I that you are involved in. I have been made aware recently of a Draft Environmental Impact Statement on the Operation of Flaming Gorge Dam that you are in charge of. From my understanding of the Draft EIS, it would allow for daily fluctuating flows (once a day) from Flaming Gorge Dam into the Green River.

I am actually intimately familiar with this practice, as both my wife and I fish the Green River below the dam many times each year. This summer in particular, we have experienced these daily fluctuations almost every day we visited this year (approx. 8 different times), and it was quite disturbing. It was disturbing to the fish, which seemed like they would "turn off" like a switch, to the dismay of many fishermen, some of which traveled a long way to experience this magnificent river. I have noticed that this problem happens with minor fluctuations in the river in years past, however this year seemed like quite large fluctuations occurred (from 800cfs-1500cfs or so) frequently throughout the week during the mid part of the day (around noon or so) which would ruin fishing for everyone on the river for the rest of the day. In addition to disturbing the fish, this practice disturbs not only myself, but many other fishermen (and women) as well. It is disturbing to notice that while you are wading in an already swift and large river, the water level begins to rise, sometimes rapidly in a short period of time. There were a few times this past summer where we noticed to our dismay that large sections of river were no longer accessible to us during the afternoon due to higher flows blocking wading access. Between lack of already limited access in some areas and disinterested fish, it can sure put a damper on a fishing trip.

We only travel from Provo to come up to Dutch John, but that still is a 3 hour one-way commitment. We spend a pretty decent amount of time in Dutch John, and a pretty decent amount of money each year supporting the few local businesses. I would suspect that 99% of all fishermen on the Green River below Flaming Gorge Dam are not from Dutch John. These same fishermen are also pretty particular about their fishing locales. Remember back to just a few years ago after the Mustang Ridge fire. Dripping Springs got blown out after those rainstorms and all of that debris got washed into the river. Sure, it affected fishing temporarily, but not that much. Word got out about the fire and the debris and people stopped coming to the river for quite some time because the "word" was that the river was ruined. That definitely was not the case, but many of the local businesses suffered. If these large daily flow fluctuations are allowed to continue, I believe that fishing pressure, and the tourism dollars, will begin to dissipate. Why would someone want to travel all that way to Dutch John only to be able to have a few hours of productive fishing in the morning hours. The flow increases and decreases will render the remainder of the day pointless for fishing.

I believe that power production and recreation can coincide harmoniously if some careful preplanning is done. My wife and I support

- 63b the single daily peak hump restriction, but its timing should be in a manner that it has no impacts on river recreation activities, especially fishing. The ideal situation for all recreationalists using the Green River below Flaming Gorge Dam, not just fishermen, would be to time these flow fluctuations to time periods that are not peak river use hours. Late evening or even during the night would be a phenomenal
- 63c compromise. No one is on the river at that time (or very few people anyhow). It would allow the fish and other river aquatic life time to adjust to their changing habitat, while not receiving additional stress and pressure from fishermen. In addition, from my understanding of the authorized purposes of Flaming Gorge Dam, recreation and the inhabitants of the river (fish, insects, etc.) have priority over power generation.
- 63d I believe that over the last few years, power generation has seemed to take priority over everything. I believe that this tiny area of the state brings in some serious tourism and recreation dollars not only for the Dutch John area, but for the state of Utah in general.

We urge you to consider all of the options the Bureau of Reclamation has available during this Draft EIS period. We hope that a serious review of what is right for the river will be taken and that a compromise can be worked out that benefits everyone involved, not just for power generation. I would welcome the opportunity to discuss this issue and my views more with you if you would care to. Good luck and I appreciate you time for reading this!

Best regards,

Cris & Amanda Shiffler
Provo, UT
801-345-2709

CC: <dbreer@union-tel.com>

63. CRIS AND AMANDA SHIFFLER**63a and 63b**

The issues of fluctuations for power and the single daily peak hump restriction are outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

63c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the

ramping rates have been scaled back to limit the changes in releases throughout the day.

63d

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

From: <Snwrngr@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 11:00 AM
Subject: Green River below the Dam

Mr. Peter Crookston,

Just wanted you to know ...

64a I use to come to the river (below the dam) to fish. I do live in the Denver area and it is a little bit of a drive for me, but usually well worth it. I did experience a high flow increase in the middle of the day, each day, on my last 4 day visit. It really made the fishing bad ... especially in the evenings when the flow came back down.

I now take my vacation money and fish in Wyoming. It's not as pretty but the fishing is consistent. If you could manage your flows better I may come back.

Thank you for your time,

Jay Smith
Denver, CO 303-478-0345

64. JAY SMITH

64a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

FGEIS ZZ401 PRO - Green river fluctuation

From: "les smith" <l683971@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: 11/13/2004 10:02 AM
Subject: Green river fluctuation

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office

I have fished these waters for the last 20 years and have dealt with the fluctuation. It has been something I have excepted.

65a If the time could be moved to the night time Hrs. it would make my quality time a lot better. I live in Ft. Collins, Co. but I consider the Green home. I usually spend \$100 a day any time I come to the river. Of course this is spread around to the different businesses. I feel I am the average person so this could be higher or lower.

Thank you for listening.

Les Smith

65. LES SMITH

65a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

From: "Kent Spittler" <kspittler@ksl.com>
To: <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 11:08 AM
Subject: Green River flow fluctuations

Dear Mr. Crookston,

I am writing to you because I believe there are mutually agreeable solutions to the power generation requirements you have to weigh, and the disruption of the quality fishing experience that the Green has become famous for due to the dramatic flow changes. First of all, recreation takes priority over power generation according to the Flaming Gorge use authorization statements and second, power generation and great fishing can both happen if some common sense is applied. When the flows dramatically change, up or down, it puts the fishing down for hours at a time plus it poses a serious risk of life to those who wade fish the river when the inflow doubles in the middle of the day. I would suggest that the timing of the flow changes be altered to non fishing periods (night time) so that the power can be generated and the fishing can recover by the time anglers get on the water. I visit the Green both for personal days on the river and I often times bring *clients of mine*, (I am an account manager for KSL Radio), and we spend money on lodging, food, licenses, flies, etc. The last thing I want to experience on those days is a four to six hour flat spot in the afternoon when some of the best fishing can be had. This doesn't have to happen. I'm sure there are issues on both sides to consider but I'm also sure that good solutions exist so that both needs can be realized. Please don't discount the effect that fishing has on the local economy and quality of life in general for those of us who love the Green.
Thanks!

Kent

66. KENT SPITTLER

66a

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

66b

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

66c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river

warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

66d

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

From: "Wayne Stewart" <wstewart@csolutions.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 8:39 PM
Subject: Green River flow fluctuations

Mr. Crookston,

67a I am a Utah resident and fly fisherman. I've been fishing the river for about 13 years now and would like to request that you make a change in the fluctuations in the future. I wade and float the river when I fish. This last year I noticed that the consistency of my fishing experience has changed. I've noticed it in previous years as well but only became aware of the reason this last year. When water flow is changed the fishing is disrupted as the fish adjust to the new flow. This often happened in the middle of the day. I would like to request that these flows be changed

67b during non-fishing hours, after dark and enough before daylight that it won't effect the fishing experience. I've spoken with a couple of people who've done some research and understand that the change I'm requesting is not only possible, it is appropriate. I have friends and family members from Colorado, Ohio, Michigan, New York and California who come to Utah to fish a couple of times a year and one of our favorite spots is the Green River. They spend a lot of money when they visit and some mentioned their disappointment wit the river this year. One group, my college buddies, have scheduled a trip to Idaho next summer instead of the Green. Please adjust the flow schedule to accommodate the fisherman and other recreational users.

