

## 4 Comment Letters and Responses

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4/15/2014

DEPARTMENT OF THE INTERIOR Mail - Recovery



**COMMENT #1**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**Recovery**

Frank.Etcitty@ [REDACTED]  
To: fcppnavajoenergyeis@osmre.gov

Wed, Apr 2, 2014 at 12:27 PM

Before Navajo Mine or Billiton moves out of our Jurisdiction of our Beautiful Navajo Land, they need to do the Reclaim or Recovery Relining the ASH they putted back in years and years ago. This is causing the Environmental Pollution, underground water pollution and seeping to our Live Stocks, Grazing Land and our Corn field, Water Melon patches and etc. 1.001

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**Comment Letter 1.....Etcitty, F.**

**Response 1.001**

Thank you for your comment. Reclamation of mining areas is a required aspect of all SMCRA permits. A summary of proposed reclamation activities is provided in Section 3.2.1.1 of the Draft EIS. Similarly, reclamation of the FCPP area is part of the lease agreement between APS and that Navajo Nation. Section 3.2.5.2 provides a list of reclamation actions that must be conducted per the lease agreement.



**COMMENT #2**

<b>Northwest</b> 1216 Lincoln Street Eugene, Oregon 97401 (541) 485-2471	<b>Rocky Mountains</b> 103 Reeder's Alley Helena, Montana 59601 (406) 443-3501	<b>Southwest</b> 208 Paseo del Pueblo Sur #602 Taos, New Mexico 87571 (575) 751-0351
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Defending the West [www.westernlaw.org](http://www.westernlaw.org)

**Western Environmental Law Center**

April 7, 2014

*Via Electronic Mail*

Mr. Marcelo Calle  
Navajo Mine Team Coordinator  
U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
Western Region  
1999 Broadway, Suite 3320  
Denver, Colorado 80202-3050  
[fcppnavajoenergyeis@osmre.gov](mailto:fcppnavajoenergyeis@osmre.gov)

**RE: Request for Extension of Comment Deadline for Four Corners-Navajo Mine Draft Environmental Impact Statement**

Dear Mr. Calle:

The Western Environmental Law Center, on behalf of San Juan Citizens Alliance, Diné Citizens Against Ruining our Environment, Center for Biological Diversity, Amigos Bravos, WildEarth Guardians, and Sierra Club (collectively "Conservation Groups"), requests an extension to the deadline for comments on the draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine Project of 60 days, up to and including July 25, 2014. 2.001

As we have noted in prior communications, we applaud OSM's decision to address the Four Corners/Navajo Mine complex as one project. This decision allows OSM, other agencies, and the public the opportunity to consider the project and its impacts as a whole. The flip side of that fact, however, is that the analysis is necessarily very lengthy and complex, and addresses numerous permitting actions both at the mine, the power plant, and related transmission lines: as you know, the draft EIS is over 1500 pages, and relies upon an extensive list of references that also must be considered. The 60-day comment period presently scheduled simply does not provide enough time for the public to read, consider, and provide thorough comments—an integral part of the NEPA process. 40 C.F.R. §§ 1503.1; 1506.6 (agencies shall make diligent efforts to involve the public). Given OSM's proposed schedule, which states that OSM anticipates releasing the final EIS in the spring of 2015, a 60-day extension for public comments does not seem at all unreasonable for a document of such scope.

PAGE 1 OF 2

**Comment Letter 2 ..... Anderson, M.  
Western Environmental Law Center**

**Response 2.001**

Please see Master Response #8, Public Review Period

This request is even more important given that the comment deadline for another major planning project in the same area, the Resource Management Plan Amendment for the Mancos Shale development, has a deadline just one day after the scheduled deadline for the FCPP/Navajo Mine draft EIS. Many of the interested organizations are working on both of these projects, and the almost identical comment period presents an undue burden.

In addition, we request that the public meetings be pushed back so that the public has an opportunity to review and digest the draft EIS before attending a meeting. OSM notes that the meetings will present an opportunity to ask questions about the project and provide comments. In order to make those meetings meaningful, members of the public need adequate time to consider the draft EIS. 2.002

We therefore respectfully request that OSM extend the comment deadline 60 days to July 25, 2014, and push the meetings back accordingly. We look forward to your response to our request. 2.003

Sincerely,



Megan Anderson



*On behalf of:*  
San Juan Citizens Alliance  
Diné Citizens Against Ruining our Environment  
Center for Biological Diversity  
Amigos Bravos  
Wild Earth Guardians  
Sierra Club

PAGE 2 OF 2

**Response 2.002**

Please see Master Response #8, Public Review Period

**Response 2.003**

Please see Master Response #8, Public Review Period

4/15/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant and Navajo Mine Energy Project



**COMMENT #3**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**Four Corners Power Plant and Navajo Mine Energy Project**

1 message

**Michael Kelley** [REDACTED] Mon, Apr 7, 2014 at 11:24 AM  
To: "fcpnavajoenergyeis@osmre.gov" <fcpnavajoenergyeis@osmre.gov>

To whom it may concern:

BHPBilliton, APS-Four Corners Power Plant, and Navajo Mine have been staples of the economy in San Juan County for many years. Businesses like mine would find it extremely painful to lose the revenue provided by any/all of these entities. Additionally, these companies pay high, competitive salaries that are the main support for many families in our area. It is for these reasons that I would ask that you do everything in your power to help NTEC (Navajo Transitional Energy Company) to secure the necessary approvals to operate Navajo Mine beyond 2016. <sup>3.001</sup>

Please feel free to contact me for any additional questions or concerns.

Best,  
Michael Kelley

[REDACTED]  
[REDACTED]

[REDACTED] 1/1

**Comment Letter 3 ..... Kelley, M.  
San Juan Reproduction**

**Response 3.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

4/15/2014

DEPARTMENT OF THE INTERIOR Mail - Comments on FCPP EIS

**COMMENT #4**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**Comments on FCPP EIS**

2 messages

**Kate Niles** [redacted]  
To: FCPPNavajoEnergyEIS@osmre.gov

Sun, Apr 13, 2014 at 6:12 PM

To Whom It May Concern -

I tried the link given on the postcard I received to view the draft EIS, only to be told there was no such page. I then searched your website and didn't find it either. I will attempt to attend the Public Meeting in Durango, CO on May 3, but based on what was summarized on the postcard, I have really only one thought: NO TO COAL. NO MORE. 4.001

I will suffer to the end of my life with chronic mercury and lead toxicity/poisoning. I know in my area that the number one source of mercury in the environment comes from the coal fired power plants in the 4 Corners region. I have little defense left -- my liver barely produces any L-Glutathione by now, having either been genetically deprived or used it up fending off rounds and rounds of this shit. (And it is shit.) SO, I have to take it orally in expensive (42\$ for 4 oz) liquid, lipo-soluable form (the stuff they sell in health food stores does not work as Glutathione does not easily absorb in the gut); I also have a sauna (1200\$), take DMSA as needed (100\$ for 45 250 mg tablets and now apparently taken off the market by the FDA), take charcoal, exercise, get occasional colonics (85\$ a pop), etc and so forth. This is ten years after I did extensive IV treatment and colonics (100\$ and 85\$ respectively, none of it covered by insurance.) I am doing far better. But anyone who has been through this journey will tell you they know EXACTLY what the earth is going through in fending off increasing toxicity; dread mainstream medicine since it hasn't a clue how to deal with cleaning this out of human systems; and detest having to suck it down by simple breathing every time they have to drive to, say, Farmington.

More importantly, it makes me so sad. My grief for this planet, and for my beloved Four Corners, is unfathomable. Why are you thinking of approving another coal mine? Why extend the lease when DINE CARE and others have come up with an alternative energy plan (wind and solar) that would give Navajos jobs and not pollute their sheep, children, grandmothers, men, women, horses, sagebrush, soil, cows, dogs, ad nauseum? Has no one any other vision? Why are we kissing this planet goodbye? Why do you persist in pandering to a corrupt and stupid industry that seems to care so little for its own grandchildren? We can do better than this. 4.002

Thanks,

Kate Niles, LCSW  
[redacted]

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

Mon, Apr 14, 2014 at 9:59 AM

To: Kate Niles [redacted]

Ms. Niles,

Thank you for your comment. I have verified the project website address is working. Please use the following link to view the project website.

<http://www.wrcc.osmre.gov/FCPPEIS.shtm>

Regards,  
[Quoted text hidden]

1/2

**Comment Letter 4.....Niles, K.**

**Response 4.001**

OSMRE has confirmed that the link provided on the public meeting materials is accurate and functioning properly.

**Response 4.002**

Please see Master Response #2, Renewable Energy Alternatives.

4/15/2014

DEPARTMENT OF THE INTERIOR Mail - NTEC BHPB APS Project



**COMMENT #5**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**NTEC BHPB APS Project**

1 message

Mickie.Ashbaker@ [REDACTED] Mon, Apr 14, 2014 at 10:29 AM

To: FCPPNavajoEnergyEIS@osmre.gov

To Whom it May Concern,

I would like to state I am for the project that APS, NTEC and BHPB have proposed to extend the lease for mining coal and operations of the Navajo Mine & Four Corners Power Plant through 2041.

APS, NTEC, and BHPB provide a major part of the economy in this and the surrounding areas. I believe if the lease is not approved there would be an economic disaster, displacing many individuals, families, and businesses.

5.001

Not only are APS, NTEC, and BHPB and integral part of the area, the service they provide to supply power to 1000's of people is pertinent.

I support this project along with the compliance of environmental improvements.

Respectfully,

*Mickie Ashbaker*

[REDACTED]

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[REDACTED] 1/1

**Comment Letter 5 ..... Ashbaker, M.  
Fenner Dunlop Conveyor Services**

**Response 5.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.



Diné Citizens Against Ruining Our Environment  
Diné C.A.R.E.

April 15, 2014

*Via Electronic Mail and U.S. Mail*

Mr. Marcelo Calle  
Project Coordinator  
U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
Western Region Office  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

Dear Mr. Calle,

On behalf of Diné people, Diné Citizens Against Ruining Our Environment (Diné C.A.R.E.) respectfully requests for a 60-day extension for the comment period on the draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. In addition, Diné C.A.R.E. requests for the draft EIS to be translated in its entirety into the Navajo language.

The draft EIS is extensive and it will require more time for an average person to read and comprehend the entire document. 60 days is not a sufficient amount of time to read through a 1500 page document and to provide thorough comments. In addition, the impacted areas are made up primarily of Diné people, elders who do not understand English very well. Although, we are aware of OSM's commitment to have Navajo interpreters at the upcoming public meetings on the Navajo Nation, we are requesting for the entire draft EIS document to be translated into the Navajo language. When documents and presentations are presented in the Navajo language, it is communicated and comprehended more effectively for the Navajo speaking public.

6.001

Therefore, we respectfully request for the OSM to extend the comment period for an additional 60 days to end on July 26, 2014 and to translate the entire draft EIS into the Navajo language. Thank you for your time and we look forward to your response.

Sincerely,

**Comment Letter 6.....Diné CARE**

**Response 6.001**

Please see Master Response #8, Public Review Period.

4/21/2014

DEPARTMENT OF THE INTERIOR Mail - Shut down the 4 Corners Power Plant

**COMMENT #7**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**Shut down the 4 Corners Power Plant**

1 message

**Greg Gummersall** [REDACTED]  
To: fcppnavajoenergyeis@osmre.gov  
Cc: Christina Rinderle [REDACTED]

Tue, Apr 15, 2014 at 9:14 PM

Mr. Marcelo Calle:  
it would be great if your office could supervise the bad situation with the 2 nearby New Mexico Power plants so as to get rid of the nasty haze that I now see when I look to our La Plata mountains... and get rid of the bad mercury that gets deposited in our nearby beautiful Navajo Lake. it sad to have watched our incredibly great clean air become poisoned from the purely money motivated power plants that are just out of our local reach in terms of regulation. The plants should not be operated without their being in full physical compliance with the strictest supervision that is based on their not polluting at all. We look to you and your agency to protect us all from the pollution. Or, better yet, close those plants and use other resources.  
Sincerely,  
C.Gregory Gummersall

7.001

Greg Gummersall  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

1/2

**Comment Letter 7..... Gummersall, G.**

**Response 7.001**

Thank you for your comment. A discussion of the rules and regulations applicable to the FCPP and Navajo Mine operation is provided in the beginning of each resource area section within Chapter 4. In addition, a summary of the regulatory agencies with oversight over one or more aspect of the project is provided in Section 1.

4/21/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Need hard copy for Four Corners Power Plant and Navajo Mine Energy Project



COMMENT #8

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**Fwd: Need hard copy for Four Corners Power Plant and Navajo Mine Energy Project**

2 messages

Calle, Marcelo <mcalles@osmre.gov> Wed, Apr 16, 2014 at 9:55 AM  
To: OSM FCPP-Navajo-Energy-EIS <osm-fcpp-navajo-energy-eis@osmre.gov>

Forwarded from MCALLE

----- Forwarded message -----

From: Vincent Yazzie [REDACTED]  
Date: Wed, Apr 16, 2014 at 12:08 AM  
Subject: Re: Need hard copy for Four Corners Power Plant and Navajo Mine Energy Project  
To: "Calle, Marcelo" <mcalles@osmre.gov>

Page 1, Executive Summary, Volume 1

Two Federal actions were completed prior to the Draft EIS: OSM's approval of a SMCRA permit transfer associated with the equity sale and merger of Navajo Mine Coal Company (NMCC) with the Navajo Transitional Energy Company (NTEC), including all assets formerly held by BNCC, and the US Environmental Protection Agency's (EPA's) issuance of a Federal Implementation Plan (FIP) for the installation of Best Available Retrofit Technology (BART) at the FCPP. These completed actions are not considered part of the Proposed Action, but part of the environmental baseline. The changes to the pre-2014 baseline as a result of these actions are described in this EIS as the Interim Period (2014 to 2018).

Page 2, Executive Summary, Volume 1

The existing permit for the Navajo Mine, includes coal resource Areas I, II, III, and portions of Area IV North within the Navajo Mine Lease Area (Federal SMCRA Permit NM0003F). It is administered on a 5- year renewal schedule (30 USC 1256, 30 CFR 773.19) with the current permit term expiring on September 25, 2014. Considering that the permit term will expire prior to OSMRE's anticipated completion of the EIS and prior to the currently expected March 2015 Record of Decision (ROD), OSMRE

will administratively extend Federal Permit NM0003F allowing NTEC to continue surface coal mining and reclamation operations under the current permit, provided that the applicant has met all renewal application requirements and procedures in accordance with 30 CFR 750.12(c)(1)(ii) and 774.15(a). Upon completion of the EIS, the subsequent issuance of the ROD for the pending Pinabete Permit Application will also address OSMRE's decision on the administratively delayed and pending permit term renewal for Federal Permit NM0003F.

Is this a double negative? 30 CFR 774.15(a) says stay inside the boundary, but 30 CFR 750.12(c)(1)(ii) points

1/4

**Comment Letter 8..... Yazzie, V.**

**Response 8.001**

Thank you for your comment. This is an accurate summary. There is no double negative in the referenced regulations.

Four Corners Power Plant and Navajo Mine Energy Project  
Final Environmental Impact Statement

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4/21/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Need hard copy for Four Corners Power Plant and Navajo Mine Energy Project  
back to 30 CFR 774 which incorporates 774.17 too.

30 CFR 750.12

**§ 750.12 Permit applications.**

(a) Each application for a permit to conduct surface coal mining operations on lands subject to this part shall be accompanied by fees in accordance with § 750.25 of this part.

(b) Unless specified otherwise by the regulatory authority, each person submitting a permit application shall file no less than seven copies of the complete permit application package with OSM. OSM will ensure that the affected tribes, the Bureau of Indian Affairs, and when applicable, the Bureau of Land Management receive copies of the application.

(c)(1) The following requirements of subchapter G of this chapter shall govern the processing of permit applications on Indian lands except as specified in paragraph (c)(2) or (c)(3) of this section.

(i) Part 773;

(ii) Part 774;

Sincerely,

Vincent H. Yazzie

On Tuesday, April 15, 2014 7:18 AM, "Calle, Marcelo" <mcalle@osmre.gov> wrote:  
I have received your request for one paper copy (two volumes) of the FCPP and Navajo Mine Energy Project DEIS. The DEIS will be mailed to you today.

Thank you for your interest in the project.

On Mon, Apr 14, 2014 at 11:59 PM, Vincent Yazzie [REDACTED] wrote:  
April 14, 2014

Vincent H. Yazzie  
[REDACTED]  
[REDACTED]

↑  
8,001

COMMENT #9

Sarah Jane White  
[Redacted]

April 14, 2014

EIS Coordinator, The Four Corners & Navajo Mine Energy Project  
Office of Surface Mining Reclamation and Enforcement  
Program Support Division, Indian Programs Branch  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

Dear Mr. Calle,

I would like 2 copies sent to me of the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine Energy Project, Navajo Nation, New Mexico.

I also request for a 60-day comment extension because there is no way I can read 800 plus pages by the time the EIS Meetings starts on April 30, 2014. This review is covering over 45 years of mining operations and I need more time to digest the document. 9.001

Thank you,

Sarah Jane White

Comment Letter 9.....White, S.

Response 9.001

Please see Master Response #8, Public Review Period.

4/21/2014

DEPARTMENT OF THE INTERIOR Mail - FCPP and Navajo Mine Draft EIS Comments

**COMMENT #10**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**FCPP and Navajo Mine Draft EIS Comments**

1 message

Rodney Brown

Sat, Apr 19, 2014 at 4:35 PM

To: "fcpnavajoenergyeis@osmre.gov" <fcpnavajoenergyeis@osmre.gov>

My father, Larry Brown, has been employed by the Four Corners Power Plant since 1979. My name is Rodney Brown, and I just turned thirty years old on the 18th of April. I have lived a very comfortable life because of my father's financial earnings.

10.001

I support the continued operation of the Four Corners Power Plant, because countless people will be affected by a potential plant shutdown. Employees and their immediate family members are the obvious stakeholders, but regional businesses and industries will suffer financially.

My father tells me that the Plant is actively reducing its pollution outputs. The Plant already shutdown pollution-heavy operations, equipment and facilities. The pollution created by the Four Corners Power Plant has always been a downside of its operations. But, the Plant is finding more ways to reduce its pollution levels, and that is noble.

10.002

There is still plenty of good left to find in the continued operation of the Four Corners Power Plant. My father will still have a job, and our family will have financial stability. Our local economy will grow and flourish. Non-profit organizations, like United Way, will continue to receive monetary support from the Plant.

10.003

1/1

**Comment Letter 10..... Brown, R.**

**Response 10.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**Response 10.002**

Thank you for your comment. A complete discussion of the air emissions of the FCPP is provided in Sections 4.1 and 4.2 of the Draft EIS.

**Response 10.003**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

COMMENT #11

April 30, 2014

Comment by: Fred Myron



- - -

MR. FRED MYRON: Basically I just had concerns with, you know, the artifacts, if they have found, you know, some artifacts in that general area, the lease area, how would you be able to get information regarding that. I guess, you know, if they are really documenting, you know, I guess, regarding, you know, aboriginal occupancy and if these items are going to be returned back to the original tribes that they're linked to. Or is there a process that one has to go through to get, you know, ownership of that, I guess is what I'm kind of thinking of. Is there a process of doing that. Especially original occupants part that I'm kind of wondering about, you know, because of past conflicts and so forth. That's about it.

11.001

You know, I've got a lot of that information with some of the stacks being closed because, you know, they need to be -- you know, I guess the BART or whatever because whichever that one was where they had to reduce the emissions, you know, and to what effect these emissions would reduce pollution. And there is different categories, I guess, but how well would you be able to reduce pollution that is emitted by the generator.

11.002

11.002

That's about it. Thank you.

(End of comment.)

Comment Letter 11.....Myron, F.

Response 11.001

Two programmatic agreements have been developed for the project to address the protection of cultural resources and artifacts. A discussion of the tribal and Section 106 consultation processes through which these programmatic agreements were developed is provided in Section 4.4, Cultural Resources. In addition, a complete summary of all consultation activities to date is provided in Section 5, Consultation and Coordination.

Response 11.002

A description of the Final Implementation Plan and BART decision for FCPP is provided in Section 3.2.1.2 in the Draft EIS. A complete discussion of the change in emissions as a result of the BART decision is provided in Section 4.1.3. In addition, each resource area section describes any changes in existing setting which have resulted from the BART decision.

**COMMENT #12**

April 30, 2014

Comment by: Marshall Johnson



- - -

MR. MARSHALL JOHNSON: EIS, they didn't add into their equation the value of, say, the groundwater and the surface water and the land, the vegetation, and the air into the equation of continuing to mine, to desecrate the land, the groundwater and the surface water from the contaminants, say the coal ash, diluting into the surface water and flowing downstream.

And then you got the power plant that will be spewing out pollution and then desecrating the air for the health -- to harm again another 25 years, I think is the timeline on this project.

For over 50 years, we've been living with these harmful contaminants, and we have health issues, we have vegetation health issues, we have land health issues, we have animal/wildlife health issues. And so this whole contaminant is harming our right to breathe clean air. And so we have -- that's basically the price we have to pay as indigenous people of this land of the Four Corners region and so we basically are paying the price so the city of Phoenix can have low cost energy and power for another 25 years, so they can have what

12.001

**Comment Letter 12.....Johnson, M.**

**Response 12.001**

The Draft EIS evaluates potential impacts to groundwater and surface water in Section 4.5, land use in Section 4.9, vegetation in 4.6, and air quality in Section 4.1. The Environmental Justice analysis contains a comprehensive discussion of potential effects to the Navajo Nation, which is recognized as an Environmental Justice population (i.e. minority population) in Section 4.11. Potential environmental justice effects to human health are founded on the findings of Section 4.1 (Air Quality), Section 4.17 (Health and Safety), and references cited therein.

**COMMENT #12**

they call the American dream, and when they know by 1930 they have used up their groundwater, there is no more water for them to exist. But it's us as Navajo and Hopi people to provide low cost energy and power, to provide surface water for Phoenix and Tucson for over 50 years so they're able to have their abundance of life and they're able to produce from agriculture, livestock and farming at profits of \$10 billion a year. And all at the price of our people.

So if you put another perspective to that, that is cannibalism on indigenous people. That is terrorism on our livelihood.

So that's what I would like to enter into our comments is the value of the land, the water and the air is not put into that equation of this EIS.

It's time and it's affordable to transition to renewable energy. I think it's time.

President Obama needs to hear this. Sally Jewell needs to hear this. Let me go see them. I want to speak to them. Marshall Johnson is -- wants to get invited to the White House, to the headquarters, and play a game of Horse with Obama with Four Corners on the line. I'm going to beat him. Thank you.

(End of comment.)

**Response 12.002**

Please see Master Response #2, Renewable Energy Alternatives.

**12.002**

**COMMENT #13**

May 1, 2014

Comment by: William Hendrickson

From: Cortez, Colorado

- - -

MR. WILLIAM HENDRICKSON: I am impressed with the intensity of this Environmental Impact Statement review which has occurred: First with the scoping session, scoping sessions in several communities, and now apparently with a statement having been prepared. You are returning to those several communities again to let people know that a statement exists.

With my earlier federal experience in the national park service, I have some acquaintance with the NEPA process, and again this is the most impressive, big presentation that I have ever seen. On the one hand, you have to say, if this were done in every case where there was an expected significant impact upon the federal environment, if we did that every time, we see what an enormous employment opportunity this would create. An equally provocative statement would be, imagine if we went through a process like this, taking the expected federal action out to all of the people as intensively as has been done in this case, before we made a decision to go to war, how good that might be.

**Comment Letter 13..... Hendrickson, W.**

***Response***

Thank you for your comment.

**COMMENT #13**

I mentioned my experience. I'm reminded that in the '60s, 1960s, out of the thoughts that immersed from an environment council, that I think consisted of about eight people, who, in looking at the environment at that time, thought that it would be a good idea if for every responsible federal action that affected the quality of the environment there could be, before the action was consummated, there could be maybe something like a statement of what the government was going to do to the environment. The statement would be eight pages, wouldn't that be right. Couldn't the government have something called an Environmental Impact Statement of eight pages to let the people know what was going to happen, and then the things rolled on, and we produced the Act. And we have this enormous action that occurs in some cases with magnificent intensity, as has happened in this case where we're doing an EIS for this change in surface mining practice, and in other cases where hardly anything happens at all, unless there is a lawsuit. And lots of people know how to get ahold of the federal government's most sensitive parts by using a lawsuit or threat of one.

(End of comment.)

**COMMENT #14**

May 1, 2014

Comment by: Bill Jobin

From: Cortez, Colorado

- - -

MR. BILL JOBIN: Well, I've looked at the EIS draft. It's circulating, the one that's on the website. And actually, I'm appalled by the deficiencies in it, especially regarding the health aspects of the soot and other emissions from the burning coal. These particles of soot and the extra fine ones are extremely dangerous for health, and I can see them every day from my front window coming up the valley. If the wind is blowing from the south, from the Four Corners plant, then the smoke and the soot comes right up the valley and I can just barely see the foot of Ute Mountain. If the wind is blowing from the north, and maybe especially on a weekend or a national holiday, I can see 120 miles south into New Mexico and Arizona. I checked it on the map with my landmarks. So the difference is like 40 miles downwind and 120 miles upwind, and that difference are these particles coming out of the coal plant.

Besides being a resident of Cortez, I have 50 years of experience in health and environmental impact assessments of large energy projects. I've worked all over the world for the World Health Organization, for the U.S. Public Health Service, for the World Bank, on multi-billion dollar

14001

**Comment Letter 14.....Jobin, B.**

**Response 14.001**

Page 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, the results of the health risk assessment addressing emissions from the Navajo Mine is included on pages 4.17-19 through 4.17-21. The health study included consideration of fugitive dust, diesel particulate matter from diesel-fired equipment, and references regional health studies completed by New Mexico Environment Department and others.

COMMENT #14

energy projects in the U.S. in Africa and in South America. So I'm used to seeing these kind of things, but I've never seen a power plant evaluated without a health impact assessment. It's a major deficiency in this EIS. And so the EIS should be rejected until they do a health impact assessment. I think that's very important.

14001

I have civil and environmental engineering degrees from MIT, and I have a doctorate in public health from Harvard University. And the analysis I have made so far of this draft are that they're ignoring the effects of the soot and the other products of coal burning which have been demonstrated by the EPA to be linked with premature death, heart disease, lung disease, and even emergency room admissions for bronchitis and asthma.

Now, those are the fine particles. There's a scientific definition of fine and coarse. It's the fine particles that have the extreme health impact. The coarser particles of soot, just burning coal, is what causes the environmental degradation of the atmosphere. We lose our visibility. If you go up on Mesa Verde now when the wind is blowing in the wrong direction, you can't see half of New Mexico and Arizona that you used to be able to see.

Because of the importance of the fine particles on health, the EPA has raised the bar and has put in more stringent limits on the number of those particles you can have.

**COMMENT #14**

They reduce the allowable number each time and have just done so recently.

Furthermore, two days ago, the Supreme Court ruled that states were responsible for pollution across state lines from these power plants in a ruling that -- the New England states filed a suit against the Great Lakes states, Ohio, Michigan, Indiana and Illinois, and claimed that they were damaging the health of the people in New England. The Supreme Court ruled in favor of the New England states and require now that the middle western states are going to have to put in stringent controls on these smokestack emissions.

So, in summary, until the proponents measure, analyze and project the fine particle emission rates and coarse particle emission rates for these power plants, this EIS is useless. It should be rejected until those things are included. That's my statement.

(End of comment.)

14.002

**Response 14.002**

The Supreme Court decision occurred after publication of the Draft EIS. A summary of the decision and its applicability to the proposed Project has been added to Section 4.1 of the Final EIS.

**COMMENT #15**

May 2, 2014

Comment by: Johnson Brown

From: Waterflow, New Mexico

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MR. JOHNSON BROWN: I'm from Waterflow, New Mexico, and I work at Four Corners Power Plant. I've been there for 33 years and I'm a welder. I started as a janitor and I worked my way up to where I'm a journeyman now. And I hold a journeyman position and I plan to hold this journeyman position until I retire, which will be about another -- I give myself another 10 years. I'm 53 years old now.

And with my job at Four Corners, they gave me a lot of opportunity. I've met a lot of people. I've made a lot of friends there. We're like a family there. And it gave me financial stability there as a Navajo, as a Native American Navajo Indian. And I had the opportunity to raise my kids with my work. I've been able to send them to college and they're on their own now. That was the opportunity that APS gave me, along with the Navajo Mine.

And I've participated in other volunteer work to the local chapter houses and rodeo arenas in upper Fruitland and cleaning up along highways and whatnot. It was all volunteer work with APS. And we had the opportunity to donate to CSF. I did my fair share in the Navajo way, which makes me feel good about myself that I've donated to try to help people,

15.001

**Comment Letter 15.....Brown, J.**

**Response 15.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #15**

especially kids. And I give credit to my employer for helping me get the opportunity to get my job. How should I put it? Give me an opportunity to give me a high paying job.

With everything going on, I would like to ask to whoever will make the final decision that we are trying. We are trying very hard to keep emissions below standards at work, and we work around the clock to keep emissions below standards.

Working for Arizona Public Service is a good feeling. It's a tremendous opportunity that I have for my family. I would like to see myself retiring from APS within the next 10 to 12 years. That's it.

(End of statement.)

**COMMENT #16**

May 2, 2014

Comment by: Mike Eisenfeld  
From: Farmington, New Mexico

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MR. MIKE EISENFELD: I'm Mike Eisenfeld with the San Juan Citizens Alliance, Farmington, New Mexico. I just want to make a formal complaint about the comment period. We've been told that OSM will determine if the comment period will be extended beyond May 26th after the public hearings which end on May 9th. It's an extensive document with numerous actions, with numerous different agencies that have responsibilities and regulatory authority. And here tonight there's nobody from the Environmental Protection Agency who has a very significant role on air issues and climate change issues. And we're told that the EPA is not expected at any of these public meetings. Why aren't they here? We also want to know why the Office of Environmental Policy and Compliance is absent when they have a role in assisting with compliance of NEPA and other applicable federal laws. That's it.

(End of statement.)

16.001

16.002

**Comment Letter 16.....Eisenfeld, M.**

**Response 16.001**

Please see Master Response #8, Public Review Period.

**Response 16.002**

OSMRE extended a request to participate in the public comment meetings to the EPA and all other cooperating agencies for the project. Accordingly, representatives from US Army Corps of Engineers, BIA, and the Navajo Nation were present at most meetings.

COMMENT #17

May 3, 2014

Comment by: Mary Karraker From: Denver, Colorado

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MS. MARY KARRAKER: I'm a retired national park service ranger, and in the 1960s I lived at Grand Canyon, Arizona Park and was concerned then with the air quality. It was a Class I air quality area. It was part of the park service's responsibility through the National Park Service Organic Act and the Clean Air Act that those areas be protected from air pollution. But because we cannot put a fence around a national park and keep the air clean, then we all suffer from the pollution caused by power plants in the Four Corners area. 17.001

And I've seen -- on clear days when I was in Colorado or New Mexico, you could see Shiprock. It was so clear, and now it's just in a haze. And I've had such feelings for the people that always lived under that cloud. The Navajo people and the Hopi people have had to live under that cloud, whereas, you know, companies made great profits, ignoring any kind of environmental controls.

So this is one of my concerns with all this that in the end, that those people, I don't know if any kind of -- if anything will make up for what has happened to them and for their forebearers. So many people have died from lung problems and things that came from the pollution in those areas. But I'm hoping that with some foresight, the Navajo leadership, who I think has been really remiss if they've cared about themselves and not so much the people on the ground, that they will have a little more foresight, looking at the end of this coal mining project in 25 years, that they will put the money away and make good investments and clean energy and good investment in health for their people. And it's been just a major concern.

Going to village meetings and seeing some of the people who live in poverty and having worked in the food bank in Page, Arizona where there's hardly any food to give out to people who are living in trailers out on the reservation, with no electricity and no water and numbers of little children and elders in ill health. You know, something must be done for those people, and this is the opportunity. I hate to see the coal mining go on.

For them to do the right thing, to use the right environmental controls during their work processes, and also take care of their people, with some forethought for the youngsters that are going to come up, that they will have better health that the elders didn't have. And this meeting is really wonderful to explain, and I just hope we can depend on the government agencies to do their job, also.

And I have serious concerns about the weakening of environmental controls. It's such a political football and that should not be. It should be something where all congressmen take care of all the people in this country. that's my political statement. 17.002

(End of statement.)

Comment Letter 17..... Karraker, M.

**Response 17.001**

Thank you for your comment. The National Park Service is a cooperating agency for the project with specific interest in evaluating potential impacts to nearby national parks. A discussion of potential visibility impacts to Class I receptors is provided in Section 4.1, Air Quality, beginning on page 4.1-96.

**Response 17.002**

Thank you for your comment. Under all alternatives analyzed, the facilities under evaluation would be required to comply with all applicable federal, state, and tribal laws and regulations. A discussion of applicable laws, regulations, and standards is provided in the Regulatory Compliance Framework subsection of each resource area section in Chapter 4.

**COMMENT #18**

May 3, 2014

Comment by: Paul Senecal

From: Durango, Colorado

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MR. PAUL SENECA: Well, my comment, which was obvious after I looked at the displays, is that I talked to several of the presenters and that there was no information on the history of the environmental damage over the course of when they were first built and this one power plant was built in '62. And I know since '62 through the present time, there's been a lot of damage to the environment. And it may not be obvious to the layman, but certainly if biologists, professional people that go into the field, and see what kind of damage has occurred over the course of 60 years, certain things had to happen that I don't know about. The general public comes in to make decisions about whether to increase -- give them the license that they wanted or make decisions about continuing this power plant, and we really don't have all the information publicly.

Another gentleman on the floor happened to point out that this information is available, but I would have to seek it, I would have to find it right now. And, of course, a lot of environmental groups probably already have this information. And I've been

18.001

**Comment Letter 18.....Senecal, P.**

**Response 18.001**

The discussion of the environmental baseline includes consideration of environmental effects. For example, soil sampling, groundwater sampling, and inspections consider the integrated effects of past activities. See also Master Response #14, Baseline.

**COMMENT #18**

involved in environmental issues for a long time, so I'm always -- I understand that when they want to look favorable to the public, when they come in and requesting a permit and other requests, that they -- I think there are four right now, I don't know them off the top, but to me we're always -- I was making the analogy to an 800-pound gorilla. Our community is inundated with automobiles. So the DOT, Department of Transportation, CDOT, comes in and says, we can widen the roads and do this and do that and we have more concrete and more direction to get more 800-pound gorillas into Durango. And yet the public is the ones that actually have to deal with that after they're done. So the impact of that is tremendous.

And, of course, like this power plant, the impact that it has is tremendous over the course of its life. This plant is 50 years old. I don't know the life of the power plant. But I know it's somewhere getting close to retirement, and, of course, what I want to do as a citizen, if I'm going to make a judgment call on anything, I want all the information. I want to know about the environment, the damages done over the course of its life. I don't need to know -- granted they spent a lot on reclamation, I mean, mitigation, and improving things once they dug up the ground. But that is a tiny

**COMMENT #18**

bit of this whole process.

So that's pretty much my comments.

(End of comment.)

**COMMENT #19**

May 3, 2014

Comment by: Stephanie Dressen

From: Durango, Colorado

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MS. STEPHANIE DRESSEN: This whole mine thing, I am not in favor of what their decision making is as far as extending the lease and working with the coal mine. So I'm Navajo and one of the beliefs of my people are that you work in balance with nature, you work with the people and the environment. And I believe my leaders, the Navajo Nation, are not working with the people or the environment and they're in favor of making something bad down the road in favor of jobs for people right now. And I just don't think that is going to work out because it's only going to be a short-term solution for a long-term problem. And here I live in the area. And before I moved up here from my home, which is Fort Defiance and Crownpoint, and my dad told me that by moving up here, I'm still within the realm of the four sacred mountains because the north mountain is back there. My home is being contaminated by these mines with the air. My home is not -- is changing because of what is happening, the air quality, and you're seeing the ramification of climate change. We need to focus on looking at the future with renewable resources and we

19.001

19.002

**Comment Letter 19..... Dressen, S.**

**Response 19.001**

Thank you for your comment. The Navajo Nation is a cooperating agency for this project and is working closely with OSMRE and the other cooperating agencies to evaluate the potential impacts of the proposed project and alternatives. The Draft EIS provides analysis that supports consideration of short-term and long-term impacts and benefits. The intent of the EIS is to provide this information to decision-makers as a guide to the environmental consequences of their decisions.

**Response 19.002**

An evaluation of the potential air quality impacts of the proposed action and alternatives is provided in Section 4.1, Air Quality of the Draft EIS. In addition, a human health risk assessment of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. With regard to renewable resources, please see Master Response #2, Renewable Energy Alternatives. With regard to climate change, both section 4.2 and Section 4.18 address the impacts of the project to climate change, including multi-media effects.

**COMMENT #19**

need to look to try to change what we have to better  
what is happening, and the mine is not help that. All  
the studies and everything is geared towards making  
sure, as far as Office of Surface Mining, OSMRE, they're  
in favor of keeping the mine open and keeping the mine  
going and working to make the best picture show and  
we're not getting answers about what could happen when  
you take away the best scenario.

(End of comment.)

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19.002

**COMMENT #20**

May 3, 2014

Comment by: Mike Eisenfeld

From: Farmington, New Mexico

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MR. MIKE EISENFELD: I work for the San Juan Citizens Alliance. A glaring deficiency of these public meetings is EPA's failure to be here. Without meaningful interaction between the public and EPA over this draft Environmental Impact Statement, the public is restricted from having the ability to interact with the people who are making decisions associated with things like a massive amount of greenhouse gas emissions at the time when the federal government is talking about the environmental catastrophe of continuing business as usual with greenhouse gas emissions and coal facilities.

Our organization remains very concerned that EPA is minimizing the responsibilities to craft the future for the Four Corners region, and we formally protest EPA's failure to be here during any of these public meetings.

(End of comment.)

20.001

**Comment Letter 20.....Eisenfeld, M.**

**Response 20.001**

OSMRE extended a request to participate in the public comment meetings to the EPA and all other cooperating agencies for the project. Accordingly, representatives from US Army Corps of Engineers, BIA, and the Navajo Nation were present at most meetings.

**COMMENT #21**

May 5, 2014

Comment by: Theresa Anderson

From: Farmington, New Mexico

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MS. THERESA ANDERSON: Okay. I worked for power plants. I've worked for 33 years, and we just closed three units. It's going to hurt the economy. We are working on projects to help get plants be cleaner. The two units that we have meet the requirements right now. I feel it's going to hurt our county if we close it.

21.001

And I say that. We employ -- we have 414 employees. BHP probably has something similar to that. And it's just going to be bad for the economy in Farmington. I do believe as a company, APS is trying to follow all the guidelines that have been requested of them, and I feel that we do a good job doing it. We're not perfect, but nobody's perfect. It's been a long haul.

We've got the tribe involved with this, and it would be a shame to put that amount of Navajo employees out of good jobs. Both BHP and APS contribute a lot to the community for CSF and Navajo Way, and that would no longer be there, which also hurts the economy. I don't know what would happen to the Four Corners/Farmington area. And it will also hurt the businesses in Farmington as well.

So I'm for it. I think people are trying to do

**Comment Letter 21.....Anderson, T.**

**Response 21.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

COMMENT #21

the right thing. I really do feel passionately about it. I would say APS for me has been a good company to work for for -- I've worked for them 33 years, and I see the stuff that we as a company do. It's a challenge. You know, in this day and economy, it's a challenge with all the stuff that is being asked of these companies to do. So I feel that in the line that I'm working with and the knowledge I know -- I have quite a bit of knowledge with what goes on with stuff. We are working towards meeting all the goals. SCRs that we're looking for in a couple of years to put in..

I have never had health issues based on the plant that you hear other people talk about. I've never seen that. I think sometimes we just like to make any excuse for our health problems when in fact it could be us or just genetics in general. So I read about some things that they talk about, PNM, and hopefully we haven't done some of that stuff. I don't think we have. So, anyways, that's all I have to say.

(End of statement.)

**COMMENT #22**

May 5, 2014

Comment by: Erickson Benally

From: Farmington, New Mexico

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MR. ERICKSON BENALLY: I'm here as a representative of my family, okay? I have seven kids, my wife and I. But I've been employed with Arizona Public Service for about 37 years. And I just wanted to tell you about the benefits it's provided for me and my family.

22.001

Because I'm employed with APS, they denied me -- the Navajo Nation has denied me opportunity to live on the Navajo Nation, so that's why I live off reservation because I quote, unquote, made too much money back in the day.

So today I own my own home. I own my own vehicle. And I sent my kids off to college, the University of Arizona, Pima College, University of New Mexico. I currently have a daughter in Fort Lewis and a daughter at UNM, a daughter that graduated from San Juan College. I have a son that graduated from the University of Arizona. So we're not -- at least I'm not, my family isn't dependent on the Navajo Nation and that's because I live -- I work at a place where it's -- I draw good wages. I draw good benefits.

And we take care of my wife's parents. My father, my dad used to work for the Navajo mine and he's retired and he does his own thing. He's a rancher on the south

**Comment Letter 22.....Benally, E.**

**Response 22.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #22**

of -- well, kind of north of Gallup and Church Rock. So we go back from time to time.

But being employed with Arizona Public Service, I've seen a lot of changes in complying with all the safety regulations, OSHA, complying with all the environmental laws and preparing for the future of forthcomers. I've been involved with the union, the International Brotherhood of Electrical Workers, Local 387, and negotiated a fair wage with Arizona Public Service, which I was a representative of the membership, which is the labor force.

Today I'm a supervisor on the maintenance department, so I direct lead skilled craftsmen, which is high pressure welders, mechanical, machinists. And I take care of a multimillion dollar toolroom, and each one of those individuals are highly skilled, very knowledgeable and very dedicated to the Four Corners Power Plant.

And we assure ourselves on safety. We assure ourselves with environmental compliance with different types of chemicals that we use, MSDS, material safety data sheets. We comply with all the environmental laws and even at our level, even at the grass roots level.