Sincerely,

Wayne Stewart

67. WAYNE STEWART

67a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

67b

The changes in releases, as part of the operation of the powerplant, are designed

to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

From: Strong <strong@easilink.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 7:47 PM
Subject: Flaming Gorge EIS

68a Dear Sirs, as a Vernal city/Uintah County resident I wish to register my support for the action alternative to release surplus water during high runoff years from the Flaming Gorge dam. I believe the overall positive impacts from the increased flows are more than worth the various other negative impacts from the proposed releases.

Thank you

Steven Strong
Vernal, Utah

68. STEVEN STRONG

68a

Comment noted.

From: Jeff Talus <JTalus@skrco.com>
To: "fgeis@uc.usbr.gov" <fgeis@uc.usbr.gov>
Date: Mon, Nov 15, 2004 1:06 PM
Subject: Green River Flows

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774

69a I support the single daily peak hump restriction, but its timing should be in a manner so that it has no impacts on river recreation activities, especially fishing and floating. Notwithstanding the negative impact to fishing and floating the daily flow changes had last summer, there is the issue of safety, to which I will provide the following personal experience.

69b During the weekend including 6/27/2004 I was part of a group camping on the B section below Flaming Gorge Dam. We left the campsite Sunday the 27th shortly after noon heading for Indian Crossing with the intension of returning home to Colorado Springs. I was rowing my drift boat and a friend was rowing his raft. Since a drift boat had more room than a raft, most of the gear was loaded into my drift boat for the trip down river. At Red Creek rapids, my passenger exited the boat to make the usually walk down the rapids while I rowed through. Unfortunately, as a result of the low flow, heavily loaded boat, and a rowing error on my part my boat ended up stuck on Dragons Thumb rock in Red Creek rapids. The boat was resting on its side on the upstream side of the rock with about 1/3 of the boat underwater. We tried to free it with the ropes we had but the current was too much so we left for Dutch John with the intension of returning later that day with more ropes and/or gear. When we returned later that day we found that the boat was now almost completely covered by the increased flow and pulling it off the rock was no longer an option during the increase flow. We were forced to stay overnight waiting for the flow to subside before we were able to free the boat the next day. Unfortunately, we were unprepared for another night of camping since some of our camping gear had floated down river after the earlier stranding. And it was a very cold and rainy night, probably in the low 40's. Luckily everyone survived the ordeal but it certainly could have ended differently.

69c Therefore, I believe the daily peak hump should be set in a manner so that it has no impact on river recreational activities, especially fishing and floating, and so that it does not endanger river users during recreation nor have a negative impact on the fish, which I understand are suppose to have a priority over power generation under the authorized purposes of the Flaming Gorge dam.

Sincerely

Jeffrey W. Talus, CPA

69. JEFFREY W. TALUS

69a

The single daily peak hump restriction is outside the scope of the EIS; such operational details would continue under any alternative.

69b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

69c

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS. Please see response to individual letter 38 above.

From: "john & carson taylor" <owlck35@infionline.net>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 1:51 PM
Subject: comments of John I. Taylor on Flaming Gorge Draft

I thank you for the opportunity to comment on the DEIS for the reoperation of the Flaming Gorge Dam. This comment is submitted from the perspective of a private recreational user (whitewater boating and fishing) of the waters below the dam.

70a I strongly support the action alternative as this will create a more *natural river hydrograph*, one that may make it possible for the recovery of the listed endangered fish. I also support any modifications to the DEIS which would even more closely mimic the natural hydrograph of the Green River that existed prior to the building of the Flaming Gorge Dam. It seems to me that the recovery of the listed species is only possible if we restore to the extent possible the natural hydrograph.

Nor will such an operation of the dam adversely impact the opportunity for whitewater boating. I have had the good fortune to run the Yampa at high flood in May of 1983 (c. 20,000 CFS) and the Gates of Ladore during Fall base flows (c. 800 CFS). Both trips are wonderful, offering different but great recreational experiences. This would not change under the action alternative even if modified to more accurately mimic a pre-dam river.

The same is true for the tail waters fisheries below the dam. Rolling high water is never great for fishing whereas lower base flows are conducive to good fishing. Nothing would change under the action alternative, even if further modified.

In conclusion, this is about more than the survival of the listed species. Rather, the recovery of the listed species will indicate that the riparian and riverine ecosystems are functioning as they did before the dam. It is only under such conditions that the listed species can recover.

Thank you,

John

I. Taylor

CC: <csmith@amrivers.org>, <bmillier@westernresources.org>

70. JOHN I. TAYLOR

70a

Comment noted.

From: Jim & Linda Thompson <lthompson28@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Oct 31, 2004 12:19 PM
Subject: Comments on Operation of Flaming Gorge Dam DEIS

Dear Mr. Crookston,

My purpose in writing is to submit a few comments concerning the recently released DEIS of the "Operation of Flaming Gorge Dam". Please consider the following:

As always, I've been a strong supporter of doing whatever we can to assist wildlife, especially those that are endangered, threatened, or sensitive. I realize there are many demands from many different factions on the dam and reservoir. However, what really ought to come first, are the needs of the native fish and wildlife species that once thrived in the area before the dam's construction. True, it's great that there have been attempts to mitigate or ameliorate some of the negative impacts of the dam and its fluctuating river flows down stream, and that we still are trying. But it seems like a futile battle, in that the endangered populations are still declining--mainly due to the dam's impacts. So, yes, I guess I can support the Proposed Action Alternative, but I'm not convinced anything will really do the job short of decommissioning the dam. So good luck!! I hope something will work--and maybe the proposed action will. Thank you for your attention. Sincerely, James W. Thompson, 3801 Viking Road, Salt Lake City, Utah, 84109, home ph: (801) 272-3683

71a

71. JAMES W. THOMPSON

71a

Comment noted.

From: <PhilH2O@aol.com>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 4:55 PM
Subject: Flaming Gorge Environmental Impact Statement

Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Dear Mr. Crookston,

72a I write to express my concern that flow management below the Flaming Gorge Dam may not be implemented to the best interests of recreationists, particularly fishermen. If, in fact, power generation can be managed while also coordinating flows that do not negatively impact fish, feeding patterns and the ability to safely navigate the river as well as wade its banks then please see that future policies express this desire.

72b The Green River below Flaming Gorge is an important and desired destination for sportsmen. Should the quality of the fishery be negatively impacted then our fear is that it most definitely will negatively impact the economics of the surrounding area including the hamlet of Dutch John.

Sincerely,

Phil Waters
7322 Brook Trout Trail
Evergreen, CO 80439

72. PHIL WATERS

72a

The issue of fluctuations for power is outside the scope of this EIS; such operational details would continue under any alternative. Please see response to individual letter 38 above.

72b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

From: "bryanhwe" <bryanhwe@msn.com>
To: <fgeis@uc.usbr.gov>
Date: Sun, Nov 14, 2004 12:03 PM
Subject: Green River Flows

- 73a I have experienced the high and low flow rates several time this summer and must express my distaste for this practice. Not only do I feel it is an unsafe thing to do to wade fishermen, it has spoiled my entire day
- 73b fishing and puts me off on going to the green if this is going to continue. When I have limited time too spend fishing I want it to be worthwhile and therefore will go to waters (in Idaho) that do not do this up and down thing if this continues. I feel that my option and that of others that I know feel the same why should be seriously considered as not to adversely affect the generation of money spent in the Green River recreation area lost to other states. Lets even out the flows and have the best of both worlds, a win win
- 73c situation can be made here.