So not only do we take care of the environment, we also take care of the electricity that flows not only here which is on the Navajo Nation. NTUA draws power from Four Corners, electricity, and it goes to Moenkopi. It goes from

**COMMENT #22**

there to Phoenix, and it goes down to southern California. So the Navajo Nation and its, I guess, vision back in the '50s, '60s, came to fruition in the '60s, '70s and to today.

So I'm supporting the Navajo Nation, BHP and the tribe, NTEC and Arizona Public Service because it feeds my family every day. I don't go to IHS. I go to private physicians not only for my well-being but also my family. And as my kids have grown older, they've gone out. Now they live in Texas, they live in Albuquerque. A few live here in town, Farmington. But we all pay our taxes. We all pay county taxes. I pay for my residential taxes. So we're law abiding citizens.

So I just want to reiterate that I want to keep Four Corners, keep the mine going into the future. I'm looking at retirement here within the next decade, I hope. I'm sure I'll be okay, but, you know, the future kids who want to be employed, who want to the same lifestyle I have and not only for my kids but other families' kids. That's it.

(End of statement.)

22.002

**Response 22.002**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #23**

May 5, 2014

Comment by: Thomas Martin

From: Kirtland, New Mexico

MR. THOMAS MARTIN: I just wanted to voice my opinion of everything that I think that what they're doing going forward as far as the environmental improvements go is really positive. And it's been a good career for me out there. And I'm proud to say I work for a company that's, you know, doing the stuff that needs to be done to meet the environmental standards and to make life better for everybody in the surrounding communities. And I live in the community that it's in, so I don't feel threatened by it. And I think going forward it's actually going to be a better place than it is now.

I've got a granddaughter that's half Navajo, so I have an interest in her future and for the plant to continue. Hopefully, she can get a job out there someday. There's good paying jobs out there, and I think it benefits the community. My wife works out there as well, and we both donate a lot of time and money to the community and the United Way stuff.

23.001

And I think the benefits are very good from the plant, the people that work there and for the community. My daughter works in town for Clear Channel Radio and it benefits her as well because people buy the stuff that she's selling advertisements for. So I think it's a good thing. And I think the requirements that we're satisfying is good. So that's my pro view of it.

(End of statement.)

**Comment Letter 23.....Martin, T.**

**Response 23.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #24**

May 5, 2014.

Comment by: Eileen Lujan

From: Grants, New Mexico

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MS. EILEEN LUJAN: I live in the area. I travel the route leaving Farmington to get to Gallup, so it gives a shortcut. My concern is the rough road that we have to travel on, the washboard area. I think the road should be paved and well maintained. Once the pavement is in, they need to -- somebody has to be -- the maintenance should go along. Once they get the easement, they should maintain the road to it, because sometimes they put in the road and they don't maintain it after that.

24.001

The right-of-way should be fenced off on the east side going south because we get -- where Mom lives on the east side of that right-of-way, we get intruders from the west side to get to the areas. We have -- Mom has a grazing permit and they have livestock there. She has livestock there.

24.002

So I think the fence should be there and not -- to be -- well, not just for anybody to leave the road there. It should be fenced or something, not to go east, leaving the area.

And then the air pollution I think really needs to be taken care of. They always say -- we're told, yeah, it's going to be taken care of. I just want them to keep their word. We want better air, cleaner air, plus the cleaner water.

24.003

24.003

(End of statement.)

**Comment Letter 24.....Lujan, E.**

**Response 24.001**

The Navajo Nation is responsible for road construction requirements.

**Response 24.002**

Thank you for your comment. Fencing is not proposed as part of the project, and the project does not cause the cited effects.

**Response 24.003**

The potential environmental impacts with regard to air quality and water resources is provided in Sections 4.1 and 4.5 of the Draft EIS, respectively.

**COMMENT #25**

May 5, 2014

Comment by: Rochelle Benally

From: Farmington, New Mexico

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MS. ROCHELLE BENALLY: So I've worked at the plant for the last ten to -- ten to 11 years. And I feel that we need to -- I support this whole process. I want to get a favorable outcome of the EIS. And I think the plant and the mines are beneficial to the community. They're one of the biggest assets that the Navajo Nation has, and I think that if we didn't get favorable outcome, I think that we would -- it would be detrimental to the committee in the area. So we support a lot of the area bases, we do a lot of volunteer work. I give to the charities in the area and I just think that it's -- it's very important that we get a favorable outcome with this, and I support it.

25.001

And a lot of the communities rely on us for -- even just -- I don't know how to say it, but I guess the -- some of the community members don't have heating, proper heating systems in their homes, and so they rely on the mine during the winter times and they use the coal from that to heat their homes in the winter. And there is a lot of those families out there that don't have, you know, heating systems or, you know,

25.002

**Comment Letter 25..... Benally, R.**

**Response 25.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**Response 25.002**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #25**

electric furnaces or any of that stuff in the area. So they rely on some of that. And I think if we did away with the plant and the mine, it would do away with a lot of jobs. We're going to end up losing a lot, you know, in this committee and also the Navajo Nation. So that's all I have to say.

(End of comment.)

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25.002

**COMMENT #26**

May 5, 2014

Comment by: Reginald Young

From: Fruitland, New Mexico

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MR. REGINALD YOUNG: I personally feel that we should keep our power plants and our coal mines going, number one, because I work in that field and I've been making a living off of that to support my family; not only my personal family, like my mother, my brothers, my sisters, my nephews, I help them out with the money I make off of that company. I am a subcontractor and I work out at BHP every day. And if they were to cut back, that is going to really put a hindrance on everybody's survival, especially my family.

26.001

And a lot of people that work at BHP, they're against keeping the coal company running, but yet it's like they -- they're there just for the money. That's all they care about is the money. They say they care about the environment, but yet I know where they live, and you look at their houses, and everything they have there is paid for by the local money they make off of BHP. And I've known people in the present that still work for BHP that are still supporting their grown adult kids off the money they make from BHP. And my father used to work at APS also, so I know the feeling of how

**Comment Letter 26..... Young, R.**

**Response 26.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #26**

it is to depend to make a living off of an entity, APS and BHP. And the amount of money that locally is -- I guess I would say is second to none. Nobody else does that, especially locally. Oil and gas here is hit and miss. We don't know what is going to happen. But for sure coal, it's there, it's always going to be there. We got years and years of coal that we can farm and use that to supply the local power plant to keep our lives going the way what we're used to. And so personally I am in favor of leaving things the way they are, keep the mine and APS running, that's all.

(End of comment.)

**COMMENT #27**

May 5, 2014

Comment by: Andrew Johnson

From: Farmington, New Mexico

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MR. ANDREW JOHNSON: I just want to say that

I am a proponent and in support of the draft EIS as it currently stands. I support the renewal of the lease for the power plant, the renewal of the lease for the transmission lines and renewal of the lease for the mine.

I could go on about how I feel of the draft EIS's verbiage about climate change. I think the debate still needs to continue. I think we need more evidence before we call climate change, you know, anthropogenic, human caused. I would also like the discussion to continue about the type of technology used under the BART proposed ruling. I believe San Juan generating station uses or they've been allowed to use a different type, a less expensive type, of catalytic reduction or selective catalytic reduction. And I think since these two power plants exist in the same vicinity, that we should -- that APS should be given the same consideration to use that technology. Yeah. That's really all I have to say.

(End of comment.)

**Comment Letter 27 ..... Johnson, A.**

**Response 27.001**

Thank you for your comment. The Federal Implementation Plan for BART at FCPP was established by EPA in 2012, and the selection of technology was a business decision by the owners of the FCPP. The selected technology is part of the baseline of this EIS, and the long-term consequences of that decision are analyzed in the EIS.

27.001

**COMMENT #28**

May 5, 2014

Comment by: Connie Falk

From: Farmington, New Mexico

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MS. CONNIE FALK: I think it's really important to examine clean energy alternatives, and in that process, to accurately estimate all of the costs involved and all of the alternatives. And the costs to future generations of coal mining need to be taken into consideration. And this is the most crucial period in history that we have to do something to mitigate climate change. And if we don't do something now, we're going to have a really serious problem for our children and our grandchildren. All of the fossil fuels need to be left in the ground. And this coal mine project is insane. It's worse than insane to be even thinking about continuing to mine coal when we have wind and solar resources available to us here. We have transmission lines that can take that solar and wind energy out to other communities and our communities as well.

So I think the fact that we're even having or even considering coal mining, continued coal mining, is a very big mistake and that it's a mistake that all of our ancestors will pay -- our descendents will pay,

28.001

28.002

**Comment Letter 28..... Falk, C.**

**Response 28.001**

Please see Master Response #2, Renewable Energy Alternatives.

**Response 28.002**

Thank you for your comment. Climate Change is addressed in Section 4.2 of the Draft EIS, as well as in Section 4.18, Cumulative Impacts. With regard to renewable energy alternatives, please see Master Response #2, Renewable Energy Alternatives.

**COMMENT #28**

our dependents are going to pay. And I don't care what they have in the documents here, they will never convince me that there is no health impacts from mining coal and spewing heavy metals into the atmosphere.

I can see the power plant from my back porch and I can see what is in the air. I can see what is deposited in my house and I can see the health impact in the community and I know there is health impacts. And I also know that wind and solar are competitive with coal mining. And if they have any evidence to the contrary, then there is something wrong with their analysis and they need to reconsider that analysis. And I just hope that this train isn't too far down the tracks to be stopped, this coal mine train.

This is a company town. But I still think that people who understand the ramifications of climate change need to speak out and that's why I'm making this statement. I've been a teacher of climate change science and I understand climate change and I understand what we're doing with the climate, and it's the most serious issue of this generation. It's a pivotal moment in history and the right decision to leave the coal in the ground.

(End of comment.)

28.002

**COMMENT #29**

May 5, 2014

Comment by: Rick Hatfield  
From: Farmington, New Mexico

- - -

MR. RICK HATFIELD: I think -- I wasn't going to say anything because I don't know technical a lot. But my concern is that it feels like there was an agenda to the presentation here and that it focused on the positives and didn't clarify the costs and the downside.

29.001

When I talked about environment impact, the global warming consideration, I asked them how it was, and it was this very vague answer, very clear on, here is how much money is going to be made. I asked about why they didn't look into alternatives that would be better for the environment and they said economically it wasn't feasible.

So again it seems to me it was pretty clearly coming from, we want this, we're going to try it make it.

You know, to be told that it's having no health impact is, in my mind, ludicrous and makes me distrust the system and the way they went about it, if they came to that conclusion.

29.002

(End of comment.)

**Comment Letter 29..... Hatfield, R.**

**Response 29.001**

Thank you for your comment. The public meetings were conducted in accordance with CEQ NEPA Regulations and the OSMRE NEPA Handbook.

**Response 29.002**

Thank you for your comment. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

**COMMENT #30**

May 5, 2014

Comment by: Gilbert Manygoats

From: Kayenta, Arizona

- - -

COMMENTER: On this scoping, EIS, I find all that information involve man and people are giving the right information out. I for myself, I come from -- I graduated from San Juan College. I studied industrial process operating, which is mostly fossil fuel generation and oil fields, natural gas, that type of background. As far as my instructors goes, they have over probably a hundred years of experience in coal generation.

And my two years at San Juan College, all I've been hearing are stewardship of environment. And as far as my relationship to stewardship, I've always trained that Navajo generating station -- I went through their O&M school. There they kept stressing the idea of environmental stewardship. I came to APS, same process, same school. Instructors kept stressing environmental stewardship. And now that I'm an employee of APS, and for the last three years, everything that was taught to me through my instructors at San Juan College, I have not seen anything but environmental stewardship from the coal companies in the Four Corners area that I have

**Comment Letter 30..... Manygoats, G.**

**Response**

Thank you for your comments.

**COMMENT #30**

seen.

So as far as keeping the surface mine and the generating plant open, I say APS is doing a good job in complying with the environmental acts that are proposed. That's all I gotta say.

I did see an environmental hazard impact to the environment 23 years ago. I was in Iraq when the oil fields were burning, so I saw what carbon fuels can do to the environment. I seen what it does to the marine life. I seen what it did to the -- to the local species. So I know what would happen if we didn't do our job right. I know what kind of impact it would do to the land. So there is no other better place to impact environment than working at a power plant making sure that they're doing the right thing and being in the process of doing that. So that's about it.

(End of comment.)

**COMMENT #31**

May 5, 2014

Comment by: Tiffney Segay

From: Chinle, Arizona

- - -

COMMENTS: Well, I strongly believe that it's good thing for the area. The biggest concern that I had was like the soil and the water supply and like the employment. But going around and getting more information, I feel a little bit better. And the reason why, you know -- or one of my biggest concern was because, you know, my dad is currently employed at Four Corners power plant and I feel like it's good because it helps the area as far as employees. And it seems like they have everything controlled as far as soil and the air. And if it wasn't for my dad being employed, I wouldn't have been able to go to college and getting my bachelor's degree in computer science at Navajo Technical University. That's it.

(End of comment.)

31.001

**Comment Letter 31..... Segay, T.**

**Response 31.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #32**

May 6, 2014

Comment by: Sarah White

From: Burnham, New Mexico

- - -

MS. SARAH WHITE: I want to make a comment on several issues here. I'll make the rest of it at the Nenahnezad. We need water studies. We need to have it done on the San Juan River as well as the wells around the Navajo mine and the parkland. The reason is because of the coal combustion waste. They say here on the board that the fly ash, the coal combustion waste are lime, and they dispose of the ash on the lime ponds. Most of it probably is, but I have seen different. I have seen on the lakes -- I went and drove around looking for cattle, whatever. I drove around and I seen them licking on the bottom of the pond where -- you know, you mix that. Like a regular lake. So like they have licks and you can see them white coming out. And then from there is only -- just a short ways from the Chaco Wash and you see that white spot along the way is where the water runs down into the Chaco Wash. And the Chaco Wash runs into San Juan River, and thousands of people depend on that water for drinking. We need that study.

Climate change. I have a concern about climate change. I'm over 60 years old. When 15, I realized what the weather is like. When I was 15, 20, 25, 30, the weather was pretty good. We had a good weather. In the springtime, yeah,

32.001

32.002

**Comment Letter 32.....White, S.**

**Response 32.001**

The potential effects of fly ash disposal at FCPP and placement at the Navajo Mine are discussed in the EIS. Section 4.5 of the Draft EIS describes the potential environmental impacts of the proposed action and alternatives with regard to surface water and groundwater quantity and quality. Data used in conducting the analysis includes groundwater monitoring and surface water monitoring data collected by BNCC, APS, and the Navajo Nation.

**Response 32.002**

Climate change is addressed in Section 4.2 of the Draft EIS. Cumulative impacts of other past, present, and reasonably foreseeable actions are addressed in Section 4.18 of the Draft EIS.

**COMMENT #32**

we have wind, but it would die down like around April, May. And we used to have rain in the summertime. We used to have a lot of grass for grazing. We don't have that anymore. We have nothing but wind in the summertime, all summer long. Last year we had wind. Nothing. It's a drought, no rain. And in the summertime the temperature rises. It gets so hot and normally it never used to do that. Because I used to herd the sheep in the summertime and I never had a problem being hot. But now it's just extremely hot.

And in the wintertime it gets very, very cold. It goes below zero, and I have never seen weather turning cold like that in the wintertime. And so the four seasons have changed. It really changed. It's kind of switched. Like the whole world, the whole thing has shifted aside is what it feels like to me. I don't know if other people realize it, but the weather is pretty bad. And so that's another thing. And all that caused by uranium oil and gas, power plants, coal power plants, coal ash, coal dust.

And the health. The health goes hand in hand with climate change to me. I'm not an expert, I'm not a scientist. I don't have a Ph.D. But I am a native and I know my land. I know the air because I live it and that's how I was raised. It's like you understand everything on the face of this earth where you grew up because you're there all the time. I know which way the moon turns and I know which way it goes

32.003

**Response 32.003**

Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. The health study also includes quantification of the effects of fugitive dust, diesel particulate matter, and reference to public health evaluations of the area by New Mexico Environment Department and others.

**COMMENT #32**

and I know it tells a lot about the weather. If it's going to rain or if it's going to be windy or it's going to be cold, you know, we know all these things.

And so the health impact is very bad in Four Corners. I know a lot of people are very sick, some of them very sick with heart disease, respiratory problems, asthma. That goes with all kinds of different respiratory problems. And I know a lot of people because I do make home visits and I'm always out in the public. I myself have asthma and I have a sinus problem. And I have a son that has asthma. My grandson that was just here, when he gets a little bit of a cold he has to go on nebulizer. And there's a lot of people like that. There's kidney disease, heart disease, respiratory problems and diabetes.

And I know a lot of this problem from diabetes and all of this disease also combines with food, the food that we eat. That's not because we overeat, but we're also eating a lot of chemicals and preservative food and a lot of GMO food. So that plays a lot of -- you know, it puts a lot of toxin in our body and that's why there's a lot of diabetes.

Not only that. The power plant, the smoke, the pollution has a lot to do with that, too, because we breathe it every day, every night. You're 24 hours in it. And so is the coal ash and so is the coal dust.

I did some research on the coal dust. The coal



**COMMENT #32**

dust is more toxic than the smoke that's coming out of the stack. And there's people that live around the coal mine now that have respiratory problems and they have other health issues. It affects your intestinal problems, your brain, your lungs and your heart.

So what I'm requesting through this EIS is we would like to have a health study. We have not had -- we've been asking for a health study for the last 10 years, and what the Office of Surface Mining told us is that they did a health study, a health study that they did in-house with people that burn coal in the wood stove and they did find a lot of pollution inside the house, of course. Of course, there would be.

But what we're seeing is that in general in the community of the Four Corners, not only natives but all colors, whites, African-American, native people, we all need to have a health study. So this is going to be one of my comments. Let me see if I find another one. What I'm going -- I'll be giving some other comments tomorrow.

Another thing that is my concern is that all those posters that are out there has a lot to do with the comments that we put from the scoping meeting, and that's what it is. And then the book is about that big. It's 1,500 pages. Nobody is going to read all that in less than a month. Like me, I just got mine last week. There's no way I'm going to



32.004

**Response 32.004**

Please see Master Response #8, Public Review Period. OSMRE provided the information in the EIS in a variety of formats, including posterboards, experts available for question and answer (with translators if needed), and a video that summarized the contents of the Draft EIS in words and graphics.

**COMMENT #32**

read it in less than a month, read it and then able to understand it because it has a lot of some of these -- they're written in more like real legal, and a lot of it I can't understand. I had to read them like two or three times in order for me to comprehend what it's talking about. And there are -- a lot of people are like that. And so it is hard to understand them.

And as I see and what I comprehend from that book so far, from the little time that I have like reading of it and compared it with those posters, those posters that are out there is collected from the scoping meetings that we had about a year-and-a-half ago or two years. A lot of them, what it talks about is really nothing compared to what we're talking about. It just puts out there as like a show. But it's not really -- they didn't really do a study that we asked them to do.

The environment. We're talking about herbal. The Native American people, the Navajos, they live off the land. They use herbal medicine. I use herbal medicine. A lot of people that use herbal medicines are dying out in this area. We collect these vegetables in the springtime, like wild onions and parsley and wild carrots and they're good and you can cook with them. They're seasonings. That's how I season my food. I have a jar of parsley like that that I collected about five years ago. I'm really preserving it and I still have some of



32.005

**Response 32.005**

Plants collected for food, medicine, ceremonies, and other traditional uses, are defined as Traditional Cultural Lifeway/Resources in the Draft EIS (Glossary, p. 7-9). These resources are addressed in Section 4.4.2.4 in regards to traditional use and traditional cultural properties and described in confidential reports. Additionally, the Navajo Nation and Hopi have provided information regarding the species that the Tribes rely on for subsistence.

**COMMENT #32**

it.

And we're talking about all these medicine, herbs  
that has been growing out in the area of the BHP and the Four  
Corners power plant. All these, they need to be carefully  
studied. I think I'm done.

(End of statement.)



**COMMENT #33**

May 6, 2014

Comment by: Annie Walker

From: Flagstaff, Arizona

- - -

MS. ANNIE WALKER: I have family members who live in Page and I have family members who live in Kirtland, also. Well, my concern is the health issue, related to health issues. Like my sisters, my sister and her family, live right very close to the NGS in Page. I know this is for Four Corners, but I'm going to visit my family that's over here and see where they live. I know they live in Kirtland. I don't really know the town too good.

33.001

But where my sister and her family live, they live like kind of under the smokestacks. And I tell her, I said, "Why don't you go over to the power plant and ask them to monitor yours and these people's health who live around here." I said, "There are toxins that are released." Especially after somebody from the Grand Canyon -- I think it was Grand Canyon National Park. I didn't bring the article.

But mercury was found in the trout in the Colorado River. And so I called my sister. I said this is exactly, you know, why I always suggest that you monitor your health. I said monitor your children's behavior, are they any different, are their behaviors different from two years ago versus now, things like that I said you need to look out for.

**Comment Letter 33..... Walker, A.**

**Response 33.001**

Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. There was not a significant impact that would require mitigation such as that described by the commenter.

**COMMENT #33**

I said you're just not even looking out after yourself or your family.

And so I said ask the power plant to monitor your health at their expense and not with power plant doctors, somebody else. That would be objective and not be influenced by the power plant. And so that's one of my concerns.

So tomorrow when I visit my family over in Kirtland, I'm going to sort of ask them the same thing. I don't know how far Kirtland is from the power plant, Four Corners, I don't know, but I'll find out and see tomorrow. So that's -- and I'm just going to make it my project, you know, from here on, especially relating to health, because I think it's important. Not really health, but I think that something -- the toxin also affects people's cognition. It affects your brain, I guess, your intelligence.

So that's some of my concern. I just want to -- that's why I'm going to go ahead and write it up, too. I have one of those forms. I know people say, "You must be from the area." It sounds like if we live way over there about a hundred miles, we can't say anything.

But my -- I vote in the Navajo tribal election, and I feel that I don't care where the power plants are, whether they're NGS or Four Corners Power Plant. I feel I want an input because by trade -- well, I used to be a teacher and I'm very concerned about, you know, kids. So we have kids all

33.002

**Response 33.002**

Thank you for your comment. The Navajo Nation is a cooperating agency for this project and is working closely with OSMRE and the other cooperating agencies to evaluate the potential impacts of the proposed project and alternatives.

**COMMENT #33**

over the Navajo Nation, not just here in this particular area.  
But I think to say that you don't live here so you can't say  
anything, I think that's discrimination, you know. To me, that  
is -- so I don't like that. That's it.

(End of statement.)



**COMMENT #34**

May 6, 2014

Comment by: Lorenzo Benally

From: Shiprock, New Mexico

- - -

MR. LORENZO BENALLY: The mine is -- it will really help out the economy here in San Juan County, jobs for all the people up here. The mine has about 400 employees out there, plus I think there's another like 400 out at the power plant. So if the mine doesn't go through, then the power plant will probably have no coal, so it might go down, I guess, as a pair. And I guess it's just important for all the families here.

34.001

There's really a lot of farming in Shiprock here. It's kind of like a rural area to where there's not really many jobs out there for all the people. If they shut down the mine or the plant, where are all these people going to get jobs? There's going to be like what, 800 families that are going to be leaving elsewhere to find a job.

I think it's important for the tribe to, I guess, give the permits for the mine so it can stay open past 2016 for all these people. And then on the other side, after they do the mining and reclamation, the reclamation side of it, they can actually do anything with the land after that, after they mine it. They can make it into farmland, put water ponds out there and stuff like that for animals. They can do anything with it. I don't know.

**Comment Letter 34.....Benally, L.**

**Response 34.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #34**

I guess that's the main thing is just the job, because I work out there at the mine. And it's for the economy here, too. It will be good to keep it open. The main thing is just the jobs here in San Juan County. The Navajo Nation owning the power plant and then the mine, I think it's something good for the tribe. I don't know how you say that. I guess it will help out the tribe economically, too, give them some money and stuff. Financially it will help them out, too.

I don't know if I should say this, but it would be pretty good for the tribe to look into -- I know they put a hold on that other power plant, Desert Rock, pulling that back out. And then trying to put that in, that would be good, add some more jobs here in the county for more people. Plus it will be a top-of-the-line power plant where it would control all the emissions and everything today. Yeah, that's about all I can think of saying. I don't know what else to talk about on that.

(End of statement.)

**Response 34.002**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

34.002

**COMMENT #35**

May 6, 2014

Comment by: Jimmie Walter

From: Cudie Chapter

- - -

MR. JIMMIE WALTER: I think there is good information going around and a lot of things that are pros and cons the air quality people think about. And mostly I'm worried about the socioeconomic. The way I look at it, I know we need good quality air but there is a lot of socioeconomics that is going to affect a lot of people. And Wal-Mart is going to be closed. Mostly I think it's socioeconomics, what is going to happen to people. And I went to one of their meetings and signing of the power plant, on their leasing, and they brought a lot of stuff from the tribal council. They talked about signing the lease, a lot of stuff that is going to affect them and affect a lot of people. And like the United Way, Navajo Way, it's going to affect a lot of people that is being helped. And people that lives in Farmington, you know, the vendors that come out to the power plant, BHP, even the PNM, you know, it's going to affect a lot of people, the closing of the -- either not signing or closing it down, it's going to affect a lot of people. To me that's what -- I look at it that way. And we need the economy. And look what Shiprock is now,

35.001

**Comment Letter 35.....Walter, J.**

**Response 35.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #35**

there is only fast food, that's it, if you look around  
here.

So that is my -- the one I'm kind of worried  
about and that's about it.

(End of comment.)

**COMMENT #36**

May 6, 2014

Comment by: Kennedy Phillips

From: Red Valley, Arizona

- - -

COMMENTER: I think with the environmental impact that we're going through right now, we can see that there could be some changes, you know, within the power plant, you know, by putting some catalytics to reduce our emissions which would really help, you know, in the environmental part of -- the control with the EPA.

And part of it, they could also -- with the loss of three units, it's really going to impact our economy too. Where are we going to get another job, you know, to be feeding our family, you know, children. Because with the plant keep going, you know, it's going to really help the ones that are running the power plant. And with the new emission put in there, you know, reduce all the pollutants, that will help keep people have their jobs, you know, behind the plant. That's how I see that's going to -- one of the things that I understand. That will help reduce all the environmental that we have, we have a reduction to -- for healthier, you know, for a better place to live. So that's what I see.

36.001

**Comment Letter 36..... Phillips, K.**

**Response 36.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #36**

A lot of things to learn out there. A lot of things that we see that, you know, it's an eye opening, you know. And I think there is a lot of people that don't realize that there is something out here that, you know, it can impact through these. But I'm glad that we are seeing that, we're trying to control it, trying to see it to help our children that are coming, you know. But they don't realize that's what we have, you know.

And what I understand myself too is that it's not just the pollutants that is impacting our environment, you know, there is so many other things that is out there that are coming at us, you know, even within our food, you know, what we eat, even the things that we eat out there, I mean, where they all come in from, from outside. So they impacting us too for our health, health-wise.

But I just want to say that it really puts you to the point where that as me working out here in the power plant, I understand the environmental part of it, you know, to really help to reduce all of that, you know. Something like that. I see that's really important. Just not for myself, but for everybody, you know. That's what I kind of learn out here, you know, what they're teaching out here and what is going to be happening from here on, you know.

(End of comment.)

**COMMENT #37**

May 7, 2014

Comment by: Scott Brady

From: Shiprock, New Mexico

- - -

MR. SCOTT BRADY: My name is Scott Brady and I am a Navajo Indian. I'm 58 and I've been employed at the APS power plant for 34 years. During this time, I've changed some ideas about industry, heavy. I went through the trades and became an electrician. I served in that craft for about 20 years and about 14 in management. During the 20 years, I was one of the union officials for employment at APS. My main concern was equality toward Navajos.

During this time, I started out and went to college for a while, but I didn't really fit and I came back and went to work thinking I would go back to college. I ended up making it a career. It's done me good, my family. I've raised three kids. And they've all been funded college money to go by my employment here at the plant. My daughter is an R.N. now, my son is in business management with a major corporation, and my younger son is a national guard deciding what he wants to do. Not only has this money been available for me but it's been available for my extended family. I take care of my parents, my nieces; they're going to

**Comment Letter 37..... Brady, S.**

**COMMENT #37**

college now. Two of them are sophomores and one is a freshman, so we're helping to fund them. On my wife's side, we have one single parent we're helping and one divorced nephew who is trying to cope and learn skills.

But all this -- it's not all about the money, but it's about being able to grow and find a place, a niche, if you would, in the world. Many people right now are talking about how polluted it is. When I was young, I knew it was the biggest power plant in the world. It's about 15 down in the world now and we're probably getting smaller because we closed out three of them which were the bigger polluters. But they were controlled. This plant, if we go back and look at the real statistics, it would show that the power plant itself gained a lot of money from outside, they were buying credits, they were calling them credits. Nobody ever talks about that because that is not favorable. It brought money into the company and the reservation by utilizing this low sulfur coal and being able to use those credits.

But I think it's a positive impact. I never really knew how much until I started studying the economy of the reservation. We provide upwards of a third of the total tribal budget from the mine and power plant, the leases. And this doesn't even include the



**Response 37.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #37**

employment of, say, somebody like myself who is a Navajo, tribal Navajo employee, because I don't depend on the government, the Navajo Nation, but I help to bring monies in so they can use that money to fund whatever we want to do on the reservation.

Solar power and the industries coming along, and we've always thought it would be -- I thought it was always going to be hydrogen power going to put us out of business. Right now, I think the power plants around this area, they're working to control what people are calling pollution. But real culprit in a lot of this is China. They have heavy coal use and no pollution control. Much like they had the smelters in Mexico when I grew up in the '70s, I remember them being very toxic, a lot of pollutants and they were just across the border. It was big news and big concerns about their non-compliance, yet the Americans, the American plants went out of business because they had to do pollution control.

In my mind, I don't want to see that happen. We always make fun of people and say, hey, we keep the lights on in the refrigerator. But we do provide the necessity. I think it's still a gross negligence on our tribal government and even our citizens out here that we have people without electricity and running water. I



37.002



**Response 37.002**

Thank you for your comment. Extension of utility systems within the Navajo Nation is the purview of the Navajo Nation government and outside the scope of this EIS. An evaluation of potential impacts with regard to Environmental Justice is included in Section 4.11 of the Draft EIS.

**COMMENT #37**

know these power lines, grew up to learn about them, the Moenkopi line and Cholla I and II lines that go directly across the reservation, and that is a lot of energy passing people that don't even have electricity. I don't think most of them have solar power either.

But we have a lot of technology here. And what is the problem is a lot of people in my generation have accepted it. We're probably the onset of people that visited with computers. I know in the shop I work in, it was a Tandy 2000. They were so proud of that computer. And we developed what we've got now, many generations. But there is a strong population out here of Navajos that have good minds. I work with a bunch of individuals. I work in what they call controls department. We actually do the computer work. Most power plants have engineers with master's, doctorate degrees doing this work; whereas, journeyman have learned and applied themselves and know the skills, ins and outs of all the controls and computers. So based on this, my -- I feel positive that we should pass the energy policies and the environmental statements and continue with being good stewards of the Navajo lands. We should continue to see some kind of transformation from coal. But I don't think that is here yet. Maybe another 40 to 50 years until they develop something that



37.003

**Response 37.003**

Thank you for your comment. Please see Master Response #2, Renewable Energy Alternatives.

**COMMENT #37**

would take its place. Some people have suggested nuclear but I don't think that is the way to go. We won't even dig the uranium out of our country.



But all and all, I would like to conclude and say that I am in favor of it. Most people that I know, my extended family, they know we work here and they benefit from it and they're in favor of it. And they do have some relatives out here that work at the mine and other mines. And we've all been very productive in the lives that we lead. And for the future generation, I would like to see this plant and all the like experience be available to them. There is a lot of people that oppose and those are the people that I would like to educate them somehow and say, what are you going to put in place of the money that is going to the tribe or the employment to the people on the reservation. So conclusion, 'aya'a't'eeh la, it's good industry we have to control as Navajos. Thank you.

(End of comment.)

**COMMENT #38**

May 7, 2014

Comment by: Johnson Stevenson

From: Kirtland, New Mexico

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MR. JOHNSON STEVENSON: Well, I just walked in and my wife is over there and she said, "Go over there and give your interview."

Anyway, I work for BHP for 36 years and I started back in '78. I used to rodeo and used to ride bulls, rope calves. And then I got this job over here and been there like 36 years.

So -- and then I supported my family and been there with BHP and also I quit rodeoing, took this job as a permanent job, help my family, raise my family, kids, all that, and raised kids and helped the family, stuff like that. It was good, I liked it, I learned a lot there. And I work as a tire man over there. So I will be retired here in a couple of days. That's about it, I guess.

(End of comment.)

**Comment Letter 38.....Stevenson, J.**

**Response 38.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

38.001

**COMMENT #39**

May 7, 2014

Comment by: John Murphy

From: Farmington, New Mexico

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MR. JOHN MURPHY: I was just going to say that I'm for this and that I think it would be good for the economy, especially with Farmington declining. We've read in the paper about it declining. If you shut down the power plant, instead of being the second worst in the country, we might end up being the worst declining city in the whole nation if we shut down. I'm just thinking that it affects everybody in the city of Farmington and Shiprock. And I saw that Shiprock would be gaining -- maybe their economy would go up with the sale of the mine, buying the mine out. So I don't think they need to shut the plant down. It's been good to me for 35 years.

(End of comment.)

39.001

**Comment Letter 39.....Murphy, J.**

**Response 39.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #40**

May 7, 2014

Comment by: Debra Murphy

From: Farmington, New Mexico

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MS. DEBRA MURPHY: Ditto on that one.

Basically just I think it would really hurt  
the economy and the livelihood of this area. Already  
it's already bad because the oil industry, gas industry  
is down, so it's already bad. And we're rated like  
number two in the nation and we could end up being  
number one with lack of jobs and lack of work. And this  
whole area is built on energy. The whole area is built  
on energy and that's how people make their livelihood.

(End of comment.)

**Comment Letter 40..... Murphy, D.**

**Response 40.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

40.001

**COMMENT #41**

May 7, 2014

Comment by: Jeannie Benally

From: Nenahnezad Chapter

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MS. JEANNIE BENALLY: Okay. Well, my grandpa, he's deceased. He's the one when he was the council delegate for this chapter, he's the one that helped approve for the mine to be here in operation. And the main reason why he did that, made that decision with the people here, was because of jobs, we needed jobs, so our Navajo people, our young men and women, can have jobs and work here.

41.001

So that was what happened way back then. And so the mine was able to operate here on the reservation. And, of course, we had to give up land for it to happen, you know, because we did have land out there where the mine is now situated.

And so -- and that was the reason why we came here. I was asking questions on what would happen to the mine after it's reclaimed, then who gets it back, you know. And so I guess that's up to the tribe and the BIA, I was told. But anyway, we used to herd sheep out there, me and her, we had sheep, Area III, way out there, and so we would like to have it back because the Navajo Nation had already agreed that that land is only

41.002

**Comment Letter 41..... Benally, J.**

**Response 41.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**Response 41.002**

As discussed on page 3-13 of the Draft EIS, the reclaimed areas are revegetated to ensure that the land is capable of supporting the post-mining land use, which is designated as livestock grazing and wildlife habitat. A discussion of the potential impacts to agriculture, including grazing, is included in Section 4.9, Land Use and Transportation, of the Draft EIS.

**COMMENT #41**

good for grazing and wildlife and that's what we used to do was use it for grazing.

And then our community here has received scholarships from the mine. And these are additional scholarships to what the Navajo Nation provides. The Navajo Nation does have a scholarship program. But there is so many requests that they can't meet everybody's needs. So our people, because we're impacted here through the mine, we are able to get additional scholarships for our kids. And that's what we would like to see continue. Okay.

Well, I know in the past that, you know, the community was very -- well, they were complaining about the environmental impacts, you know, of the mine and the plant, power plant. But after visiting with all these people, we find that OSM is funding, making sure they're enforcing the regulations, you know, that pertain to clean air, clean water, you know, that sort of thing. So we see that that is what is happening now. And because OSM has stepped in to really do that, we feel -- well, I feel that, you know, I feel good about it as far as the environmental impacts, just the way it was explained to me and so forth. And that they actually have a person that is in Albuquerque that oversees and comes kind of like a police type person, you know, they



41.003

**Response 41.003**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #41**

would come unannounced, you know, and check on things, so before they never had that, you know. And so there has been environmental impacts, yes, in the past. But I know that the Navajo mine have been trying their best to, you know, remedy all those situations. And I know especially with the power plant, we had to install some equipment just to -- and so that we get clean air, you know. And I know those things are costly, you know. But working together like that, you know, where we are able to come to a common ground, you know, I think that it's going to work out. Now that the Navajo Nation is taking over, it will be that it will continue as such.

(End of comment.)

**COMMENT #42**

May 7, 2014

Comment by: Janet Stevenson

From: Nenahnezad Chapter

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MS. JANET STEVENSON: Well, you know, I think having the mine and the power plant here, you know, is kind of a blessing in disguise. Although maybe like all the hazardous waste and the smoke stacks emission probably was not good for our health and the environment, but I think it did provide jobs and it provided resources for us that we probably would never be able to get ourselves, you know.

42.001

And, you know, I think the Navajo Nation was blessed with resources, in that context anyways, because you see other reservations and they don't have resources wherever their reservations are. But here we have resources that we're able to tap in through the mining and all of that to where, you know, we're able to live, you know, significant lives, you know.

And not only that, it provides jobs for our children and then now the grandchildren. So that's the main thing that I think is a blessing. But now we have EPA who is supposedly making sure we -- the mine is in compliance with certain standards, you know, so that is good too.

And so that's the way I see it.

(End of comment.)

**Comment Letter 42.....Stevenson, J.**

**Response 42.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

**COMMENT #43**

May 7, 2014

Comment by: Norman Bryant

From: Kirtland, New Mexico

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MR. NORMAN BRYANT: My comments would be the power plant, the life of the power plan and the life of the coal mine will need to be extended, not only for the benefit of the local economy, but the Navajo Nation depends on the resources provided by the power plant and the Navajo mine or the coal mine for the schools and all of the programs that are -- not all the programs but some of the programs that are provided by the Navajo Nation to the elderly, to the -- in the form of utility and monetary aid. And the power plant provides monetary aid to the local schools, I think.

And I know that -- I know the -- if the power plant went away and the coal mine went away, that the local economy would be devastated. I don't know if it would be beyond recovery, but it would be devastated significantly. I myself would have to hit the road, go on the road again to find work, which I don't want to do right now. And basically that would be the end of my gripe.

(End of comment.)

43.001

**Comment Letter 43.....Bryant, N.**

**Response 43.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #44**

May 7, 2014

Comment by: Lynn Harris

From: Kirtland, New Mexico

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MS. LYNN HARRIS: Actually, I think the whole thing was about whether you're in support of, I guess, Pinabete, and also to be able to extend the power plant's lease. And I'm pretty much in agreement with practically almost everything, especially the cultural one, the archeological stuff that pertains to our culture and stuff. And I pretty much like what I heard this evening. And pretty much I'm in support of it. I haven't heard anything I don't like yet. But it is something I am in support for because if they do shut the plant down, it would really devastate the economy in Farmington and all the surrounding areas.

44.001

But it's just the pollution problem, I wish they could get that part under control, which I guess they are going to be doing or in that process. Once everything is approved, I know they're waiting for the approval from BIA, so I do hope they push that along and get this all pretty much settled. I know they need to extend the -- to renew the lease for the -- this Area V and to approve the lines, these three here, actually six, the transmission lines. And actually I'm in support of alternative B, the Navajo mine extension project. If they don't approve that, I'm in support of alternate D. You know, the -- I think that's pertaining to the fly ash and the containment part. And there is a lot. I think that's it. Yeah.

44.002

(End of comment.)

**Comment Letter 44..... Harris, L.**

**Response 44.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**Response 44.002**

Thank you for your comment. The Draft EIS contains an evaluation of potential environmental impacts of the proposed action and alternatives for numerous resource areas, including air quality, climate change, water resources, public health, hazardous materials, noise, visual resources.

**COMMENT #45**

May 7, 2014

Comment by: Milford

From: Shiprock, New Mexico

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MILFORD: First of all, I am an employee of Arizona Public Service Company, born and raised here in the northwest part of the state in Shiprock. My family has been in Shiprock for generations. And anyway, growing up in this part of the region, not even knowing what a power plant was to begin with, because as a young child, I was raised herding sheep. And I used to look this way and I used to see the stacks of units one and two and never even knew where the electricity was generated or how it was made. But anyway, as I grew up, I didn't really know that I would end up working for the utility company, APS. But I guess I was just fortunate enough after a few years of college that I did come to work and they wanted to keep me as an employee and I've been employed with APS for 31 years.

And I look at what I have done as, you know, being fortunate to be employed with the company that has given me, you know, given me a means to do better than most folks, you know, within our community. And our company, you know, we do a lot for the Navajo Nation. They don't publicize, the Navajo Nation doesn't

**Comment Letter 45.....Milford**

**COMMENT #45**

publicize what the companies has done for them as far as contributions, I know that. So a lot of Navajo people on the reservations, they don't see the contributions that the company has given and I think that's the reason why we're running into so many issues with negative feedback from those type of people. But anyway, the company does, both the mine and the power company, they do contribute a lot to the tribe, to the State of New Mexico, and provide a service for the customers, you know, who are paying for utilities.

Anyway, I feel like if we were to lose these industries, the Navajo Nation was to lose these industries, what other industries are there, you know. Zero on the Navajo Nation itself. They can't -- the economic impact it would cause to the Navajo Nation, not only through -- to local here but the tribe itself because of the taxes and royalties that the Navajo Nation receives from our companies, you know, it would cause a massive layoff probably at the Navajo Nation level with the tribal employees. You know, I can see a big negative impact that way.