Bryan Weight

73. BRYAN WEIGHT

73a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

73b

Reclamation agrees that the safety of fishermen and others along the Green River is very important. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed, and so the fluctuations are common knowledge among those who have visited the river in

the past. Nevertheless, Reclamation continues as part of its management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

73c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

From: "Hallie Serazin/Jim Wilson" <robinsnest@midohio.net>
To: <fgeis@uc.usbr.gov>
Date: Sat, Nov 13, 2004 7:37 PM
Subject: single peak flow management

TO:
Mr Peter Crookston
Flaming Gorge Environmental Impact Statement Manager
PRO-774
Bureau of Reclamation, Provo Area Office
302 East 1860 South
Provo, UT. 84606-7317

Greetings Mr. Crookston,
I write from Ohio. Other than the Lake Erie walleye fishery, which is under significant pressures, there is little to be proud of or get excited about in comparison to the magnificent Green River trout fishery. However, there is building momentum in our part of the country to take practical, doable steps to improve natural stream flow and habitat by doing such things as removing unnecessary low head dams on many of our river systems, and incentivizing conservation practices such as grassed filter strips along tributaries located on agricultural use land.

So why do I take the time to correspond from Ohio on the issue of flow management at *Flaming Gorge*? I have been dreaming of the times soon to come when I will take my family and our young teen age son to get to know the special places in the American west. Fishing is sure to be a big part of that experience. Flaming Gorge and the Green River are sure to be a target destination. When we arrive will we find the best fishery possible?

74a Or, will management practices respond to some other set of priorities at the expense of the fishery?

74b I encourage the Bureau to remain committed and responsive to the order of priority in the responsibilities with which it is charged. Please do all that is within your authority to operate Flaming Gorge in a manner that recognizes the specialness of the Green River fishery.

Warmest regards,

Jim Wilson
Delaware, Ohio

CC: "Denny Breer - Fish Green River" <dbreer@union-tel.com>

74. JIM WILSON

74a

The EIS states Reclamation's intent to balance the needs of all resources when making operational decisions under both the Action and No Action Alternatives. We appreciate your concern that power generation might have benefited at the expense of fishing and other uses. However, the analysis of the cumulative effects on hydropower generation shows that power has not been elevated above other authorized purposes and that, in fact, there have been losses to hydropower over the last 20 years. Please

see section 1.4.2 for more information. The proposed action will not have a negative effect on the sport fishery, as shown in chapter 4 in the EIS.

74b

As stated in section 1.5 of the EIS, Reclamation's priorities are first, dam safety and then second, meeting project purposes in compliance with ESA.

Long-term negative effects to the tailwater trout fishery are not expected under the Action Alternative. Please see response to individual letter 38 above.

From: "Marshall Wilson" <mswilson33@earthlink.net>
To: <fgeis@uc.usbr.gov>
Date: Fri, Nov 12, 2004 7:13 PM
Subject: Flaming Gorge EIS

Dear Mr. Peter Crookston,

75a I am writing to express my concerns over the continued efforts to fluctuate flows from the Flaming Gorge Dam and hope that you will consider my comments in your decision on the Impact Statement. I have been making on average 3 trips a year to the Dutch John area and contributing to the economy of that area for over a decade now. Two fo these trips ususally fell in the late Spring and Summer. Seeing as I own my own drift boat, I usually bring 2 or more friends with me each time I visit.

75b I can honestly say that if you continue to advocate and fluctuate flows like you have this past year that I will no longer be making these trips to the Green. The fishing will be better elsewhere. And why would I want to purchase an out of state fishing license, a Parking Pass! and fishing supplies if the fishing will be nothing short of terrible? I'm sure *the economy had to have suffered*. I am a professional in the Travel and Leisure industry and I, like you, understand the importance of revenue streams in the economy. You can bet that the status quo will have an impact the you can quantify early.

75c I hope you will consider generating power at a higher, steady flow. Can you not produce the same amount of electricity either way? I would think this would be a great compromise.

All the Best,

Marshall Wilson
P.O. Box 3770
Copper Mountain, CO 80443-3770

CC: <dbreer@union-tel.com>

75. MARSHALL WILSON

75a

The issue of daily fluctuations is outside the scope of this EIS; such operational details would continue under any alternative.

75b

Implementing the Action Alternative is expected to have an overall positive effect to the three-county area near Flaming Gorge Dam. Please see response to Town of Manila, Utah, 3a.

75c

The changes in releases, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Increasing the releases at night or having a constant release during the day would not help meet the peak demands for electricity. However, in more recent years, the ramping rates have been scaled back to limit the changes in releases throughout the day. Please see response to individual letter 38 above.

FGEIS ZZ401 PRO

From: "Crista Worthy" <crisaworthy@hotmail.com>
To: <fgeis@uc.usbr.gov>
Date: 10/12/2004 10:41 PM

The health of the Colorado River is of great concern to me. I frequently fly to Utah or Arizona for backcountry hiking, and over the years have seen the area change for the worse.

76a The dams, as you know, have completely changed the character of the river. Mitigation below Glen Canyon Dam has not worked. Instead of looking at each section separately, we need a comprehensive, basin-wide approach to the recovery of the fish living in the Colorado and its tributaries.

The congressional ban on studying the decommissioning of the Glen Canyon Dam should certainly be removed! I have spent an enormous amount of time in this area. The side canyons are recovering now that the water is low. Plants, animals and birds are quickly returning.

76b We should study the replenishing of underground aquifers for water storage, instead of the reservoir, which loses so much water each year to evaporation. 30,000 dump truck's worth of silt flows into Lake Powell each day. It should be going into the Grand Canyon. Eventually the Glen Canyon Dam will be useless anyway.

I hope to hear what decisions you make.

Sincerely,
Crista Worthy
16664 Calle Brittany
Pacific Palisades, CA 90272
(310)560-7324

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76. CRISTA WORTHY

76a and 76b

Both of the commenter's concerns are outside of the scope of the EIS.

PUBLIC HEARINGS

Moab, Utah – October 12, 2004

- 1. John Weisheit, Living Rivers**

Salt Lake City, Utah – October 13, 2004

- 2. Enos Bennion**
- 3. Leslie James, CREDA**

Rock Springs, Wyoming – October 19, 2004

- 4. Janet Hartford, Chamber of Commerce of Green River, Wyoming**

Dutch John, Utah – October 20, 2004

- 5. Chad L. Reed, Daggett County Commissioner**
- 6. Deloy Adams, Flaming Gorge Lodge**
- 7. Dennis Breer**
- 8. Jerry Taylor, Lucerne Valley Marina**

Vernal, Utah – October 21, 2004

- 9. Steven Romney, Uintah Mosquito Abatement District**
- 10. Edmond Wick**
- 11. Melissa Trammell, National Park Service**

PUBLIC HEARING
HELD: OCTOBER 12, 2004, 6:00 P.M.
AT: RAMADA INN
182 SOUTH MAIN STREET
MOAB, UTAH

John Weisheit

My name is John Weisheit. I represent Living Rivers. I'm the conservation director. I also represent Colorado Riverkeeper. I'm the program director. The Riverkeepers Alliance—Waterkeeper Alliance, who sponsors my designation in Colorado Riverkeeper, and I also represent 50 groups. I believe those groups are listed in our scoping comments that supported our letter, scoping letter that we wrote back in July of 2000. And I also represent Colorado Plateau River Guides, because they were one of the sign-ons for the letter, and there are about 15 -- well, almost everybody here is a member of Colorado Plateau River Guides.

If I have more time, please let me know.

1a First of all, we do not think that the flows are high enough in Reach One to reduce the encroachment of vegetation which promotes channel narrowing and changes the natural morphology of the river, which is essential for spawning and nursery habitat.

1b We are also not fully convinced that the Bureau will successfully time the high water releases at the most advantageous time for the native fish. We think it is highly possible that the Bureau could inadvertently flush larval fish downstream into inappropriate nursery habitats downstream that would bring diminished recruitment and native fish mortalities.