And so I think that what a lot of our people don't see is that due to what this company has provided, I mean, it has been positive. And, yes, we're an industry, people are against it because of what people

**Response 45.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

45.001

**COMMENT #45**

are environmentally conscious about, about things, environmentally conscious about the area here. But, you know, the companies themselves are being -- there is a lot of oversights through federal agencies and state agencies and tribal agencies that all keep an eye on what these -- what our companies are doing. So there is no way that what we do is going to -- what we do in our industry is going to, you know, have a real negative type impact, I guess. I think that's what concerns a lot of people.

With all like I said with all the agencies that are involved and all the oversights that goes on, there is no way that this company is or companies are not complying with all the standards. They're even exceeding a lot of it. So, you know, that is -- that is what I see and that's my experience as far as being, you know, employed by the company.

(End of comment.)

**COMMENT #46**

May 7, 2014

Comment by: Stanley Simms

From: Pinabete, New Mexico

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MR. STANLEY SIMMS: (THROUGH THE INTERPRETER) My name is Stanley Simms. I'm originally coming from the Pinabete permit area. He's stated to me that he is concerned about some archeological ruins that are on top of a mesa. He didn't identify the mesa. It's on top of the mesa and it's a rock structure that he thinks is not protected.

So he's wanting to know if that specific place has been identified. He noticed that when the blasting is going on at the mine, it causes the structure to crumble or move in some fashion, and he had that question and he wanted to state that concern.

He identified a location called Table Mesa to the northwest of the mine, and there's a road that goes from Table Mesa through and around the mine and it passes over a railroad track. And here's the wash right here between the Table Mesa and the railroad track, and the mesa is right here within the mine area. He said the ruin is right on top of this mesa. And this is the road coming from Table Mesa to their home, which is outside the boundary of the mine.

I just told him keep that map because we can't write it in. We can describe the location, but if somebody should go out there, then they'll be able to identify the mesa. That was all of my concern.

(End of statement.)

**Comment Letter 46.....Simms, S.**

**Response 46.001**

Section 4.4, Cultural Resources, of the Draft EIS discusses historical resources, archaeological resources, and traditional cultural properties that could be affected by the project. The analysis was based on extensive archaeological surveys conducted in conjunction with the Navajo Nation Tribal Preservation Office. Two programmatic agreements have been developed for the project to address the protection of cultural resources and artifacts and are attachments to the Final EIS. A discussion of the tribal and Section 106 consultation processes through which these programmatic agreements were developed is provided in Section 4.4, Cultural Resources.

46.001

**COMMENT #47**

May 7, 2014

Comment by: Ena Eltsosie

From: Morgan Lake, New Mexico

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MS. ENA ELTSOSIE: I'm concerned about our land, our grazing land area which was passed on to us by my father who has now passed on. It is north of Morgan Lake. That is where our grazing area is located. My concern is that the N36 highway has divided our grazing area. And we have people who work at the Navajo Mine and APS from the west, south, southwest and northwest. The workers come from west, south, southwest and northwest working at the Navajo Mine, and APS continuously drives through this area, our grazing area land. And when they drive through there, they made it into a very wide dirt road.

Now there's no vegetation. We had sheep. We had a herd of sheep which we don't have anymore. We used to have cattle. They would drive and hit the animals, the livestock or they rustled the livestock while they're out there. It makes it very hard on us. I have two sisters and one older brother. We do not like it when people are doing this on our grazing area.

And further, I want to mention that there's trash all over the place. There's a corral along that area, along that dirt road. We used to have a home there, but it's been vandalized so bad.

47.001

**Comment Letter 47.....Eltosie, E.**

**Response 47.001**

As discussed on page 3-13 of the Draft EIS, the reclaimed areas are revegetated to ensure that the land is capable of supporting the post-mining land use, which is designated as livestock grazing and wildlife habitat. A discussion of the potential impacts to agriculture, including grazing, is included in Section 4.9, Land Use and Transportation, of the Draft EIS.

**COMMENT #47**

My father used to work for the BIA Water Development and he used to build windmills where livestock water. He would use steel sheets given to him by the government to build or make troughs for the livestock to drink in. He also brought home some of the steel sheets that was given to him by the government. He built livestock shades and protection for the animals during the wintertime. Many of the sheets were stolen, probably five or six pieces off our property.

Like I mentioned before, we had sheep and cattle. We sold all of it because of the vandalism and the rustling of the livestock. There is no forage for the animals to eat, so, therefore, probably selling them was the best.

I mentioned our home along the road on our grazing area. There used to be an animal corral there. Now they're taking apart the corral posts. Also, they broke into the home. They kicked in the door and stole stoves and beds and other fixtures in the house.

What I would like to suggest and recommend strongly is that the company build a different road that would connect from N36 to APS road. Our grazing area has been severely damaged at this point. People would have parties around the Morgan Lake beach and use the lake area as a recreational site, along with all the other crime and leaving trash behind. I don't know what all goes on there, but the

47.002

**Response 47.002**

The lease from the Navajo allow the use of the land for this purpose, and the SMCRA permit would require reclamation after the cessation of mining that would restore the condition of the land to support livestock grazing.

**COMMENT #47**

trees and the weeds have been cut and it's a little bit better now. But once the weeds and the trees come back, I presume that the parties will continue.

The parties. There's been parties. There's been rapes, there's been murders, and it's been in the newspapers. These crimes have been published in the newspapers. That is my very utmost concern that I would like Four Corners power plant and Navajo mine look into, as well as the EIS.

There's a lot of pollen from the weeds and the power plant. We're suffering from allergies, also. We were healthy, but now we have allergies and respiratory ailments from the smoke from the power plant, probably the dust, too, from the roads. Since then, I've been taking allergy medication on a daily basis. Thank you. That is all I have to say.

(End of statement.)

**COMMENT #48**

May 7, 2014

Comment by: Charles Yazzie

From: Fruitland, New Mexico

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MR. CHARLES YAZZIE: Nenahnezad is my home chapter and I live in Fruitland, which is just right next door. I came out today just to give my testimony about what the mine has done for me. Because I work at the mine and the mine has provided for myself and my family. There was not too much opportunity for me and my family on the Navajo Reservation because before we used to be able to at least get by with farming and ranching, but the market was too unpredictable and I had to find a job, and I was fortunate enough to get a job with the Navajo Mine. I've been there 32 years. It's provided me two homes. The first home was on the reservation and that was okay. But I needed more, so we bought a home off the reservation in Fruitland and we have lived there for three years now. Nice home, got a barn, all the animals we want now, sheep, cattle, horses and a little bit of farming. We don't have too much to farm, but we still have enough that we need tractors and all that, backhoes and swathers, balers.

So what I made from the job, I was able to provide for myself and my family. It's something that -- farming is a hobby, something that we enjoy, and it's been really good to me. And right now our son is in college. He'll

48.001

**Comment Letter 48..... Yazzie, C.**

**Response 48.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #48**

be getting his bachelor's in December. He gets a scholarship from BHP and he doesn't get too much. But like he says, every little bit helps.

And I feel that the company has been really fortunate to the people in the area here. I really notice it more when I go to the chapter house meetings. And the people that are there, every one of them has a relative or family that works there, and there's a lot of positive feedback towards BHP. And I think it goes the same for APS, their families, and that's really good to see. But I think that's about it. That's all I -- I didn't have anything to come off of, but this is really just my personal testimony here.

(End of statement.)

**COMMENT #49**

May 7, 2014

Comment by: Jatee Thomas

From: Fruitland, New Mexico

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MR JATEE THOMAS: Well, it looks like a pretty good project that's going on. I see all these organizations, you know, working together, which is what should be done, you know, to let each organization know what its organization knows about, what each and every organization does and how they all come together for this certain cause.

And I know that I've just been -- well, I already knew that the tribe owns the mine now, so that's what self-determination is all about, you know, to see what the tribe wants for itself, see how it would benefit its people and to keep something maybe -- yeah, now that they want to mine more, they want to keep digging to sell coal, you know. Now I guess the coal profit goes to the Navajo Nation now, which I think -- yeah. And which I don't really know, like, how -- like I don't know. How do I say it? Money-wise or anything, if it's contributing more revenue to the Navajo Nation or not. But in a way, they're keeping a firm foot on who the Navajo people are and what they want to do.

And I hear that two or three stacks -- they don't use two or three stacks anymore. They only use two now, which is -- well, they're going to dig the coal directly from Area 4,

**Comment Letter 49..... Thomas, J.**

**COMMENT #49**

which is going to be used for stacks 4 and 5 now, right? So now they're coming up with new, maybe, what, alternatives or techniques that haven't been used before. They're barely finding out that brings down the emissions, which is -- I know for people it's a big concern, you know. This is a town that has a power plant right next door, you know. I'm pretty sure people see smog every day and say when is that going to go away or maybe just questions like that. I'm not really sure about the water, though. I don't hear many people say anything about water pollution, just mostly air pollution, things that we can already see.

And ground pollution, I'm not really too fond of that. I just kind of heard of what their techniques are of containing nitrous oxide and sulphur dioxide. So that's good. That's a plus. Other than that, yeah. Oh. One thing that I didn't really get my answers fully answered on were the socioeconomic effect. I didn't really get a good answer of how many jobs are going to be created from here on out or how is it going to -- if it's even going to benefit like, as they say, revenue-wise or anything like that. That's the only thing that I didn't get answers or if I asked my questions in a correct way.

But other than that, yeah, everybody is pretty much on top of the game here and they know what they're about. They know what the company is about and they know how like BIA

49.001

49.002

**Response 49.001**

Thank you for your comment. A complete discussion of Air Quality is provided in Section 4.1 of the Draft EIS.

**Response 49.002**

A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS. As described on page 4.10-28, no expected changes would occur to the baseline economic conditions (including total employment, industry size, labor force, and unemployment rate) within the region of influence. Under existing conditions, the Navajo Mine employs 397 people and the FCPP employs 360 people (see Section 4.10.3). The baseline condition includes the shutdown of FCPP Units 1-3 and associated lower rates of coal mining. The change from employment between 2013 to 2018 is addressed in 4.10.

**COMMENT #49**

is involved. The United States Army Corps of Engineers, they're involved. And it's mostly about the environment. Because we're talking about the power plant here and the coal mine. Those all have an effect on the environment mainly. And they've already been here for like about what, 60 years.

Now, it's like -- since it's already been here for 60 years, how are they going to move forward with this, with like green technology? They're all talking about green technology. You know, how is it going to have a less negative effect on the environment with this mine and the power plant. How is it going to benefit the people, like revenues or job making. And I think they're's pretty much on top of the game of what they want to do. I think the Navajo Nation is going to go with the proposal and they're going to -- I don't think they're going to go with plan B or plan C. I think pretty sure they've already made their choice.

And now, since everyone is here right now, whoever could make it here, they got the word from different organizations on how they are involved with this, which is pretty good. And I don't really come to these that often. It's a pretty good experience to even just let the people know themselves, because it's up to the individual if they want to go find out something or not. And that's why you guys are here, the media, see what's going on out there.

(End of statement.)

**COMMENT #50**

May 7, 2014

Comment by: Daniel Yazzie  
From: Farmington, New Mexico

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MR. DANIEL YAZZIE: I've worked at the power plant for 39 years and currently I'm a supervisor. And I really feel that, you know, it's really enhanced not only my life but my family as well. You know, there's some -- I don't see any negativity coming out of this. It's just the information that's gone out to the media and that type of information. But, you know, I just wanted to make a statement about, you know, health matters. I had a brother that died from diabetes and it's hereditary but it's also in me. What I really try to do is take care of myself. What I'm trying to say is that it wasn't the power plant that killed him. It wasn't anything directly -- he also worked there, but it wasn't that. And people really have to have that belief that they have to take care of themselves rather than blaming any of these people for their health problems or something that they really don't understand.

I know that they talked about the air quality. Well, you know, we have athletes that come from all over the world to train in this area. For myself, I just finished running the half marathon and I work right next to almost everything that they say that is bad, the NOx, SOx, CO2,

**Comment Letter 50..... Yazzie, D.**

**COMMENT #50**

ammonia, fly ash, the noise. And all of those -- I've worked next to that for 39 years, and I'm 60 years old and I'm still able to run a half marathon and finish it. I really believe that that's something that we really need to focus on.

And, you know, just because of -- I've also gotten into where our family is involved in, you know, taking care of their health, also. My wife, she runs a lot, too. And she's had some health issues in her family, but still we try to take care of that. Way back -- you know, I just wanted to say that when my father -- he was a Navajo code talker. And when he came back from the service, he really wanted to have his children excel. It wasn't so much in the words, but it was in his actions that he told me this, that I wanted to be a leader. He wanted to try to get involved with the community and that type of thing. And I really didn't know what he was trying to do or say, but I just took notice that he did that. And that's where I came upon being part of the community.

You know, I guess my best achievement that I would have to say is being able to be part of starting up the Navajo Preparatory School. When it was being first formed, our daughter was going to school there. And I was on the parent committee, so I was able to go ahead and be part of the council there. So we had a lot of dealings not only with the Nation but with the people that owned it, the school, and they wanted the Nation to take it over. So we built that school from the

**COMMENT #50**

ground up. And me working at the company that I do, you know, they condoned that. They wanted that type of a person. They wanted that type of a leader. I'm not saying that I am that type of a person. Every leader needs to be filled. They hardly are ever born. But, you know, just knowing that Arizona Public Service power plant gave me the opportunity to do these things. And with that, I know that, you know, there's a lot of children that are benefiting from this. A lot of them realize that they're directly impacted but indirectly, and I hope that that portion of the impact statement would be seen and heard.

I have kids that are in the military. I have kids that are at home. And I always wanted them to get a good education. And I'll tell you what. That was the first thing that I told my kids is that I'm going to pay for their education, and me working there has allowed me to do that. So it's impacted my life and my family that way.

You know, there are different, I guess, entities involved that were helping me make that decision, but it was the power plant and how it worked that I was able to do all of these things. And, you know, with that, it gave me an opportunity to excel. You know, I don't have a college education. I didn't go to college, but I did go through the apprenticeship program there, which is basically a program to a college degree. And from then, I took on the role of being, I guess, a mentor. I helped build an apprenticeship program

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**Response 50.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is provided in Section 4.10 of the Draft EIS.

**COMMENT #50**

there and I actually taught first aid and I was a medic for almost 20 years there.

So, you know, with that, I think that my family is actually proud of me, what I did. But I didn't do it for myself. I did it for them. And that's really what I think we need to understand is that it just not impacts just one particular individual. It impacts many. You know, that's basically what I have to contribute today.

(End of statement.)

**COMMENT #51**

May 8, 2014

Comment by: Stanley Simms From: Tohatchi, New Mexico

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MR. JASPER ROGERS: Tohatchi New Mexico. Well, I work for the Navajo Nation. I am with the minerals department and relating to all this EIS. So I guess I want to separate myself from working for the tribe and then as an individual. There was a big wind one time and I was driving -- me and my girlfriend were driving through Shiprock. I believe we were on that Navajo route by Morgan Lake. I don't know what that Navajo route is. And one time there was a lot of -- it seems like there was a lot of dust coming from the mine, the Navajo Mine, and it was just black. Maybe some of it was coal fines, I don't know. That could be kind of a concern.

If they could somehow -- I'm sure they have measures in place where they can control the dust, but that's my only concern, I guess. And also I've been near the power plant itself one time, and when you're near it on certain days when it's not windy, there's just a lot of smoke. I can really smell it. And it's just like it would be a concern with the air quality. It's affecting the air quality. And this is my first EIS meeting or -- I don't know what it is, but it's my first time. But actually, I visited and I got a lot of pretty good information from it. It's kind of like for me almost a refresher course because I work with reclamation and all that.

And on the reclamation side of the mine -- or the mine and then the power plant itself, yeah, of course, it provides jobs, so you've just got to find a balance and keep people employed but also keep them safe from all the hazard that comes from mining and keeping the generator going. So that's my comment. The coal mine and the power plant, whatever revenue, royalties, which is good for the Navajo Nation, and it keeps the Navajo Nation running and provides revenue for them, which is a great plus. (End of statement.)

**Comment Letter 51 .....Simms, S.**

**Response 51.001**

A list of dust control practices at the Navajo Mine is provided in Section 3.2.6.1 of the Draft EIS, on page 3-34. The evaluation of air quality impacts associated with operation of the Navajo Mine is included in Section 4.1, Air Quality of the Draft EIS.

**Response 51.002**

Section 4.1, Air Quality of the Draft EIS includes an evaluation of the potential air quality impacts related to operation of the Navajo Mine and FCPP. Section 4.10, Socioeconomics, includes a discussion of the revenue received by the Navajo Nation, associated with operation of the subject facilities.

51.001

51.002

**COMMENT #52**

May 8, 2014

Comment by: Adella Begay From: Wheatfields, Arizona

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MS. ADELLA BEGAY: First off, I think this is a hearing on the draft Environmental Impact Statement, and I think I was just talking to the public person. And we've had so many hearings -- just a few. I think five were with the Navajo people and a lot of them are not here due to the draft EIS is written very technical. It's over 500 pages and it's hard for any -- even it's hard to understand that. And what the gist of it, though, is a lot of it says minimal impact, but there are a lot of things that when I went in there to ask questions, that, "Okay. You stated in the draft EIS that there's minimal impact. Where is the analysis?" And I was kind of like shafted. "Okay, go ask that person." I go there. Pretty soon they just kind of just brush you off. So there was really nothing productive produced other than to say look at the draft EIS. But it states in there it's minimal.

I want to see what your analysis document of why that conclusion was made. For example, I am a healthcare worker. I'm an RN, and I know there has never been a health impact study done. And it says minimal impact, but knowing -- being in the health industry and also doing some research, you know, for the different chronic diseases that I work with, 40, 50 years ago you didn't see asthma in kids. Nowadays it's pretty prevalent, and the mining company says it's because people use wood stoves. Wood stoves, yes, they do, but the heat, the temperature is not as high as these power plants. And a lot of it, I think, is due to the power plant, the pollutants.

The Navajo Nation is surrounded by seven power plants, and the cost of healthcare far outstrips what these mines bring to the Navajo Nation in revenues. But the people's health, they don't really see because they refuse to see it.

So to say that minimal impact on health should go ahead for another 25 years of coal mining and the power plant is really -- the draft EIS is really inadequate. And we are asking for a 60-day review, but we know that in the end they'll say findings of no significant impact just because they want to

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52.002

**Comment Letter 52..... Begay, A.**

**Response 52.001**

Please see Master Response #8, Public Review Period and Master Response #10, Translation of the EIS.

**Response 52.002**

The Human Health Risk Assessment conducted for the proposed project is part of the Administrative Record and is available to the public upon request. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. This section also summarizes the results of the fugitive dust model and the diesel particulate model, both human health studies. Section 4.1, Air Quality, also addresses human health in the context of air emissions from the FCPP and Navajo Mine. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. Section 4.17 also summarizes the results of public health studies conducted by New Mexico Department of Health, and related studies.

**COMMENT #52**

go ahead with this mining.

And the other part is the coal ash, almost close to 50 years of coal ash that has accumulated. And I understand the coal ash -- there is no lining to keep it from seeping, but eventually even if it was lined it would seep just because of the wear and tear. And the coal ash sits there. And just recently in the news, the Duke Coal Company, they had a spill. It cost them \$10 billion to clean up 100 million tons of coal ash, and that's what the Four Corners is sitting on, 140,000,000 tons of coal ash. This needs to be -- how can they Now, climate change, it's happening. We see it in the news. It's been happening here because a lot of our ponds are drying up in the mountains, so we know it's here. So it's a real concern to have another 25 years. And for these companies to say minimal impact, that's totally, totally absurd and wrong. Where's the moral of the story here? So that's my comment.

(End of statement.) 9

52.003

**Response 52.003**

An evaluation of the potential impacts to groundwater beneath the ash disposal areas is provided in Section 4.5, on page 4.5-57. A discussion of potential impacts associated with failure of the ash impoundments is included in Section 4.15, Hazardous Materials and Wastes. Impacts to climate changes are addressed in Section 4.2, Climate Change.

**COMMENT #53**

May 8, 2014

Comment by: Robin Jackson From: Wheatfields, Arizona

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MS. ROBIN JACKSON: So I'm going to read this. This is for Ms. Jewell, Secretary of Interior.

On behalf of Dine C.A.R.E. we, Dine Citizens Against Ruining our Environment, are writing this letter to determine the Department of Interior's involvement in the purchase of the Navajo Mine by the Navajo Nation.

Dine C.A.R.E. is a Navajo organization who works with Dine people that are affected by energy and environmental issues on the Navajo Nation.

The Navajo Mine has been and is still owned and operated by BHP Billiton, an Australian-based multi-national company. The lease of the Navajo Mine will end in 2016 and the current owner, BHP Billiton, plans to leave the operations and ownership of the Navajo Mine in the hands of the Navajo Nation beginning in 2017. Perhaps most troubling is the fact that BHP Billiton is requiring Navajo Nation to waive all past, present, and future liabilities, liabilities that could overwhelm the Navajo people. However, the process of the mine acquisition and the mine transfer is all happening far too quickly to know the extent of these liabilities and all agreements and transactions will be rushed to completion by December 1st, 2013. This rushed process concerns many Dine people and may evidently harm all the Dine people for several reasons.

First and foremost, we request for the Department of the Interior to define exactly what secretarial approvals are required in relation to the Navajo Mine acquisition. Secretarial decisions/approvals are bound by environmental laws/regulations to

**Comment Letter 53 ..... Jackson, R.  
Diné CARE**

**COMMENT #53**

include public participation and transparency.

Second, the Bureau of Indian Affairs needs to be a participating party in the Navajo Mine transfer and acquisition for the following reasons: One, BIA's mission is to carry out the responsibility to protect and improve the trust assets of the Dine people; and, two, the BIA is a cooperating agency in the Environmental Impact Statement assessment that is still underway. BIA's participation in the development of the EIS are shown in the table -- exclude that.

Third, our Navajo Nation Attorney General, Harrison Tsosie, and BHP New Mexico Coal Asset President, Patrick Risner, are informing the BIA that their approvals are not needed in this mine transfer and mine acquisition. This concerns the Dine people because it seems that BHP Billiton and our Navajo leaders are bypassing certain approvals to rush the mine transaction completion before the end of the year.

Notably,

Mr. Tsosie and Mr. Risner's suggestion seems to be clearly contrary to the broad language of BIA regulations, which broadly state that, "no lease or interest therein or the use of such lease shall be assigned, sublet, or transferred, directly or indirectly, by working or drilling contract, or otherwise, without the consent of the Secretary." This approval process serves the important purpose of assuring that such transfers maximize the Nation's best economic interests and minimizes any environmental impacts or cultural impacts.

Fourth, an Environmental Impact Statement of the Four Corners Power Plant and the Navajo Mine is still in progress. This EIS is essential because the Department of Interior, whether BIA or the Office of Surface Mining, has never before completed a comprehensive environmental review of the Navajo Mine's impacts in the context of

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**Response 53.001**

Thank you for your comment. The EIS was prepared in accordance with CEQ NEPA regulations and the OSMRE NEPA handbook. The EIS includes an evaluation of cumulative impacts in Section 4.18, Cumulative Impacts. The potential effects of coal ash placement is also addressed in Section 4.5, Water Resources. Toxic air emissions are addressed in Section 4.1, Air Quality. The approach to environmental analysis is described in Section 4, and describes that the EIS addresses both the Proposed Action, the alternatives, and the consequences of continued operations.

**COMMENT #53**

the Four Corners Power Plant. We are very concerned that these connected and cumulative mine-power plant impacts, such as coal ash contamination, and toxic air emissions, have caused great suffering to the Dine people, as well as to other peoples downwind of the complex. Therefore, this EIS is essential to ensure that the Dine people have a full and true understanding of the mine and power plant impacts to determine whether long-term operations of the mine-power plant are in the best interests of the Dine people. A draft of the EIS document will be available by the second quarter of 2014. Why is BHP Billiton fast-tracking the mine transfer and acquisition before the EIS document is released?

Fifth, the Navajo Nation has already approved \$7.1 million from the unreserved, undesignated funds for Phase 1 and Phase 2 due diligent reports on the Navajo Mine and for the Navajo Transitional Energy Company, LLC, to complete the mine transaction by December 1, 2013. An estimated \$85 million will also be given to BHP Billiton to solely purchase the Navajo Mine. In addition, an estimated \$163 million is needed to pay for the surety bound on the Navajo Mine. A total of \$255.1 million of Navajo Nation monies will have been used by the end of 2016. These millions of dollars are being spent by our Navajo Nation, investigation companies, and BHP Billiton. The Dine people are concerned due to lack of transparency and minimal public input.

Sixth, on October 23, 2013, our Navajo Nation council delegates signed legislation 0149-13 approving amendments to CAP-20-13. One of the amendments passed in this legislation was for Navajo Nation to waive all of BHP's Billiton's liabilities, past, present and future. The Dine people would like to know if the Department of Interior will allow this to happen, for our Navajo Nation government to waive all liabilities of an Australian company. What is the Department of

**COMMENT #54**

May 8, 2014

Comment by: Adella Begay From: Wheatfields, Arizona

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MS. ADELLA BEGAY: This is for Mary Kendall, Deputy Inspector General.

On behalf of all Dine people, we, Dine Citizens Against Ruining Our Environment, Dine C.A.R.E., are writing this letter to request Office of the Inspector General to investigate the Bureau of Indian Affairs' involvement in the transfer of the Navajo Mine lease. The ownership of the mine lease is being transferred from the current owner, BHP Billiton, to a new owner, the Navajo Transitional Energy COMPANY.

On May 15, 2013, a letter to the BIA by Navajo Nation Attorney General, Harrison Tsosie, and BHP New Mexico Coal Asset President, Patrick Risner, informed the BIA that their approvals are not needed in the Navajo mine transfer and mine acquisition. This concerns the Dine people because it seems that BHP Billiton and our Navajo leaders are bypassing certain approvals to rush the mine transaction completion before the end of the year. Notably, Mr. Tsosie and Mr. Risner's suggestion seems to be clearly contrary to the broad language of BHP regulations, which broadly state that, "no lease or interest therein or the use of such lease shall be assigned, sublet, or transferred, directly or indirectly, by working or drilling contract, or otherwise, without the consent of the secretary." 25 C.F.R. 211.53(b). This approval process serves the important purpose of assuring that such transfers maximize the Nation's best economic interests and minimizes any environmental impacts or cultural impacts. 25 C.F.R. 211.1.

Representatives from BHP and Navajo Nation are bypassing BHP's approval because they are structuring the Navajo Mine lease

**COMMENT #53**

that it is consistent with the Nation's best economic and environmental interest. We also believe that this determination must be made in the clear light of day, subject to the scrutiny of all Dine people. We look forward to hearing your prompt response to our concerns and to hearing about what the Department of Interior is doing with regard to this proposed mine transfer to ensure that it is in the best interests of the Dine people.

Thank you.  
(End of comment.)

**COMMENT #54**

May 8, 2014

Comment by: Adella Begay From: Wheatfields, Arizona

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MS. ADELLA BEGAY: This is for Mary Kendall, Deputy Inspector General.

On behalf of all Dine people, we, Dine Citizens Against Ruining Our Environment, Dine C.A.R.E., are writing this letter to request Office of the Inspector General to investigate the Bureau of Indian Affairs' involvement in the transfer of the Navajo Mine lease. The ownership of the mine lease is being transferred from the current owner, BHP Billiton, to a new owner, the Navajo Transitional Energy COMPANY.

On May 15, 2013, a letter to the BIA by Navajo Nation Attorney General, Harrison Tsosie, and BHP New Mexico Coal Asset President, Patrick Risner, informed the BIA that their approvals are not needed in the Navajo mine transfer and mine acquisition. This concerns the Dine people because it seems that BHP Billiton and our Navajo leaders are bypassing certain approvals to rush the mine transaction completion before the end of the year. Notably, Mr. Tsosie and Mr. Risner's suggestion seems to be clearly contrary to the broad language of BHP regulations, which broadly state that, "no lease or interest therein or the use of such lease shall be assigned, sublet, or transferred, directly or indirectly, by working or drilling contract, or otherwise, without the consent of the secretary." 25 C.F.R. 211.53(b). This approval process serves the important purpose of assuring that such transfers maximize the Nation's best economic interests and minimizes any environmental impacts or cultural impacts. 25 C.F.R. 211.1.

Representatives from BHP and Navajo Nation are bypassing BHP's approval because they are structuring the Navajo Mine lease

**Comment Letter 54..... Begay, A.**

**Response 54.001**

Thank you for your comment.

**COMMENT #54**

transaction as a stock transfer. BHP and Navajo Nation argue that a stock transfer does not ordinarily trigger consent requirements related to lease assignments. However, the cases they cite for this proposition provide clear support only for the narrow rule that stock transfers do not trigger consent requirements in leases where such stock transfers, one, involve only a transfer of control and not of ownership, and, two, are not a result of fraud or evasion.

The Navajo Mine transfer involves a transfer of ownership, not just control, and, therefore, is a result of evasion pertaining to 25 C.F.R. 211.53 (b).

The proposed Navajo Mine transaction involves a series of steps that result in a complete transfer of ownership from BHP to NTEC.

It is imperative that the Department of the Interior investigate the Navajo Mine transaction thoroughly before the transaction is approved and signed by the Secretary of Interior. As part of the proposed transfer, the Navajo Nation has agreed to release BHP Billiton from past, present, and future liabilities associated with the Navajo Mine. The result of such release and the Navajo Nation's subsequent purchase of the mine could lead to significant future liabilities for the Navajo Nation, particularly given that toxic coal combustion waste has been backfilled at the Navajo Mine for 40 years.

The Secretary of the Interior and specifically BIA have mandatory trust duties related to the management of assets held in trust by the United States for the benefit of the Navajo Nation, including the coal resources at the Navajo Mine. The Office of Surface Mining, in its response to public comments on the transfer of the surface mining permit from BHP to the Navajo Nation, assert that the Secretary and BIA have fulfilled their trust obligations with regard to the Navajo Mine when they approved mining in 1957. This statement is as

**COMMENT #54**

incredible as it is indefensible. The circumstances surrounding the mine have, by any account, changed dramatically since 1957, and for OSM to suggest that the Secretary's approval of mining in 1957 fulfilled the agency's trust responsibilities amounts to a denial of any trust responsibilities. In addition, OSM is conducting an Environmental Impact Statement for Navajo Mine and Four Corners Power Plant in which impacts, including financial implications and liabilities, must be thoroughly analyzed. This EIS, under the jurisdiction of the Department of the Interior, is not expected until 2014 and will undoubtedly recognize significant environmental impacts accrued over 50 years. On November 1, 2013, Dine C.A.R.E. wrote Sally Jewell, Secretary at Department of the Interior, specifically requesting a response concerning secretarial approvals that BHP and Navajo Nation purport to have received. Dine C.A.R.E. has received no response from Secretary Sally Jewell as of December 9th, 2013. We believe that pursuant to 25 C.F.R.211.53 (b) and its trust obligations, BIA must approve any transfer of ownership of the Navajo Mine from BHP to the Navajo Nation to assure that it is consistent with the Nation's best economic and environmental interests. We also believe that this determination must be made in Dine people. It seems that BIA and OSM, not to mention BHP and Navajo Nation leadership, are intent on evading any such review, while pushing for a rushed transfer of ownership with little public scrutiny and scant attention to the potentially ruinous repercussions that could result. In this circumstance, the Inspector General should intervene to assure that these agencies are fulfilling their mandatory duties under the oversight trust responsibilities of the Department of the Interior. We look forward to hearing your prompt response to our concerns and to hearing about what the Department of the Interior is doing with regard to this proposed mine transfer to ensure that it is in the best interests of the Dine people.

(End of comment.)

**COMMENT #55**

Comment by: Eddie Becenti  
From: Window Rock, Arizona  
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MR. EDDIE BECENTI: Okay. Real quick, I want to state some comments on this Four Corners Power Plant, Navajo Mine and NTEC, the Navajo Transitional Energy Company, in regards to the draft Environmental Impact Statement, the EIS. So far these public meetings have been like poster board style with consultants and agency representatives from OSM, BIA, USCOE, Navajo Nation. But we noticed that EPA has been absent from all these meetings to date. The public meeting also was formulated or constructed to minimize impacts and deflect responsibility to pave way for 25 more years of the Four Corners Power Plant operations. And there are links on You Tube that people can go to to see for themselves, you know.

There is a contractor that did the 1500-page draft statement. They keep pointing to the BART determination, closing the three smaller units at the Four Corners Power Plant as the driving regulatory decision that now gives the impetus to allow the power plant to run 75 percent more of historic capacity.

75 percent equals like 1500 megawatts. The contractors claim that they have been constrained by the idea that the greenhouse gasses are not currently regulated, and as writers of the draft EIS to be adopted by Office of Surface Mining or management and the cooperating agencies, they can't assert regulatory authority because they're saying the greenhouse gasses are not currently regulated.

"The proposed action, including the continuing operations of Navajo Mine, Four Corners Power Plant, and the transmission lines by itself would not result in a major contribution to adverse effects associated with climate change, therefore, no mitigation is required." This is what they're saying, which is not true, no mitigation is required. It's just -- it's like there is a contradiction. And why have an EIS study if they already stating that no mitigation is required. If they would show us some statements or some documentation or some studies that adhere to that statement, then it's a little different. So the draft EIS completely denies climate change impacts and discards mitigation. Now, how does this compare with what the federal

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**Comment Letter 55..... Becenti, E.**

**Response 55.001**

Future operations would be at historic operating capacity factor of Units 4 and 5.

In regards to greenhouse gases, CEQ provides draft guidance in assessing potential impacts, which is followed in the Draft EIS analysis (page 4.2-16).

**Response 55.002**

The Draft EIS takes a hard look at climate change and provides a robust discussion of potential impacts of climate change (see page 4.2-1). The impacts analysis quantifies the CO<sub>2e</sub> emissions of the FCPP and mobile source emissions in the context of regional, national, and global emissions. With regards to societal costs of climate change, as stated on page 4.2-23, "while the Proposed action would contribute to the effects of climate change, its contribution relative to other sources would be minor in the short- and long-term." Implementation of the FIP for BART had the additional effect of reducing greenhouse gas emissions by 26% (incorporated as part of the baseline). When compared to other sources of GHG in the region, the reduced contribution from FCPP is considered minor. As such, no additional mitigation measures are recommended.

**COMMENT #55**

government is saying on the threat of continued inaction on climate change?  
The longer society waits to implement strong measures to cut greenhouse gas emissions, the more costly and difficult it will become to limit climate change to less than catastrophic levels.

I have four potential outcome scenarios as to why the draft EIS is so important.

One, the future of FCPP hinges on Arizona Public Service, APS, investing the selective catalytic reduction in Units 4 and 5, with the plan to keep the coal plant running for 25 more years at approximately 75 percent, 1500 megawatts, of historic operations. In the EIS process, we will focus on the continued CO2 emissions, at a time when carbon regulation is forthcoming, generation coal combustion waste and other issues that will raise costs, liabilities and make coal less favorable for APS.

Two, we could advocate for an alternative in the EIS for a shorter time frame, ten years, to transition from Four Corners' area reliance on coal to renewables, taking advantage of existing transmission, mine reclamation areas for solar, and great conditions for solar. The draft EIS quickly discounts renewables and attempts to portray that coal is our only choice.

Three, due to the federal trust role at the FCPP/Navajo Mine complex, we are seeking Department of the Interior engagement -- they prepared the EIS -- to evaluate economic opportunities for the region to transition from historic reliance on coal and coal energy export. Also our region needs to seek expertise and funding to develop an alternative energy vision.

Four, we seek full accounting of liabilities, costs, bonds associated with historic and future operations of FCPP and Navajo Mine. Although it is being portrayed that the economics of continued



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**Response 55.003**

Please see Master Response #13, Cost of Electricity

**Response 55.004**

Please see Master Response #2, Renewable Energy Alternatives.

**Response 55.005**

The project purpose and need focuses on this project, and alternatives related to alternative energy to coal were evaluated in the Alternatives section. It is the stated intent of NTEC to evaluate alternative energy-generating technologies.

**Response 55.006**

As the trustee, the Secretary of the Interior has a responsibility that federally sponsored or permitted projects do not create a liability that the US Federal Government would assume. As part of the trust review process, the Secretary is yet to sign Lease Amendment #3 to authorize the renewal of the FCPP lease; therefore, issues regarding environmental liabilities from continued operations of FCPP and Navajo Mine are still being considered via the NEPA process.

**COMMENT #55**

operations at FCPP and Navajo Mine will be profitable, coal is in decline naturally, and full investment in aged coal facilities could deter the region from moving ahead economically. The complex should be cleaned up before it is allowed to operate in the future.

Action items: One, due to the May 27 comment deadline, we need to know if your organization intends to sign on to comments being prepared by Western Environmental Law Center, WELC. Lead Megan Anderson has done an extraordinarily job along with the incredible leadership of John Barth and WCEC. If your organization has a particular interest and/or expertise, for example, endangered species or air quality, please consider helping on the comments, just hit those sections in the draft EIS, and provide comments on the particular sections of interest. Expert assistance on coal combustion waste, air quality, and cultural resources has been secured through WCEC. Two, given the stark realities brought forth by the national climate assessment, it is imperative that we devise a timely strategy to engage with decision makers to portray our abject displeasure with this draft EIS that gets nowhere close to adequately analyzing climate change, and the multitude of issues plaguing FCPP and connected facilities. Department of the Interior and EPA need to be called out.

Three, renewable energy alternatives are summarily dismissed in the draft EIS, eliminated from further consideration. This is unacceptable and points to deficiencies in draft EIS consultants taking marching orders from project proponents to dismiss a reasonable range of alternatives.

(End of comment.)

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**Response 55.006 (continued)**

In regards to the financial and economic nature of the overall operation, NTEC made a business decision to acquire the Navajo Mine believing that the purchase would result in additional revenues for the Navajo Nation. The majority of accounting and financial information is considered proprietary and has not been disclosed to OSMRE. However, detailed information regarding how the project effects the local, state, and tribal economies is included in Section 4.10.

**Response 55.007**

See Master Response #5, Greenhouse Gases.

**Response 55.008**

Please see Master Response #2, Renewable Energy Alternatives.

**COMMENT #56**

Comment by: Sarah White  
From: Little Water, New Mexico

MS. SARAH WHITE: Number one, I'm going to talk about -- the first one that I wanted to talk about is the way this Environmental Impact Study comments is set up. That is a big concern to the Navajo people, the community people. That is why we hardly seen Navajo people here. And, actually, I think we had a better turnout here and we got a better turnout in Nenahnezad because the mine worker, they all come from there. But then again, those are the educated ones that -- you know, the ones that up in age. But those -- we had elderlies, we have handicap people that -- I feel that they are -- they got cheated out of this Environmental Impact Study comments because we have to go to their homes and they -- the Navajos live like from about three miles, five miles apart and we had to go to their homes to get them to make comments and send them in and we're short on manpower. And a lot of these elderlies or handicap can't drive because they don't have a vehicle, and the way it's set up, the community people are very upset about, they don't like it like this. They walk in and they feel uncomfortable because you have to go here and go here and to this poster and this poster and that poster and they don't feel comfortable about that.

Another thing is that a lot of our community people are -- a lot of them are elders, they can't stand very long, they can't -- they have either arthritis problems or back problems, so they would rather sit down and they would like to have an open mic. That is what they would like. And that's what I think would be very more comfortable and efficient for these people and more comfortable and more -- better atmosphere because they want to see other people making comments and hear their voice and then, you know,

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**Comment Letter 56.....White, S.**

**Response 56.001**

Please see Master Response #9, Public Meeting Format

**COMMENT #56**

that is how they like it. And what I think should have been done, the way should have been done is like time them, like maybe three to four minutes, you know, to make their comments. And that works. It always works because we always use them. And still have this setup for people who doesn't want to speak in public in the other corner. And still put your posters for people who would love to go around and look at it. And it should be set up with all three ways of communication to make these comments. But the way it's set up is they're very unhappy with it and they don't like it. So not only me, I feel uncomfortable with it too, I had to drag a chair around because I have a problem with my ankle so I can't stand very long. And so that is one of the biggest concern for my community people. And they told me to go ahead and make a comment on that one.

And then another one is the EIS book they say is 1500 pages. And we had a lot of people that are -- they can't read. And so they would like to have a Navajo video to listen to it and see what it's about before they make their comments. And also the book is very technical. Some people have limited education and they say, come, take a look. This is native, this is native people, this is not highly educated people. So we need these in our standard to instead of all this high tech, we can't understand a lot of these things. So that would really make it comfortable for us to understand what are in the EIS book and what everybody is talking about.

So according to this, I feel that the people out there is very -- got cheated out of all this comment, you know, as many comment stops as these guys make, you know. It's not -- it didn't benefit everybody, so we got a problem there. You know, this is the last one I'm going attend, I'm not going to Albuquerque. So that is what I want to put in there.

(End of comment.)

**Response 56.002**

Please see Master Response #10, Translation of the EIS.

56.002

**COMMENT #57**

May 9, 2014  
Comment by: Arvin Trujillo  
From: Fruitland, New Mexico

MR. ARVIN TRUJILLO: In reviewing the information here, I just want to say that I'm in support of Alternative A to keep the plant open and to continue with the mining operations. Looking at the information that has been reviewed and compiled, I feel real comfortable that a lot of the environmental aspects have been addressed. Granted there are probably some mitigation work that has to be included throughout the next few years, but I think all those things have been looked at, including endangered species, traditional cultural properties, looking at the mining operation itself and reclamation work. I feel real comfortable with that.

The other thing is given that all of that work has been done, the socioeconomic aspects also are a main concern to me. I think it's real important to have those dollars. And right now I'm aware that about \$343 million a year is brought into that region and about \$65 to \$70 million of that goes to the Navajo Nation. I think having those jobs there, the multiplier affected those jobs. It's important having those taxes in place not only for the Nation, but for the surrounding region, it adds a lot to that area.

And looking at the employees themselves, you know, their abilities to volunteer in the local areas, work with the chapters and also their contributions through organizations like United Way and Navajo Way where they're contributing about \$1.5 million a year, I think those things also are really important to the overall well-being of the overall region. So I'm supporting the Alternative A aspects and look forward to seeing that operation continue into the future.