1c We also think the Bureau should produce higher flows into Reach One to store sediment on the margins of Lodor Canyon and Dinosaur National Monument, with such subsequent improvements to the riparian habitat such as the recruitment of cottonwood trees, which are greatly diminished in this particular National Monument.

1d Most importantly, we believe that the Bureau should take a leadership role in providing a fish ladder at the Tusher Wash Diversion Dam near Green River, Utah. This would also include a device that would stop the incidental take of endangered fish that occurs as they migrate into man-made canals and waters that flow into powerhouse at this Green River.

1e The Colorado River system is under considerable stress at the present time due to the effects of climate change or extended drought. We feel that the proposed flow and temperature regime could be jeopardized by the circumstances of the changing global climate. We have concerns about a complete draw down at Flaming Gorge Reservoir should there be a compact call by the lower basin states. We are also concerned about lower water quality from the reservoir as it is returned to the river bed below the dam during such an emergency situation. We therefore ask that the issue of climate change be addressed in the final EIS.

1f We are also disappointed that a survey—sediment survey was not done for the following reservoirs: Fontenelle, Flaming Gorge on the Green River and the Taylor Draw on the White River. To our knowledge, no sediment study has ever been formally

completed on any of these reservoirs. We feel that it is not only essential, but it is also the responsibility to monitor the rate of reservoir sedimentation so that the Bureau can effectively manage the dam and reservoir for the purposes and needs for which it was built, and for the safety of the general public.

This is my big picture testimony.

We are not convinced that the Bureau of Reclamation is providing the necessary leadership that is truly required to improve the critical habitat of the Colorado River Basin for the benefit of the endangered fish species. Nor for that matter, the benefit of human beings.

In 1979 the General Accounting Office reported that unless substantial management changes were completed by the year 2000, the Colorado River plumbing system would fail the needs of both the environment and for human consumption. Their caution has since become a promise fulfilled.

1g The Bureau must stop this piecemeal, one-dam-at-a-time approach to Colorado River management. We need solutions to our problems throughout the basin and not the standard maintenance of the status quo. A basin-wide programmatic EIS must begin as soon as possible for the entire Colorado River Basin.

This programmatic EIS must be willing to accept all alternatives, especially those which are politically uncomfortable and unpalatable, such as dam decommissioning. We need to get rid of some of the infrastructure immediately to bring about better water efficiency for both human needs and for the endangered fish.

1h That alternative is the recharging of the depleted aquifers throughout the Colorado River Basin.

These aquifers can hold more water than the 62 million acre-feet of storage the Bureau has constructed since the 1902. These aquifers were already dangerously—are already dangerously depleted and need to be refilled before they close or subside more than they already have. By recharging our underground storage sites near cities and farms, we have no more reason to depend on wasteful reservoirs that evaporate precious water, reduce the water of—quality of the water, particularly the reduction of salt, nor do we have to worry about the consequences of dam failure.

I just wanted to say that we will be writing some more significant comments. I still have yet to read the entire document. I have comments in support to look at the biological opinion, which I haven't been able to find.

I also need to interview U.S. Fish and Wildlife and biologists and get more information, so I just wanted to let you know that thanks for having—letting us have another six days. I might need it. And so I look forward to learning more about what some of the other people are saying about this and promise to include them in future letters in the form of our final—our letter for the final EIS.

1. JOHN WEISHEIT, LIVING RIVERS

1a

Comment noted.

1b

Reclamation will develop an annual operational plan with substantial input from the Technical Working Group. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made using the criteria listed in table 2-5 of the EIS. Additional input from the Flaming Gorge Working Group would also be considered in planning operations. This allows opportunities to refine flow attributes based on an adaptive management process.

Also, the Recovery Program has monitored and likely will continue to closely monitor timing of endangered fish larval drift for the purposes of contributing to the flow planning process. Studies occurred in May-June 2005 to monitor dynamics of larval drift and entrainment over a range of flow elevations. The 2000 Flow and Temperature Recommendations recommend use of such real-time information gathered by the Recovery Program in determining the specific magnitude, duration, and timing of flows within any given year; and the EIS further recognizes the role(s) of continued research and monitoring in refinement of flow recommendations through an adaptive management process.

1c

The commenter speaks to establishing cottonwood in the national monument, part of which is in Reach 2. For example, the cottonwood forest in Island Park was studied in conjunction with hydraulic modeling of flows of the Green River completed by the National Park Service in 2001. Channel aggradation was noted for that portion of the Green River. It was also noted that growth of vegetation in the channel would increase the rate of sediment deposition locally in this area (*Two Dimensional Computer Modeling of the Green River at Dinosaur National Monument and Canyonlands National Park*, Gessler and Moser, July 2001).

1d

A decision as to the necessity and feasibility of a fish passage at Tusher Wash Diversion is a responsibility of the Recovery Program and is outside the scope of the Flaming Gorge EIS.

1e

Reclamation did not attempt to project specific climate changes into the future as these projections are considered speculative and difficult to quantify from a hydrologic standpoint. If climate change does occur, it will impact the inflow statistics and the hydrological year classification that will be used for making decisions about how to operate in a given year.

1f-1h

The commenter's concerns are outside of the stated scope of the EIS.

PUBLIC HEARING
HELD: OCTOBER 13, 2004, 6:00 P.M.
AT: MARRIOTT HOTEL
75 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH

Enos Bennion

I came unprepared tonight. I was looking to have an opportunity to review this draft copy. And my only comment on this is I've had a hard time finding this document. I really think that you could do a better job advertising some way so that the public would have an opportunity to review this before this type of meeting. I don't know how we do that. I'm sure if I was not so ignorant, I would know what office I could go to, because you did mention you had sent a number of these things out. And they were available to the public.

I attended a meeting that was held in Vernal several years ago, and it was a discussion of the operations of Flaming Gorge itself, the water flow, fish management, recreational management and the whole schmar, and it was a public meeting, and maybe some of you people were in attendance at that meeting. But I got—I signed up for feedback on the information that was presented that night, and I did not receive it. So I know this is rather negative, but this has been my concern.

And I really can't comment on this tonight because I haven't had an opportunity to review it. But I would like to say that I have a concern over the total operation of the Flaming Gorge recreational area and the downstream area. From the standpoint that the objectives of the project itself, which started out early on as a flood control, a recreational area and power, economic power to pay for the project.

Later on, I guess, in the—after the completion of the dam, we got into the—the—you know, the law that cranked in protection of the fish and so forth, and since then I figure that—from what I can find out, that that's the primary reason for the dam at this point, number one priority, rather than the power or the recreational area that is often at the Flaming Gorge facility.

And I think it's a little out of balance. And that's probably because I haven't had an opportunity to see what kind of progress we've made here. I know that two or three years ago, of the four fish that were identified here, it was reported that one of them was basically extinct, and we hadn't had very much success in—in, you know, recovering the fish.

I can probably read this and find out how that progress is coming. Are we enhancing the environment for the fish by what we're doing? And I hope this will answer that. Or are we trying to do something else now to enhance it further?

2a

In my simple way of thinking, it would seem to me like the best way to duplicate the environment that these fish should see when they were flourishing would be to fill the dam all the way up and let the high water take care of the overflow and just basically create an environment that was there before the dam was there to start with.

I can't see what is the matter with that plan or why it would be any different than the way it was before the dam was in place. We'd have high water in the springtime

when the dam was overflowing and it would be a natural way of providing the environment that these fish once had.

And that's about all I have to say, but I—I do appreciate getting this information. And I plan on making some comment once I have an opportunity.