(End of statement.) 10

57.001

**Comment Letter 57 ..... Trujillo, A.**

**Response 57.001**

Thank you for your comment. A complete discussion of Socioeconomic Impacts of the project is included in Section 4.10 of the Draft EIS.

**COMMENT #58**

May 9, 2014

Comment by: Eugenio Perez

From: Albuquerque, New Mexico

- - -

MR. EUGENIO PEREZ: My comment is overall socioeconomically, you can't shut the mine down. But I think that they should at least return Area 1 to the people and make some kind of use of that land if it's safe and usable for the people.

(End of comment.)

58.001

**Comment Letter 58.....Perez, E.**

**Response 58.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS, and Section 4.10.4 includes analysis of likely results if the Navajo Mine SMCRA permit was not renewed. Please also see Section 3.2.1.1 ("Reclamation" subheading) for additional information on the bond release process when reclamation standards are met.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - public comment

**COMMENT #59**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**public comment**

1 message

**RANDY ROGERS** [REDACTED]

Tue, Apr 29, 2014 at 5:06 PM

To: "FCPPNavajoEnergyEIS@osmre.gov" <FCPPNavajoEnergyEIS@osmre.gov>

To whom it may concern:

Thank you for the opportunity to comment on the purchase of mine assets by the Navajo Nation. As a local small Business owner and as a member of the community who has lived here since 1957 I think it is a great opportunity for the Tribe.

I employ about 20 people and a significant part of our business is conducted with BHP and the Power Plants. We look forward to doing business with NTEC. With our 20 employees and families we represent over 80 people depending on us for a living. If we didn't have the mine business we would probably have to lay off 5 or 6 employees. Our annual payroll is about 1 million dollars all of which is kept in this area to help the local economy. If you consider the hundreds that are employed by the mines and power plants and extend it out to the family members who are supported by those employees, it adds up to thousands who are benefited by the coal and power industries. It is the bedrock of our community. We are just one of many small businesses in the community who are the beneficiaries of the industry. It makes a difference in lifestyle for all of us who live here.

59.001

I have lived here during the construction of the Power Plants and since the beginning of Mine operations. I have seen the benefit to this community. BHP, PNM, and APS have been very good neighbors. Because of their considerable contributions to our tax base it has been possible for all communities around us to improve schools and infrastructure. Many of the charitable organizations could not survive without their community and fundraising involvement. They also encourage their employees to be involved. Community involvement is what makes this area such a great place to raise a family. As the years have gone by and technology has improved updates have been made to equipment to minimize the environmental impact here. In the areas that have been mined and reclaimed you can't tell that mining ever took place. If they had a short term view they could have come in and cared only about making money at the expense of the environment. They have not done that. They have a long term outlook and care about leaving the land the same or better than it was when they started. Many upgrades have been made over the years.

59.002

One of the things I appreciate about working with BHP, PNM, and APS is their strong emphasis on Safety. They care about their employees and contractors. They want everyone to go home to their families safely each night. They insist that care be taken on each job to make sure accidents are kept to a minimum. They do not tolerate unsafe practices.

59.003

I know there are those who don't understand the importance of these good neighbors on our communities. Some would like to stop this transaction from taking place. It would be devastating to the area if it was stopped. I feel that BHP has been very generous in selling to NTEC. I have many friends, including Native Americans who have been able to provide better lives for their families because of this industry. I believe this deal is a very good deal for the Tribe. They will have more control of the resources they own and should be able to have considerable financial benefit from this deal. Please don't take the economic impact lightly. As a business owner I have invested hundreds of thousands in equipment and tools and have paid my employees a good wage so they can support their families. I am just a small part of the equation. Losing the Mine and Power plant capacity in our area would be devastating for all the communities in this area.

59.004

Thank you for listening to my input. I appreciate the opportunity to tell you how I feel and how important this is for our area. Please feel free to contact me if you have any questions about how I feel.

[REDACTED] 1/2

**Comment Letter 59.....Rogers, R.**

**Response 59.001**

Thank you for your comment. A complete discussion of Socioeconomic Impacts of the project is included in Section 4.10 of the Draft EIS.

**Response 59.002**

Thank you for your comment. A discussion of Reclamation practices at the Navajo Mine is included in Section 2.1.6 of the Draft EIS.

**Response 59.003**

Thank you for your comment. A discussion of worker safety is included in Section 4.17, Health and Safety.

**Response 59.004**

Thank you for your comment. A discussion of the Socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - GEOMAT Comments

**COMMENT #60**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**GEOMAT Comments**

1 message

**George Madrid** [REDACTED]

Wed, Apr 30, 2014 at 8:34 AM

GEOMAT is a consulting engineering business in Farmington, NM. I own the business and have around 20 employees depending on our workload. A significant amount of our business comes from BHPB. They have been one of our top tier clients for several years. Their continuing business is important to our continuing success. I know of many other businesses in our community that rely on doing business with BHPB. Without BHPB, our community would suffer the loss of many good paying jobs and the economic impact would be devastating.

60.001

From my business dealings with BHPB and experience as a past BHPB employee, I know they maintain a sustained focus on environmental performance, reclamation success, employee health and mine safety, and community investments.

Based on the above comments, I strongly recommend approval of the EIS under consideration!



George A. Madrid, P.E.  
President, Principal Engineer



[REDACTED]

1/1

**Comment Letter 60..... Madrid, G.**

**Response 60.001**

Thank you for your comment. A discussion of the Socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant

**COMMENT #61**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**Fwd: Four Corners Power Plant**

1 message

Mon, May 5, 2014 at 9:13 AM

[Redacted]

Good morning Marcelo,  
I am not sure whether this is the proper email address for a comment on the proposals you are dealing with, but I only have this address. As a resident of the Four Corners area, I am aware of the abject poverty on the vast Navaho reservation and the desire of many to help. Over the years that I have lived here, I have seen corporations come and stay and some have left, the government has attempted and suggested many things. As the coal powered plant s have been allowed to pollute and store coal ash using less than best practices, all the people have suffered from additional asthma, lung diseases, cancers and the poverty remains, while the vast resources of the impoverished have by and large gone into the pockets of the ever increasingly wealthy corporations, CEOs and stockholders who have never seen the smoke-belching stacks and the brown haze or been told not to eat fish that they have caught to eat because of mercury contamination. The public comment meeting came and went while I was at work, so I am asking you to share my comment with those who need to see it. Protect both the Navaho and the other residents who share this beautiful area from further pollution and danger.

61.001

Ann Perkins-Parrott

[Redacted]

[Redacted]

[Redacted]

1/1

**Comment Letter 61 ..... Perkins-Parrott, A.**

**Response 61.001**

Thank you for your comment. The Human Health Risk Assessment conducted for the proposed project is part of the Administrative Record and is available to the public upon request. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. An evaluation of potential impacts with regard to environmental justice is included in Section 4.11 of the Draft EIS.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant/Navajo Mine Energy Project

**COMMENT #62**



FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**Four Corners Power Plant/Navajo Mine Energy Project**

1 message

**Marilyn McCord** [REDACTED]

Tue, May 6, 2014 at 9:23 AM

Attn Marcelo Calle:

I live at Vallecito at the north end of Vallecito Reservoir. Over my 25 years here (full time) I have seen the increase in air pollution in the Four Corners, experienced the worsening of my allergies, and despaired at the posting of Vallecito Reservoir for mercury content. My late husband was an active member of the Four Corners Air Quality Task Force so I am aware of their work; during his career with the US Public Health Service he was on loan to the EPA for 17 of those years.

62.001

Climate change is one of my number one issues – if we don't have a liveable planet, what are we to do? We are losing species at an alarming rate – will humans also be on the list sometime in the future? The May 5 Durango Herald article quotes Daniel Tormey: "If the most important thing to you is climate change, then any coal-fired power plant that you shut down is a victory." Shutting down the For Corners Power Plant would be my number one choice; my 7.5Kw rooftop solar panels are to be installed at the end of this month. If the phase-out of the plant needs to be more gradual, please consider the most restrictive (yet realistic) options possible. There are many things more important than profit – like clean air, clean water, clean soil, flourishing species.

62.002

Thank you,  
Marilyn McCord

[REDACTED] 1/1

**Comment Letter 62..... McCord, M.**

**Response 62.001**

Thank you for your comment. An evaluation of the potential air quality impacts of the proposed action and alternatives is included in Section 4.1, Air Quality, of the Draft EIS. Health and Safety is addressed in Section 4.17. The Human Health Risk Assessment conducted for the proposed project is part of the Administrative Record and is available to the public upon request. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

**Response 62.002**

Please see Master Response #2, Renewable Energy Alternatives.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - comment on Four Corner Power Plant and Navajo Mine

**COMMENT #63**



FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**comment on Four Corner Power Plant and Navajo Mine**

1 message

**Marsha Porter-Norton**

Tue, May 6, 2014 at 5:10 PM

May 6, 2014

Dear Sirs and Madames:

I am making a formal comment on the FIS for the Four Corner Power Plant and Navajo Mine. I am extremely concerned about the level of carbon emissions that this power plant emits. I am also sensitive, however, to the jobs provided to the area residents and most especially members of the Navajo Tribe. I am for the "No Action" alternative with the caveat that I would like to see federal funds put to better use creating jobs in the solar and renewable energy industries creating new, replacement jobs specifically targeted to area Navajo Tribe Members. If the power plant is to continue, I am NOT in favor of developing a new coal mining area. Our area depends on tourism. Our mountains and fish in our lakes are polluted with mercury from the power plant. Entire

63.001

views capes are affected. This is entirely unacceptable. This plant should be retired and we should put in place energy industries in the Four Corners that more closely match the values of the residents; the needs and health of the people; and the desired longevity of our pristine landscapes. Further, a revised EIS should be issued that better considers:

- ✓ The impacts on global climate change.
- ✓ Cumulative impacts.
- ✓ Drought conditions and water resources.
- ✓ The impacts of the plant on local health issues.
- ✓ Toxic waste data including storage, removal and remediation and the impacts on the local people and land.
- ✓ Air and water quality impacts including to surrounding areas in Colorado.
- ✓ Impacts of and amounts of mercury and selenium levels.

63.002

Respectfully submitted,

1/2

**Comment Letter 63..... Porter-Norton, M.**

**Response 63.001**

Thank you for your comment. The project is entirely funded by the owners of the Navajo Mine, FCPP, and PNM, not the federal government. Therefore, allocation of federal funds for the creation of jobs in the renewable energy industry is outside the scope of this NEPA process.

With regard to tourism and other socioeconomic impacts, these are addressed in Sections 4.10, Socioeconomics, and 4.16, Recreation, of the EIS. The potential impacts of mercury deposition are addressed in Sections 4.1, Air Quality, 4.5, Water Resources, and 4.8, Threatened and Endangered Species. Visibility and visual resources are addressed in Section 4.1, Air Quality and Section 4.13, Visual Resources, of the Draft EIS.

**Response 63.002**

Please see Master Response #6, Reissuance of the Draft EIS. Impacts of global climate changes are addressed in Section 4.2, Climate Change, and Section 4.18.2.2 of the Draft EIS. Cumulative impacts are addressed in Section 4.18. Water resources are addressed in Section 4.5. Local health issues are addressed in Section 4.17, Health and Safety. Toxic waste data, including storage, removal, and remediation is addressed in Section 4.15, Hazardous materials and wastes. Air quality is addressed in Section 4.1. The region of influence for both air quality and water resources extends into portions of Colorado. Impacts of and amounts of mercury and selenium levels are addressed in Section 4.1, Air Quality, 4.5, Water Resources, and 4.8, Threatened and Endangered Species.

With regard to drought conditions, the following has been added to Section 4.5.2.2: Recent drought conditions in the Southwest have further decreased flow rates in the San Juan River.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - 4C Corners Power Plant and Navajo Mine

**COMMENT #64**



F CPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**4 Corners Power Plant and Navajo Mine**

2 messages

**Peter Schmidt** [REDACTED] Tue, May 6, 2014 at 1:32 PM

Dear Sirs Whatever decisions you are about to make regarding the Four Corners Power Plant and Navajo Mine, please count me as being for safety issues concerning the air we all breathe in the four-corners area coming first. As it stands now the air quality and environmental degradation caused by this facility are unconscionable, given that we know how to do much better now. Peter Schmidt

**Peter Schmidt** [REDACTED] Tue, May 6, 2014 at 1:31 PM

Dear Sirs Whatever decisions you are about to make regarding the Four Corners Power Plant and Navajo Mine, please count me as being for safety issues concerning the air we all breathe in the four-corners area coming first. As it stands now the air quality and environmental degradation caused by this facility are unconscionable, given that we know how to do much better now. Peter Schmidt

[REDACTED] 1/1

**Comment Letter 64..... Schmidt, P.**

**Response**

Thank you for your comment.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Important comment

**COMMENT #65**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



**Important comment.**

1 message

**bertram benally** [REDACTED]

Wed, May 7, 2014 at 2:34 PM

Greetings, My email is in support of continuing the Four Corners Generating Station. The continuous operation is and will be most beneficial for the Navajo Nation. In regards to the environmental aspects i feel it is monitored closely and kept as a top priority in keeping the natural balance of wildlife and its surroundings. A large amount of employees contribute time and energy to their respective community's. In some way, fashion or form, indirectly or directly APS and The Fossil Fuel provider have the largest impact on the local economy. Without these two company's the community's in the Navajo Nation will feel the lost. In today's economy every little bit helps even the furthest chapter has benefited from the continuous operation of both company's. It would be a hard question to answer when these remote family's are in need and the support of the Nation is not available. Thank you for your time and your continuous support.

65.001

**Comment Letter 65..... Benally, B.**

**Response 65.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS.

[REDACTED] 1/1

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Comment

COMMENT #66



[Redacted]

**Four Corners Comment**

1 message

**Cyndi Ortman**

Thu, May 8, 2014 at 1:10 PM

Please accept my comments on the Four Corners Power Plant and Navajo Mine Energy Project Draft Environmental Impact Statement (DEIS)

After the latest climate change report, the era of coal is coming to an end. One fourth of the nations coal plants will be retired within a decade.

Adding 258 million metric tons of carbon pollution is short sided and prolonging operations of a dirty antiquated coal plant is not what makes sense.

The DEIS is deficient in its analysis of the full economic environmental, and human health costs.

| 66.001

Please consider my comments.

Sincerely,  
Cyndi Ortman

[Redacted] 1/1

**Comment Letter 66..... Ortman, C.**

**Response 66.001**

Please see Master Response #1, Deficient Analysis.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant

**COMMENT #67**



[Redacted]

**Four Corners Power Plant**

1 message

**Roxanne Rogers**

Thu, May 8, 2014 at 9:11 AM

I think the EIS should include the effects on human health throughout the Four Corners area, the effect on climate change which is an urgent issue which must be addressed immediately, "green" alternatives for the Four Corners Power. 67.001

Because of coal-fired power plants, the air around the area, including Shiprock and Cortez, Mesa Verde National Park, the Navajo Nation, is far from clear with distant views shrouded in smog-like particulates. 67.002

We must ask our government agencies to be diligent in protecting our air, water, and environment for now and for the future.

Roxanne Rogers



**Comment Letter 67.....Rogers, R.**

**Response 67.001**

Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. Potential effects with regard to climate change are addressed in Section 4.2, Climate Change and Section 4.18, Cumulative Impacts. With regard to "green" alternatives, please see Master Response #2, Renewable Energy Alternatives.

**Response 67.002**

Thank you for your comment. Potential impacts with regard to visibility are addressed in Section 4.1, Air Quality.

[Redacted] 1/1

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: rick williamson wanted a copy

COMMENT #68



[Redacted]

**Fwd: rick williamson wanted a copy**

1 message

[Redacted]

Thu, May 8, 2014 at 9:50 AM

Comment from Vincent Yazzie [Redacted]

[Redacted]

Date: Wed, May 7, 2014 at 1:52 AM  
Subject: rick williamson wanted a copy  
[Redacted]

Dear Mr. Calle,

Rick Williamson wanted a copy of mercury contamination of a soil sample from the Four Corners Power Plant that was contaminated at the Denver Federal Center.

Page 16 talks about the mercury contamination

<http://pubs.usgs.gov/of/1975/0170/report.pdf>

Attached Federal Denver health study page 30 of 56 shows mercury contamination in the denver bunker soil. A max of 0.4 mg/kg.

Somebody may have lost the original samples and replaced the samples with Denver Bunker soil.

Sincerely,

Vincent H. Yazzie

--  
[Redacted]

[Redacted]

[Redacted]

[Redacted]

1/2

Comment Letter 68..... Yazzie, V.

**Response**

Thank you for your comment.

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: Comments

COMMENT #69



[Redacted]

**Fwd: Comments**

1 message

[Redacted]

Thu, May 8, 2014 at 9:49 AM

Comment from Vincent Yazzie [Redacted]

[Redacted]

Dear Mr. Calle,

Attached are NOx levels as measured by GOME on May 5, 2014.

[IUP Bremen: GOME-2 / SCIAMACHY DOAS Nadir Data Browser](#)



[Redacted]

One picture is for scale showing the overlain image on Google Earth.

Zooming into Four Corners Power Plant and San Juan Generating Station reveals NOx that still creates visibility problems at Mesa Verde National Park.

Also attached is a report where BHP misapplied a percentage to low ball the coal rank of the coal. EPA models were based upon low balled coal rank values. EPA refused to readjust there models to correct for the proper and higher coal rank values.

Leaves open questions of what is the correct power plant rating of Four Corners Power Plant?

[Redacted]

69.001

**Comment Letter 69..... Yazzie, V.**

**Response 69.001**

The EIS air quality analysis was developed in early 2013; therefore, the NO<sub>x</sub> data from 2014 are not included. Because the EIS analysis was based on 12 years of historic air emissions data and because the impact analyses were based on the peak-year emissions rather than the 12-year average, the NO<sub>x</sub> analysis is a reasonable estimation of future operations. Future emissions estimates are based on the historic worst-year emissions data, not on EPA coal type (e.g., sub-bituminous, bituminous) estimates; therefore, the power plant rating is essentially a measurement, not a power plant rating based on EPA coal type estimates.

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: Comments

**COMMENT #69**

69.002

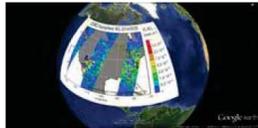
Here is the EPA scientific integrity policy.

[http://www.epa.gov/osa/pdfs/epa\\_scientific\\_integrity\\_policy\\_20120115.pdf](http://www.epa.gov/osa/pdfs/epa_scientific_integrity_policy_20120115.pdf)

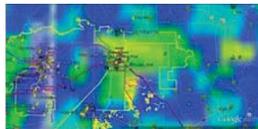
Vincent H. Yazzie

[Redacted text]

3 attachments



NOx\_May\_05\_2014\_USA.jpg  
161K



NOx\_May\_05\_2014\_fcpp\_san\_juan.jpg  
251K



EPA-R09-OAR-2010-0683-0056(1).pdf  
1659K

[https://mail.google.com/mail/b/349/u/0?ui=2&ik=6ac25e16cb&view=pt&cat=DEIS%20COMMENTS%2FDEIS%20CMNTS%20\(MAY9-MAY12\)&search=cat&th...](https://mail.google.com/mail/b/349/u/0?ui=2&ik=6ac25e16cb&view=pt&cat=DEIS%20COMMENTS%2FDEIS%20CMNTS%20(MAY9-MAY12)&search=cat&th...) 2/2

**Response 69.002**

Thank you for your comment. The Draft EIS was prepared in accordance with CEQ NEPA regulations and the OSMRE NEPA Handbook. Technical analyses and supplemental studies conducted in order to evaluate impacts in the Draft EIS follow methods considered acceptable by the scientific community and were prepared in close coordination with the Cooperating Agencies, including EPA.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Coal power plants

COMMENT #70



[REDACTED]

**Coal power plants**

1 message

Jason Meininger

[REDACTED]

Fri, May 9, 2014 at 4:30 PM

Please stop allowing coal fired power plants to pollute the air and water of the 4 corners. The continued burning of coal is a detriment to the quality of lives of almost every resident and visitor to our beautiful region. I speak on behalf of myself, my wife, and our two children when I request we stop using coal for power production in the 4 corners. 70.001

Thank you, Jason Meininger

[REDACTED]

1/1

**Comment Letter 70.....Meininger, J.**

**Response 70.001**

Thank you for your comment. OSMRE is considering all alternatives analyzed in the Draft EIS and will notify the public of its decision via the Record of Decision, anticipated in spring 2015.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Input

COMMENT #71



[Redacted]

**Input**

1 message

**Dave Rich**

Fri, May 9, 2014 at 5:13 PM

Given the problems of global warming and air pollution, I favor closing both the Navajo Coal Mine and the Four Corners Power Plant. 71.001

Dave Rich

[Redacted]

1/1

**Comment Letter 71..... Rich. D.**

**Response 71.001**

Thank you for your comment. OSMRE is considering all alternatives analyzed in the Draft EIS and will notify the public of its decision via the Record of Decision, anticipated in spring 2015.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant and Navajo Mine Complex

COMMENT #72



[Redacted]

Four Corners Power Plant and Navajo Mine Complex

1 message

louise teal

Fri, May 9, 2014 at 7:32 PM

[Redacted]

As our nation reduces it's coal power generation and begins to shift to cleaner options - it makes no sense to commit more money to the Four Corners complex, nor endure more environmental destruction in the SW. At best, shut this plant down. Second best, the Dept. of the Interior should do a sound and complete assessment of the accurate and total cost financially of continuing the Plant and Mine. This cost should include damage to the environment and our health; including calculating the true cost of 258 metric tons of carbon added to our atmosphere or the effects of mercury in our waters.