Leslie James

My name is Leslie James, representing the Colorado River Energy Distributors Association, CREDA. Our—my address is 4625 South Wendler Drive, Suite 111, Tempe, Arizona, 85282.

I'd just like to make a few remarks and we will submit some written comments within the time period.

CREDA is an organization, nonprofit, that represents the majority of the CRSP, our customers in the six western states. Our members serve about three million citizens in these six states.

I'd like to just point—make a couple of general statements. We fully appreciate the efforts that Reclamation has undertaken in developing this draft EIS. We recognize the difficulty is to balance all of the comments and all of the interested party information.

3a

I'd like to point out two things, though. The Colorado River Basin Project Act expressly provides in it that nothing shall amend or modify the compacts, the treaty with Mexico or the Colorado River Storage Project.

And I make that comment with regard to the purpose and need section of the draft EIS.

3b

A second general comment. Endangered fish recovery efforts are the express purview of the Endangered Fish Recovery Implementation Program, and to impose a standard other than to avoid jeopardy in our view is inconsistent with NEPA and the ESA.

We will submit, as I said, some detailed comments on some of the following areas of the draft EIS: the cumulative impact section, the hydropower section, environmental consequences with regard to the spillway use, financial analysis results. And we will also recommend that cash flow analysis also be incorporated into this draft EIS, particularly with regard to the current basin fund situation related to the drought conditions. And also flow recommendations and flooding section.

3c

We are a participant in the Upper Basin Endangered Fish Recovery Program, and working through our biologist in that program, who was very involved in developing the full recommendations, it's our opinion that the intent of those recommendations is to obtain an average of flows and not to meet specific flows.

3d

These are recommendations, they are not mandates. And we also understand that there is significant new scientific information which has been discussed by the biology committee of that program as late as August that information should be incorporated into this draft EIS.

Thank you for the time.

2. ENOS BENNION

2a

The commenter's suggestion is a run of the river alternative. Please refer to section 2.2 of the EIS for related information.

3. LESLIE JAMES, CREDA

3a

The purpose and need is consistent with all applicable Federal laws, and Reclamation agrees that nothing in the CRBPA amends or modifies the compact or international treaty with Mexico.

3b

Development of water resources was highlighted in the EIS narrative to illustrate the close connection between this authorized project purpose, the proposed action, and the Recovery Program. Avoiding jeopardy to listed species and assisting in their recovery is consistent with both statute and the agreements of the Recovery Program.

3c

The intent of the proposed action (Action Alternative) is to achieve the 2000 Flow and Temperature Recommendations while maintaining and continuing all authorized purposes of the dam. Both the 2000 Flow and Temperature Recommendations and the EIS describe spring peak flows as "greater-than-or-equal-to" a given flow, indicating a minimum peak flow, not an average.

3d

The EIS was prepared using the best available information, and updates were included where appropriate in preparing the final EIS. The EIS acknowledges the flexibilities and uncertainties of implementing the 2000 Flow and Temperature Recommendations, and adaptive management will be used to address uncertainties as explained in the EIS.

PUBLIC HEARING
HELD: OCTOBER 19, 2004, 6:00 P.M.
AT: HOLIDAY INN
1675 SUNSET DRIVE
ROCK SPRINGS, WYOMING

Janet Hartford

I'm Janet Hartford. I'm the director for the Chamber of Commerce of Green River, Wyoming, located at 541 East Flaming Gorge Way in Green River, Wyoming, 82935.

At the September Board of Directors meeting I brought up and passed out a copy of a basic statement about the EIS and your folks asking for comments. The Board of Directors unanimously voted for me to write a letter to you—and so I will read that letter to you—in regards to your EIS, and their unanimous action or support is to take no action. So I will read that letter and then I will give it to you.

“Dear Mr. Crookston,

“I am writing you in regard to the EIS that will affect the Flaming Gorge Dam and the proposed flow regulations. The Green River Chamber of Commerce would like to strongly express its recommendation and support to the NO ACTION plan. The Chamber feels that any change in flow would dramatically affect several aspects of the Flaming Gorge area.

4a “Sweetwater County looks upon Flaming Gorge Lake as a great tourist attraction that funnels over 90,000 tourists (sic) to the area a year. That translates into dollars that are spent not only at marinas but also at the service industries, in other words, the gas stations, sporting goods stores, grocery stores, restaurants, hotels. We also rely on the lake as a recreation for our local residents. Our youth, as well as the rest of the Sweetwater County community, spend many days of the summer at the lake.

4b “The lower level would be detrimental to the economy as well as our way of life. Sometimes change is good, but in this case, we do not feel this kind of change is beneficial. There is no guarantee that by changing the flows, the endangered fish in question will prosper, but it is a guarantee that game fish, recreation, quality of life and the economy will become endangered.

“Thank you for the opportunity to express our opinion.”

And it's signed by myself and it is in support from the Board of Directors.
Thank you.

**4. JANET HARTFORD,
CHAMBER OF COMMERCE OF
GREEN RIVER, WYOMING**

4a

Comment noted.

4b

There are no requirements of the 2000 Flow and Temperature Recommendations or the 1992 Biological Opinion

which specify particular reservoir elevations. Reservoir elevations are a product of dam safety and water storage. The EIS shows that the reservoir elevation would be more stable under the Action Alternative. See figure 4-1 in the EIS for a comparison between alternatives of the mean monthly reservoir elevation.

PUBLIC HEARING
HELD: OCTOBER 20, 2004, 6:00 P.M.
AT: DUTCH JOHN CONFERENCE CENTER
SOUTH BOULEVARD
DUTCH JOHN, UTAH

Chad L. Reed

I am Chad L. Reed, representing Daggett County as a county commissioner. We will be submitting written comment, but we wanted the opportunity to make verbal comment at this time.

In reviewing the EIS and in participating in past meetings dealing with the flows of Flaming Gorge Dam, we are somewhat pleased with some of the outcome of what is at least in the proposed EIS, but we would like to refer to at the inception of the Flaming Gorge Dam, there was assurances that were given to the county commissioners at that time that the process was of a national recreation area being developed, and those areas of recreation, management and utilization of the natural resources and the promotion of the area would not negatively affect the overall economic development of Daggett County.

And to refer to page S-4 of the Executive Summary, it gives some statements referring to the National Recreation Area Act of 1968 that gives some three specific reasons or purposes that a creation of Flaming Gorge Recreation Area and the Flaming Gorge Dam.

I'm going to comment on more than three but they state that the purposes for the area was to—and the development was for the public—public outdoor recreation benefits, conservation of scenic, scientific, historic and other values contributing to enjoyment and such management, utilization and disposal of natural resources that would promote or are capable—compatible with and do not significantly impair the purposes for which the recreation area was established.

Furthermore, there has been other information provided through—information has been given to the public and through the creation of the legislation of Flaming Gorge Dam that one of its sole purposes was for the creation of hydroelectric power.

5a

With these statements that we've made, it's of grave concern to the county officials of Daggett County that all economic impacts of this state would be protected in the future dealing with the study that has been done for the stability of those businesses that are already in the area and those in which we are trying to also bring to the area through the development of Dutch John, Utah, and the privatization of Dutch John and the resources that was transferred to Daggett County with the purpose of further development, which was—transferred to approximately 25 hundred acres for further development of the public area to enjoy.

The main three reasons that the—you know, dealing with three reasons that I mentioned earlier, mainly they're recreation benefits. We appreciate the opportunity to comment and we'll make written comments also.

Deloy Adams

My name is Deloy Adams. I'm one of the owners of Flaming Gorge Lodge. We are—we actually own two of the outfitter permits on the Green River from the dam to the Colorado border. And basically I do have some concerns about the action plan, but I will consolidate those in writing.

6a One of—in a conversation I had earlier today with Roger Schneidervin from Utah Division of Wildlife Resources, one of the items he touched on was ramping the flows. And I think as an outfitter that's an area of deep concern not only for the benefit and
6b welfare of the trout fishery, but one of safety for the public, especially the wade fishermen that are wading at flows of 800 cfs to—there's really nothing that I could see in writing and no specific written agreements to control the amount of flow that could be taken up for generation of power or for an emergency of any kind. Of course, probably in an emergency, it would probably be going the other way from some flow down.

6c But just this past summer we had several fishermen that were wade fishing down around Little Hole that got stranded with just the flows of going from 800 cfs to 1600 cfs. It would be nice if we could give some kind of notice, even though we have been announcing to everyone that the flows did come up in the afternoon, but if—at 800 cfs, I don't think there's much—as much problem with somebody getting into trouble as if maybe we jumped from 800 to 24 cfs -- 2400 cfs.

6d That could certainly put some people in some real jeopardy if they were out in the middle of the river at Little Hole. They would not only would not able—be able to get back to the shore, they would basically be stranded with money—with water coming up at a level that they wouldn't be able to move, and at some point in time being washed down and possibly having a serious accident. So I did want to touch on that.

Other than that, probably the biggest concern that I see with the action plan is the temperature requirements and what is of most benefit for the trout fishery on Reach One.

And having said that, I will be putting in a written comment and I appreciate the opportunity of letting me speak, even though I wasn't planning on it.

Dennis Breer

I'm Dennis Breer, B-r-e-e-r. Okay. I planned to sit down today and put my thoughts together on some paper but didn't—didn't get everything done because I got involved in this thing and got carried away and realized it was deeper than what I wanted to get involved in, but.

The first thing I want to do is thank the—for the opportunity to comment on the operation of the Flaming Gorge Dam and the draft EIS and its appendages.

I'm here as a couple of different positions, one as a resident of Dutch John and also secondly as a business owner who lives three miles from the dam and whose livelihood depends on the Green River and consequently is—you know, how the dam is operated affects how my business would be affected as well, so we—you know, thanks for including Dutch John in this process, because I know originally it was not a part of your programming and—which kind of surprised me, because you had Moab on there

and yet the place where the most severe impact is right here in Dutch John and it wasn't included, and so I thank you for putting us on the map for your meeting tonight.

I've been a part of the Flaming Gorge Work Group since its beginnings in '93. So I've got a little more perspective than many folks in that. I've sat through the process of all the efforts that the Bureau of Reclamation has made in order to bring all the interested groups together and really try to form a consensus of, you know, all the—the various interests that have—that have developed around the Flaming Gorge asset, and—and now the dam has been operated and all the values that that has created.

And so I think I have a good understanding of a lot of the issues, and certainly I think the Flaming Gorge Work Group and I have to say I have to commend the Bureau for making that Flaming Gorge Work Group such an effective organization. So thanks to the Bureau for providing that—that window where everybody can get together and express and exchange values and ideas and try to develop some kind of consensus.

I have two approaches that I want to talk about tonight. In fact, I'm going to have to extend the other one and probably come to the Vernal meeting tomorrow night to make another comment on the economic part of the DEIS, but.

In the biological aspect, I think I've come to support most of the aspects of the biological opinion, and in particular what I'm looking at is that, you know, the flow and temperature recommendations for the threatened and endangered species, as long as they're consistent with the maintaining of and whenever possible the enhancement of the Flaming Gorge Tail water Sport Fishery are certain things that I have interest in. And I think that we have seen a lot of common ground in those work groups where the interest of trout and the interest of T and E fish have had a commonality.

In particular, the recommendations that were made in the DIS—EIS is—that I support are the recommendation of flow limitations, fluctuation limitations, which includes a single daily hump fluctuation. In other words, the absence of multiple fluctuations during the day, and that they be done in a reasonable manner, which the recommendation is 800 cfs on the ascending and descending ramp rates, which I think are extremely important as well so we're not jumping the flows up and down and displacing fish in that effort.

And that's in—basically in line with a lot of the historic operations that have occurred over the last ten years during this interim.

The recommendation also for the 55 degree water—Fahrenheit water temperature releases, you know, really help us maintain water trout temperatures down to the Colorado/Utah state line, and—which, you know, keeps the range of trout from the tail water—in the tail water section extremely valuable to us. So, you know, the further the trout can survive down the river, and that 55 degree Fahrenheit water temperature certainly does that.

Those—those things we can agree on because it's—it's things that I think we share with the T and E fish downriver and—and—in their attempt to effect change and help the T and E fish in their effort for recovery. So, you know, anything—and while my basis is on trout fishing, and the reason that is because I'm tied to the trout fishery here, as a guide and outfitter and also as a sport fisher, having been to this river for many years.

And it's been about—since about 1975, so I have a great deal of interest in the river.

I'm going to probably make some comments tomorrow night. I'm going to show up to the Vernal meeting and make some comments, but the first things that I'd like to say about the economic part of this, and when looking at recreation, recreation in Daggett County and in Dutch John is—is probably keen in terms of economics.

7a And in some of the things that were put into the economic aspects and looking at the consequences of the action or no action alternatives, it really stuck out to me in terms of talking about losses of jobs and declines under certain scenarios, which would be the average dry and wet years, and having seen the last four or five years be extremely dry, you know, and I have to wonder what average is anymore. You know, it just—it is—there's no average anymore that really fits that criteria, and so it's kind of hard to really look at it.

7b But anything that affects jobs in Daggett County is generally affecting—being affected by changes in recreation. And so I'm kind of concerned about some of the aspects that are in the biological opinion, in particular when it comes to the recreation industry, because where I'm seeing the most changes are when it comes not to the Flaming Gorge Reservoir, but to the Green River. And so the impacts on that seem to be the most affected area.

7c Well, then that puts Dutch John itself in the most jeopardy and the Green River activities being in the most jeopardy of having economic consequences, and so that's why I'm very, very concerned if the recreation or the guides and outfitters here are taking the brunt of the change—I read a fact or a statement in here that in the tri-county area that recreational services and also car rentals were a small sector of—very small, only like 2 or 3 percent affecting the numbers of jobs. Well, 2 or 3 percent spread over three counties isn't that much, but 2 or 3 percent really equates into 30 or 40 percent in Dutch John, because we are recreation.

So those aspects I think really need to be evaluated and looked at. And some of the bases for some of the information in here, there's parts of it that just does not make sense to me and I think it's too easy to get into voodoo economics. You can prove or disprove anything by, you know, the facts. And one of the things that I did notice in the—in addressing recreation in here was that a lot of the language is skewed towards the positive side of it.

So I'm going to make written and possibly show up for the meeting tomorrow night about the economics, and I think that our county commissioners should be extremely concerned about the loss of jobs and recreation opportunities on the river under these different scenarios and be very concerned and at least have some idea of what's going to happen as these things move forward.

Biologically I'm very much in favor of the steps that the Bureau has taken in terms of T and E fish and with the trout fishery, but it comes as an economic cost to the local community, and I'm concerned about that.

Thank you.

Jerry Taylor

My name is Jerry Taylor. I am owner and operator of Lucerne Valley Marina and Flaming Gorge Corporation. We're concessionaires with the Forest Service. We've been on the lake in operation since 1965. We put Buckboard Marina in originally and sold it to Les Tanner, who still operates it.

And basically we're here to make sure that the infrastructures that are operating on the lake, the marina operations and stuff are represented with their concerns about the economic viability of those operations.

All of the marine operations around Flaming Gorge essentially are marginal marine operations in inland-water waters. They're seasonal in nature, they are—if you look at the economy of scales and if you check with a Ph.D. at Western Illinois University who does inland water marina studies, he will tell you that the economy of scale for marine operations is 300 slips.

8a None of the operations on Flaming Gorge meet that criteria. So if you look at the economies of scale, you're talking about a system that has operating expenses right on the back end of their income on a—on a regular basis, a seasonal basis, and a yearly basis. Because we can't—we haven't achieved the economies of scale that would allow us to have a larger margin to work with.

8b Because we're working on such short margins, our operations are very sensitive to fluctuation of water levels and those kinds of things. Currently all three marinas are going through some transition with the current water levels.

We probably spent an additional \$23,000 in expenses for the '04 operations of Lucerne Valley Marina this year, relative to moving fuel lines, power systems, water systems, communications systems to operate our fuel dock on the other side of the ramp at Lucerne.

Those are things that have a major impact on our—our overall income for this operating season. Coupled with some of the other things that's going on, so what I'm saying is that the operations and the marina operations that are on Flaming Gorge are very sensitive to economic impact. And fluctuating waters is a major thing to deal with.

Our situations are somewhat unique and we do operate on very steep inclines on the lake, except for Buckboard, which has some shallow water warnings. And of course, when they lose the shallow water warnings, then they have to move the facilities even farther to facilitate enough floatation to facilitate the slips in the location on the water, so. They can actually have more impact up there in the shallow operations.

The Forest Service has considered additional marina operations on the lake, which would be Firehole. That's not even feasible under current water conditions for that operation to either be established or to operate under current water levels.

8c So those are some of our concerns. I have attended the flow meetings for this process historically from the time that it first started and will be there each time they talk about the annual flows, and those should reflect the amount of water that's available for Mother Nature for each year's releases.

Thank you.

5. CHAD L. REED, DAGGETT COUNTY COMMISSIONER

5a

Comment noted.

6. DELOY ADAMS, FLAMING GORGE LODGE

6a

Ramping the flows is outside the scope of the EIS. However, it is noted that the changes in flows, as part of the operation of the powerplant, are designed to help meet the demand for electricity as usage of electricity increases during the day and decreases at night. Meeting peak demands is currently tempered by environmental and other concerns. This operational detail would be the same under either the Action or No Action Alternative. Please see section 4.4.1 in the EIS which accurately describes the limitations of ramp rates.

6b and 6c

Reclamation agrees that the safety of fishermen and others along the Green River is very important. Currently, through efforts of the Flaming Gorge Working Group, the agreed upon ramping rate is established at 800 cfs per hour. This ramping rate has been the agreed upon standard since the Flaming Gorge Working Group meeting of April 11, 1994. There is prominent signage along the river warning fishermen of the potential for sudden fluctuations. A warning horn at the dam is also sounded before increased dam releases begin. Daytime fluctuations have been a part of operations since the dam was completed 40 years ago, and so are common knowledge among those who have visited the river in the past. Nevertheless, Reclamation continues as part of its

management of Flaming Gorge Dam to pursue all reasonable means of providing notification to the public of river fluctuations and other public safety concerns.

6d

See section 4.7.2.4.1.2 in the EIS. In dry and moderate years, 55 °F (13 °C) water would continue to be released from the dam as it is currently, resulting in no more impacts to trout during summer months than are currently sustained. Long-term negative effects to the trout fishery are not expected under the Action Alternative.

7. DENNIS BREER

7a

Average, wet, and dry flows and reservoir water levels by alternative were estimated by the hydrologic model by superimposing Action and No Action Alternative operations on conditions experienced across a hydrologic period of record.

7b

The EIS shows that Green River recreation visitation could be negatively affected, particularly during wet and dry conditions.

7c

While lack of county specific recreation expenditure data precluded a county by county socioeconomic analysis, the loss of Green River recreation visitation and expenditures during wet and dry conditions (each estimated to occur 10 percent of all years) may suggest adverse impacts to Dutch John. Gains on the reservoir may outweigh losses on the river for certain businesses, while others (e.g., commercial guide operations) may be disproportionately affected. The point that a relatively small loss within the

three-county area, if concentrated within a single county or community, could occur is well taken. Clarifying text was added to section 4.12 in the EIS.

8. JERRY TAYLOR, LUCERNE VALLEY MARINA

8a-8c
Comments noted.

PUBLIC HEARING
HELD: OCTOBER 21, 2004, 6:00 P.M.
AT: WESTERN PARK CONVENTION CENTER
300 EAST 200 SOUTH
VERNAL, UTAH

Steven Romney

I've already left a copy of my oral record with your recorder. This will be surely less than five minutes, but I'll just read it off quickly.

I am Steve Romney, director of the Uintah Mosquito Abatement District that's located now coming up on 30 years in Vernal, Utah. And I'll present my commentary.

This is specifically as per the Green River Bottomlands Reach 2 of Project Area That's fundamentally our major operating area as far as the river drainage goes.

All right. I'll just quickly read this and go from there.

"When seasonally flooded with river sub-up or overflow water, the Green River bottomlands region in question presents enormous acreages of some of the most productive aquatic mosquito habitat in western North America. Literally millions of mosquitoes per acre can be produced. Many thousands of acres of such habitat are involved. The most important mosquito species are of the genera *Aedes*, *Ochlerotatus*, *Culex* and *Anopheles*. Some floodwater species can and often do migrate in staggering numbers as far as 20 or more miles from their bottomlands points of origin and present a substantial threat to the public health, veterinary health, ranching and agriculture, outdoor recreation, outdoor commerce and the economically vital tourist industry in Uintah County.

"Of new and greatest concern is the ongoing potential for the large scale river bottomlands production of the mosquito species *Culex tarsalis*, an extremely abundant and highly competent local vector of West Nile Virus. Ecologically, the additional and superbly productive mosquito habitat to be activated with the artificially enhanced and prolonged flooding of the Green River periphery presents a reproductive bonanza for this now critically important species. Due to the flattened, almost level contour of much of the Green River bottomlands topography, even minor increases in river elevation at high water can translate into huge additional acreages of sub-up and overflow mosquito habitat.

"The presence of mosquito-borne West Nile Virus in Utah was first documented in the late summer of 2003. That year the first human and equine West Nile Virus infections ever recorded in Utah were acquired in Uintah County"—not too many feet from this building. "Our neighbor state of Colorado suffered an incredible 2,947 human West Nile Virus infections in 2003. 63 were fatal. At season's end, 2004, ten human West Nile infections had been recorded in Utah. Two cases were acquired in Duchesne County. The newly arrived virus is now permanently established in the Uintah Basin and many other regions of Utah. The 2005 and future seasons will thus undeniably present every real possibility of severe outbreaks of mosquito-borne West Nile Virus in local human, equine and reservoir bird populations.

9a “The above is a far too brief but absolutely valid account of the circumstance at hand. I struggle with what would seem to be a lack of meaningful onsite field observations having been conducted for the EIS assessment of the potential impact of various Flaming Gorge operational scenarios on bottomlands mosquito production. Over some thirty years of very personal interactions with Green River mosquitoes I have repeatedly found that far more can be learned by wading in their habitat rather than flying over it in the course of aerial surveys of the same.

“Some Fair Questions:

9b “Are the hoped for research benefits which might be gained by way of the controlled release of Green River flows so as to both substantially increase and artificially prolong the flooding of the river periphery worth the for certain harmful public health and economic impact which would be forced upon the citizens of Uintah County? Simply put, more water in this case means far more mosquitoes, some of which the next time around may be able to kill you.

9c “Large scale Green River bottomlands mosquito control is extremely expensive and, for numerous logistical and biological reasons, is immensely challenging. It demands perfectly timed and repeated low-level aerial applications of degradable biological control mosquito larvicides to aquatic mosquito sources dispersed throughout some 50 linear miles of remote, often densely vegetated, nearly impenetrable river periphery. The Uintah Mosquito Abatement District is funded by local property taxes. Should Uintah County citizens be the only ones to pay for the best possible and utterly essential control of what will be much larger and medically important mosquito populations when their otherwise simple prevention is wholly dependent on the whim of the Recovery Program for Endangered Fish Species?

9d “When the Operation Of Flaming Gorge Dam EIS ‘Action Alternative’ is inevitably implemented, I will be requesting that the Uintah Mosquito Abatement District (and thus the taxpayers of Uintah County) at least be awarded full and fair federal compensation for those additional, much higher public health mosquito control expenses which will ultimately result from that policy decision.

“Such supplemental federal funding for Uintah County public health mosquito/disease vector control, though in no way fair compensation for the true extent of the adverse consequences of the ‘Action Alternative,’ would at least to some limited extent serve to elevate our citizens above the status of hapless victims in this matter. From a mosquito’s perspective, federal funds in exchange for Uintah County’s blood may seem like a good deal.

“Thank you for your valuable time and attention.

“Steven V. Romney, Ph.D., Director, Uintah Mosquito Abatement District.”

Thank you, gentlemen.

Edmond Wick

Yeah, I think—I will not be submitting written comments, but I was over here working on a field project and heard about the meeting, decided I'd come in and comment a little bit.

I'm just a consultant at the present time and I've worked for the National Park Service, the U.S. Fish and Wildlife Service, and Colorado Division of Wildlife on endangered fishes for about 25 years, and would like to just point out a few areas of the report that I thought were a little bit inconsistent and might need some rewriting.

And my main concerns center around the timing of flows. In other words, I agree quite a bit with the magnitude levels of the flows that you're proposing, but the work that we've been doing on sediment issues in particular have brought up a lot of issues concerning the timing of flows.

And on page S-30 of your summary report here, on Table S-7, a lot of the flow timing of the releases from Flaming Gorge are based on the Yampa River peak flows. And what we've found over the years is the Green River and the Yampa River often do not coincide with the peaks.

10a And I understand that the reason we try to time the releases of Flaming Gorge to coincide with the Yampa is obviously to—you know, to get the maximum peak flow. But in reality, these peaks have not coincided often and the Green River many times peaks a lot later.

10b And the work we've been doing with razorback suckers in particular show it's problematic in terms of sedimentation on the spawning bar when the flows from Flaming Gorge are released early coinciding with the Yampa, because we initiate sediment transport in the river, which tends to deposit sediment over the spawning bar.

So I see here that on page, I guess it's S-25 -- or 24 -- 24 and 25, you have a table called S-4. And I understand that during average years that we have a set of criteria on which we'll initiate the onset of peak flows. And some of those criteria are, for instance, the initial appearance of larval razorback suckers in the river and the condition of habitat for razorback sucker adults on the spawning bar and young.

10c And you'd find that in many cases what you need to do perhaps is reference back to your different tables and so forth and clarify that on the years you're indicating that one out of three years, particularly on average years, that you would have flows that would be relatively high that would help the razorback sucker. That's what that's for. So that in many cases you have to override your one statement of coinciding with the Yampa should be overridden by the factors concerning the life history of the razorback sucker to make sure that the spawning habitat is protected.

10d So I think what I see here is kind of a conflict of one table versus a general statement of matching Yampa River flows. It kind of conflicts because very seldom do the appearance of larval razorback suckers coincide with the flows of the Yampa River.

So that's my main concern, and I guess from our work that we've seen over the years, we've seen a lot of problems with flow timing, for instance, in wet years the tendency is to release flows early in May and wet years prior to even the Yampa peaking. So what's happening is the Flaming Gorge initiates large releases prior to the Yampa even peaking. And that combining with the Yampa flows initiates tremendous sediment transport and problems.

10e So what's happening is a lot of times during wet years when we could maximize production of razorbacks because the flood plains are available, we see poor production. So in order to improve the situation long term, we need to go ahead and probably do more management in average years for razorback, because that's when we get the best production. So we need to clarify those tables that I mentioned and clarify those statements.

Melissa Trammell

I'm Melissa Trammell and I'm representing the National Park Service, and I'd like to say that basically and in general we think that the flow and temperature recommendations and the way that the EIS has been laid out represents an improvement in the situation on the Green River and probably additionally protect resources in Dinosaur National Monument.

11a Having said that, I will go on to say that we don't necessarily think that the EIS has gone far enough in the right direction, particularly in terms of peak magnitude of spring flows. And we hope to work within the adapted management system after the EIS is implemented to encourage more variability, annual variability with flows in the upper end of the range.

And that's all I have.

9. STEVEN ROMNEY, UINTAH MOSQUITO ABATEMENT DISTRICT

9a

The EIS uses the best available information as called for by the CEQ regulations implementing NEPA. Reclamation relied heavily on Dr. Romney's input to ensure valid data. In site visits along the Green River near Jensen during June and July 2005, Reclamation staff discovered the greatest concentrations of mosquitoes in and adjacent to irrigated crops rather than in or near standing water in the flood plain.

9b

We do not anticipate adverse consequences to humans if the 2000 Flow and Temperature Recommendations are implemented. The river flood plain is likely to be inundated in wet years under either alternative.

9c and 9d

The EIS acknowledges (section 4.13.3.) that the proposed action will increase mosquito habitat to the greatest extent in Reach 1, and to a lesser extent in Reach 2, which includes the town of Jensen as well as Uintah County. Based on our analysis, Reclamation believes that the increased risk of diseases such as West Nile virus, compared to other potential vectors for the disease, including irrigation and standing water on private property closer to population centers, is so small that it is insignificant. We do not anticipate a linkage between Reclamation's proposed action and an increased threat from West Nile virus or other mosquito-borne diseases.

Reclamation notes that the issue of mosquito control along the Green River has been discussed annually at the Flaming Gorge Working Group meetings, and we expect such dialogue to continue

in the future, whether or not the proposed action is implemented. As noted in section 4.21 of the EIS, Reclamation is committed to continuing dialogue with county officials to explore the potential to assist with mosquito control.

10. EDMOND WICK

10a

It is true that the Green River peak flows naturally occur later than those for the Yampa River. In order to minimize impacts to the authorized purposes of Flaming Gorge, however, the most optimal timing of peak releases is when the Yampa River peak flows occur. If releases from Flaming Gorge Dam are timed to be later than the peak flows of the Yampa River, the releases from Flaming Gorge Dam would have to be greater in magnitude and duration to achieve the flow objectives.

10b–10e

The 2000 Flow and Temperature Recommendations are intended to aid in recovery of four endangered fish species by restoring a more natural flow regime to the Green River. The authors of the 2000 Flow and Temperature Recommendations recognized that certain aspects of the flows may affect certain species differently than others. Razorback sucker historically have spawned on increasing and peak runoff flows. One objective of spring peak flows is to entrain razorback sucker larvae in flood plain depressions, so it is possible that dam-release augmentation of the Yampa River peak flow would occur after spawning activity. Decisions regarding the timing, duration, and magnitude of peak flows within a given year under the Action Alternative would be made with input from the Technical Working Group which will evaluate criteria listed in table 2-5 when

making recommendations. Additionally, the Recovery Program has and likely will continue to monitor both timing of endangered fish reproductive activity and geomorphic processes for the purposes of contributing to the flow planning process. The 2000 Flow and Temperature Recommendations recommend use of such information gathered by the Recovery Program in determining the specific magnitude, duration, and timing of flows within any given year; and the EIS further recognizes the role(s) of continued research and monitoring in

refinement of flow recommendations through an adaptive management process.

**11. MELISSA TRAMMELL,
NATIONAL PARK SERVICE**

11a

Comment noted.