72.001

72.002

Louise Teal  
Durango, CO

[Redacted]

1/1

Comment Letter 72..... Teal, L.

Response 72.001

Thank you for your comment. OSMRE is considering all alternatives analyzed in the Draft EIS and will notify the public of its decision via the Record of Decision, anticipated in spring 2015.

Response 72.002

The socioeconomic effects of continuing operations at the FCPP and Navajo Mine are discussed in Section 4.10 of the EIS and effects to human health, including mercury emissions and deposition, are founded on the findings of Section 4.1 (Air Quality), Section 4.17 (Health and Safety), and references cited therein.

A quantitative analysis of the social cost of carbon (SCC) has been added to the Final EIS in Section 4.2. The Draft EIS considered the SCC in a qualitative manner, but did not quantify the effects. Subsequent to issuance of the Draft EIS, CEQ published Draft Guidance on climate change analysis (CEQ 2014), in which CEQ indicates that emissions monetization is not required in every project-level NEPA analysis. Nonetheless, OSMRE determined that a quantitative analysis would be included in the Final EIS, following the Interagency Working Group Methods. The results of the SCC analysis do not change the conclusions or the findings of level of significance for the Climate Change issue; however, the analysis has been added to provide additional context to OSMRE's decision.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Comment on Four Corners Power Plant and Navajo Mine DEIS

COMMENT #73



Comment on Four Corners Power Plant and Navajo Mine DEIS

1 message

**lisa allee**

Sat, May 10, 2014 at 9:07 AM

Good day!

I live above Cortez, Colorado with a beautiful view of the Ute Mountain, Mesa Verde and in the distance the Chuska Mountains. But many days there is a steady creep of smog obscuring the view—smog created by the filthy, very old coal-fired power plants and the incredible dust cloud created by the mining operations. It is time for the air quality in the Four Corners area to improve!! The era of coal needs to end and instead we need to use the abundant solar and wind energy available!! Please consider the following

- The Four Corners does not want to prolong for 25 years the operations of a dirty, antiquated coal plant that will add 258 million metric tons of carbon pollution to our atmosphere (the equivalent of 54 MILLION cars).
- The Four Corners is tired of being a dumping ground for air, land and water pollutants associated with power that is shipped out of our region.
- The DEIS is deficient in its analysis of the full economic, environmental, and human health costs of this project.

Asthma rates in the Four Corners are ridiculously high and the mercury levels in the fish make it unwise to eat more than one a year—all this from the dirty coal plants—the smokestacks and the ash piles. Then there is the concern of uranium in the smoke and ash also....

Please help end the tragedy the Four Corners area has lived with for so long—let's move out of the dirty coal era and into a clean renewable energy era!! Thank you.

Sincerely,

Lisa Allee

73.001

73.002

73.003

73.004

73.005

... 1/1

Comment Letter 73..... Allee, L.

**Response 73.001**

Thank you for your comment. The potential impacts to air quality and visibility is addressed in Section 4.1, Air Quality of the Draft EIS.

**Response 73.002**

Thank you for your comment. With regard to renewable energy, please see Master Response #2, Renewable Energy Alternatives. OSMRE is considering all alternatives analyzed in the Draft EIS and will notify the public of its decision via the Record of Decision, anticipated in spring 2015.

**Response 73.003**

Please see Master Response #1, Deficient Analysis.

**Response 73.004**

Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. With regard to mercury, this is addressed in the Human Health Risk Assessment, and the Ecological Risk Assessment. Please see Master Response #4, Mercury Level in Fish in Nearby Lakes.

**Response 73.005**

Thank you for your comment. With regard to renewable energy, please see Master Response #2, Renewable Energy Alternatives. OSMRE is considering all alternatives analyzed in the Draft EIS and will notify the public of its decision via the Record of Decision, anticipated spring 2015.

COMMENT #74

May 10, 2014

Mr. Marcelo Calle  
Office of Surface Mining Reclamation and Enforcement Western Region  
Office  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050  
Re: Four Corners Power Plant and Navajo Mine Energy Project Draft  
Environmental Impact Statement (DEIS)

Dear Mr. Calle,

Living in the Four Corners region is a blessing and I feel privileged to call the region my home. I was unable to attend the public meetings that were held this past week, hence this letter for your consideration.

The coal fired power plants and their related coal mines, it's true, are the source of many jobs. However the plants are also the source of our air pollution; spewing tons of elements into the air we breathe. (Think asthma) I applaud recent EPA rulings to reduce these pollutants.

74.001

Looking at the future I believe this EIS needs to address clean energy alternatives to the status quo coal energy production. The federal government once played a huge role in building the coal infrastructure on the Navajo Reservation. Now it is time for our government to do the same for alternative clean energy sources.

74.002

The EIS needs to consider all of the environmental impacts of a prolonged coal plant operations: mercury and selenium levels in our lakes and rivers, climate change and drought, ozone, and the public health. There is solid science quantifying these issues and these should be sited in your report.

74.003

The costs of another 25 years of carbon pollution should not be glossed over.

Thank you for reading my letter and considering these issues.

Sincerely,

Steve Krest

[Redacted signature block]

**Comment Letter 74..... Krest, S.**

**Response 74.001**

Please see Master Response #2, Renewable Energy Alternatives.

**Response 74.002**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015. With regard to consideration of environmental impacts, please see Master Response #1, Deficient Analysis and Master Response #4, Mercury Deposition and Fish in Nearby Lakes. The societal cost is addressed in Chapter 4.2, Climate Change.

**Response 74.003**

Thank you for your comment. Discussion of socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS. Air quality and public health are addressed in Section 4.1 and 4.17, respectively.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant

COMMENT #75



**Four Corners Power Plant**

1 message

**Ken Levine**

Sat, May 10, 2014 at 11:41 AM

To Marcello Calle:

Four Corners Power Plant and Navajo Mine Energy Project Draft Environmental Impact study is wrapping up and I just wanted to weigh in on my opinion. Global warming and pollution from these type of plants are a real concern for the future of this country and planet. There are better alternatives out there to produce electricity. If they cost slightly more it is worth it in the long run and any cost differences are getting less. Let's do the right thing environmentally and go more towards natural sustainable technologies such as solar, wind, geothermal, and hydro. Prolonging the coal age is just going to cost the planet dearly in the future and a big mistake. New environmental facilities make sense for our and the planet's future.

75.001

I live in Pagosa Springs but still get our power from this plant and some pollution too. There are 2 alternatives in the works here that could soon take some of the burden off that plant. A biomass and a geothermal power plants are trying to be built but in the red tape planning stages at this point. They could be online within a couple years and be much better alternatives.

75.002

*Ken Levine*

[Redacted]

1/1

**Comment Letter 75.....Levine, K.**

**Response 75.001**

Please see Master Response #2, Renewable Energy Alternatives.

**Response 75.002**

Please see Master Response #2, Renewable Energy Alternatives.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - FCPP & Navajo Mine Draft EIS comments

**COMMENT #76**



[Redacted]

**FCPP & Navajo Mine Draft EIS comments**

1 message

**Beatrice Sims** [Redacted]

Sat, May 10, 2014 at 2:42 PM

To whom it may concern:

My name is Beatrice Sims. I am a coal miner at the Navajo Mine. I am originally from Shonto, AZ. Thankfully, I came to the Farmington area for work at the Navajo mine. I support the approval of the Pinabete Permit area. It would be very exciting to be able to have employment for another 25 years past 2016. I have attended the Navajo Nation legislation concerning the Navajo Nation acquiring Navajo Mine. I thought the battle was over and us miners just had to go to work. Now, I'm hearing that the Pinabete permit area needs public support. I am the public and I support the 5000+ acres expansion for coal mining. I support the permit approval because the energy industry needs competition. Energy expenses are becoming too expensive. The Navajo Nation talks about renewable energy sources or turning the FCPP into a gas powered power plant, but that may take years. Navajo mine exists right now, so does the coal burning technology of the powerplant. The way I see the energy industry, it seems the gas industry is trying to bully its way through the energy market by sending lobbyists and environmentalists to argue against coal. What about their flaring and fracking? A lot of people are convinced that the fracking is a leading cause of cancer. The flaring? Is that not wasting gas? When a supply is being depleted does that not mean that the price of that supply will increase? It's so difficult to compare the gas industry to the coal mining industry. They have 2 completely different standards and regulations. If the gas industry had the same regulations as the coal mining industry, the gas industry would not float. My point was to keep all the energy industries competing on the energy market so that it will be affordable for customers.

Another reason I would like to see Navajo Mine continue for the next 25 years is because of the Navajo Nation economy. Coal royalties support 33% or 50% of the Navajo Nation economy. If this mine shuts down, Navajo people will have to move away from the reservation or their homeland to find jobs. The royalties received from coal mines is infused into the Navajo Nation economy through payroll, welfare, outreach programs, or through chapters. The home that I grew up in was built by the Shonto Chapter, my first job was through the Shonto Chapter youth employment program, and now I am an employee of the Navajo Mine.

I finally made time to write a response in support of the Pinabete Permit area. I'm thankful that I earn wages from Navajo Mine so that I am able to celebrate Mother's Day by taking my mother, aunt, niece and my daughter out for dinner at the Northern Edge Casino.

76.001

76.002

Sincerely,  
Beatrice Sims

[Redacted] 1/1

**Comment Letter 76.....Sims, B.**

**Response 76.001**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS.

**Response 76.002**

Thank you for your comment. A complete discussion of Socioeconomic impacts of the project is included in Section 4.10 of the Draft EIS.



5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Draft Environmental Impact Statement, Navajo Power Plant

COMMENT #78



Draft Environmental Impact Statement, Navajo Power Plant

2 messages

mark Walker

Sat, May 10, 2014 at 9:04 AM

- 1. Analysis of health impacts and the true cost of coal operation in the EIS is too rushed

78.001

We are tired of suffering the impacts of providing energy for other areas of the country. As an example of the impacts in this region, I need only look out my back door to the reservoirs where we have a fish advisory due to Mercury deposition which has been solidly linked to the burning of coal in the Four Corners Region.

78.002

- 2. While complete and immediate closure of the power plant is too much to expect and would harm the local economy, an additional 25 years of operation is unbearable!

78.003

There is room for compromise here...a move toward clean energy could be accomplished by requiring that a portion of the profits from continued operation of the power plant go into building out a solar replacement. The infrastructure is there and the solar potential must be great. The compromise would be a gradual shutdown of the plant over a shorter time period and required upgrades to the solar farm as the industry develops.

- 3. The Navajo have bought an unknown environmental liability.

78.004

Reclamation of coal mines and ash disposal pits is expensive. Is the true cost for reclamation of existing conditions known? Will bonds cover the true cost of reclamation of another 25 years of operation?

mark Walker

Sat, May 10, 2014 at 9:07 AM

From: mark Walker  
Sent: Saturday, May 10, 2014 10:05 AM  
Subject: Draft Environmental Impact Statement, Navajo Power Plant

1/2

Comment Letter 78..... Walker, M.

Response 78.001

Pages 4.17-22 through 4.17-24 summarize the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

A quantitative analysis of the social cost of carbon (SCC) has been added to the Final EIS in Section 4.2. The Draft EIS considered the SCC in a qualitative manner, but did not quantify the effects. Subsequent to issuance of the Draft EIS, CEQ published Draft Guidance on climate change analysis (CEQ 2014), in which CEQ indicates that emissions monetization is not required in every project-level NEPA analysis. Nonetheless, OSMRE determined that a quantitative analysis would be included in the Final EIS, following the Interagency Working Group Methods. The results of the SCC analysis do not change the conclusions or the findings of level of significance for the Climate Change issue; however, the analysis has been added to provide additional context to OSMRE's decision.

Response 78.002

Please see Master Response #4, Mercury Deposition and Mercury in Fish in Nearby Lakes.

Response 78.003

Please see Master Response #2, Renewable Energy Alternatives.

Response 78.004

NTEC made a business decision to acquire the Navajo Mine, including all the benefits and liabilities associated with its operation. Reclamation activities are planned years in advance of implementation, so the costs of these activities are accounted for in operational budgets. Furthermore, reclamation activities are planned and performed to comply with the regulatory requirements under SMCRA. The bonds

mandated by SMCRA are to serve as an insurance policy in the event that initial reclamation treatments fall short of full compliance and additional work is required.

5/13/2014 DEPARTMENT OF THE INTERIOR Mail - Every morning on the way to work I see the pall of pollution from the monstrous coal fired power plants west of ...

COMMENT #79



[Redacted]

**Every morning on the way to work I see the pall of pollution from the monstrous coal fired power plants west of Farmington stretching to the horizon, like an ugly bruise upon the sky. People are breathing this filth and becoming ill from it. It's high time to close down those abominations and opt for clean energy in place of filthy coal.**

79.001

1 message

Joe Ward

Sat, May 10, 2014 at 12:57 PM

[Redacted]

"Little garden planet,  
Oasis in space.  
Some hearts hurt,  
They can hardly stand  
The waste."  
- from "Ethiopia" by Joni Mitchell -

[Redacted]

1/1

**Comment Letter 79.....Ward, J.**

**Response 79.001**

Please see Master Response #2, Renewable Energy Alternatives.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Comment on Four Corners and Navajo Energy Project

COMMENT #80



Comment on Four Corners and Navajo Energy Project

1 message

Erika Brown

Mon, May 12, 2014 at 8:19 PM

To Whom It May Concern:

I am a resident of Durango, Colorado deeply concerned about the energy future of our region. I am disappointed that the draft EIS for the Navajo Mine and Four Corners Power Plant did not adequately assess alternatives to coal nor did the analysis encompass the true cost of coal to the surrounding communities, including air and water pollution, health impacts, fisheries impacts, and wider impacts of climate change.

80.001

I strongly urge you to revise this draft EIS to reflect the TRUE impacts of this project and to fully assess the alternatives to coal for many decades to come. This community should be benefitting from a cleaner energy future, not be stuck in the past due to faulty and short-sited assessments.

I appreciate your consideration.

Sincerely,

Erika Brown  
Durango, CO

Comment Letter 80..... Brown, E.

Response 80.001

With regard to alternatives to coal, please see Master Response #2, Alternatives. The Draft EIS evaluates potential impacts to groundwater and surface water quality in Section 4.5, air quality in Section 4.1, human health and safety in Section 4.17, wildlife and special status species in Sections 4.7 and 4.8 respectively, and climate change in Section 4.2.

A quantitative analysis of the social cost of carbon (SCC) has been added to the Final EIS in Section 4.2. The Draft EIS considered the SCC in a qualitative manner, but did not quantify the effects. Subsequent to issuance of the Draft EIS, CEQ published Draft Guidance on climate change analysis (CEQ 2014), in which CEQ indicates that emissions monetization is not required in every project-level NEPA analysis. Nonetheless, OSMRE determined that a quantitative analysis would be included in the Final EIS, following the Interagency Working Group Methods. The results of the SCC analysis do not change the conclusions or the findings of level of significance for the Climate Change issue; however, the analysis has been added to provide additional context to OSMRE's decision.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant

**COMMENT #81**



[Redacted]

**Four Corners Power Plant**

1 message

**Amy McClintock & Cindiman Pinneke** [Redacted]

Mon, May 12, 2014 at 10:53 AM

Hello,

I am responding to the Four Corners Power Plant DEIS. I am asking for the "No Action Alternative," which would require the existing permit to end in 2016. The clean up should begin immediately thereafter.

The reason I support this action is because we need to change to renewable sources of energy NOW. Our air quality is poor, public health is at risk, and climate change is wreaking havoc on ecosystems, water quality and wildlife survival, not to mention our own.

81.001

A switch to renewable energies must begin immediately before it's too late. The mine workers could be retrained to manufacture, install and maintain the renewable energies, so they wouldn't be out of work.

Thank you,  
Amy McClintock

[Redacted]

[Redacted]

1/1

**Comment Letter 81 ..... McClintock, A., and Pinneke, C.**

**Response 81.001**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015.

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: FCPP Comments

COMMENT #82



**Fwd: FCPP Comments**

1 message

Mon, May 12, 2014 at 2:52 PM

Comment FCPP and Navajo Mine Energy Project - Vincent Yazzie to Marcelo Calle

----- Forwarded message -----

From: Vincent Yazzie  
Date: Fri, May 9, 2014 at 2:28 PM  
Subject: FCPP Comments  
To: "mcalle@osmre.gov" <mcalle@osmre.gov>

May 9, 2014

Vincent Yazzie  
10080 Palomino Road  
Flagstaff, AZ 86004

Dear Mr. Calle,

The original graph for Figure 6-3 is from the Environmental Assessment(EA) or Ch6GroundwaterHydrology.pdf

The Picture Cliff Sandstone transmissivity is found in FCPP EIS volume 1 on page 4.5-10 or 416/960. Table 4.5-4 Groundwater Aquifer Properties in the San Juan Basin. The Picture Cliff Sandstone transmissivity is 0.12 square foot per day or 0.9 gal/day/ft as found in the Environmental assessment. EA Figure 6-3 was then extended. Red line shows correct drawing of line, but bad selection of the coordinates. Bad coordinates were then used to calculate water transmissivity.

82.001

I am afraid the aquifer properties would have to be recalculated.

Add 60 more days to the comment period to look for more errors.

82.002

1/3

**Comment Letter 82..... Yazzie, V.**

**Response 82.001**

Thank you for your comment and the information provided. The permit application provides a characterization of the groundwater environment, and specifically groundwater quantity at Chapter 6, Section 6.2 (now Section 18.2.5.1 in the e-permit). To characterize the transmissivity of the Picture Cliffs Sandstone, an aquifer recovery test was performed, and graphical analysis was completed using the McWhorter method (1980). Graphical analysis is at Chapter 6, Section 6.2, Figure 6-3 (now Section 18.2.5.1, Figure 18-4 in the e-permit). Application of graphical analysis requires some interpretation to identify where the slope line intercepts the x-axis. For this analysis, the x-axis intercept point could be interpreted as a value of 1.0 or 1.1. A value of 1.0 was used in the permit, resulting in a transmissivity of 0.12 square foot per day. Using a value of 1.1 would result in a transmissivity of 0.13 square foot per day. The Draft EIS at Table 4.5-4, characterizes the transmissivity to have a variable range between 0.12 to 0.79 square foot per day. Interpretation of an x-axis intercept of 1.1 would still result in a transmissivity within the range provided at Table 4.5-4, and not affect the impact analysis or the conclusion presented in the Draft EIS.

**Response 82.002**

Please see Master Response #8, Public Review Period

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant and Navajo Mine Energy Project Comments

**COMMENT #83**



**Fwd: Four Corners Power Plant and Navajo Mine Energy Project Comments**

4 messages

Mon, May 12, 2014 at 2:54 PM

Comment FCPP and Navajo Mine Energy Project - Vincent Yazzie to Marcelo Calle

----- Forwarded message -----

From: **Vincent Yazzie**  
Date: Sat, May 10, 2014 at 4:08 AM  
Subject: Four Corners Power Plant and Navajo Mine Energy Project Comments  
To: "mcalles@osmre.gov" <mcalles@osmre.gov>

Vincent Yazzie

Dear Mr. Calle,

Draft EIS volume 1, page 4.10-13 (653 of 960), Table 4.10-13 Summary of Navajo Nation Taxes and Royalties by BNCC  
Annual Average of Total Navajo Nation Payments is \$40,184,255

The number \$40,184,255 is for coal sold at sub-bituminous prices.

The coal if sold at the correct coal revenue would bring in an average of \$120,946,527 per year. See attache Navajo\_Coal\_Royalty\_Calculations\_05102014.pdf

Corrections to the numbers were made from the numbers were submitted as part of the appeal of the Environmental Assessment.

NTEC is just continuing the practices of BHP by taking advantage of the Navajo people. This is robbery.

If this robbery continues the Navajo people will lose \$2.3 billion in Navajo

83.001

1/6

**Comment Letter 83..... Yazzie, V.**

**Response 83.001**

NTEC and the FCPP co-owners entered into a Coal Supply Agreement (see Section 2.4.2.1) that stipulates that coal mined at Navajo Mine is to be used solely at FCPP. This agreement serves as a negotiated financial contract and it is not within the purview of the EIS to intervene or comment on the agreed-upon price of coal. The role of an EIS is to analyze potential effects, including socioeconomic, of a proposed action and alternatives to that action, but not to determine if the proposed action itself is a good business deal for the parties involved. Furthermore, under federal trust policy, the Secretary of the Interior and/or BIA reviews transactions that involve the sale of a tribal trust asset (i.e. coal) to ensure the appropriate management, development, and protection of that asset (see Section 4.12.1).

5/14/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant and Navajo Mine Energy Project Comments

Nation Payments. **COMMENT #83**

BHP and APS have conspired to tell the Navajo people that Navajo Mine coal is sub-bituminous which has a lower price instead of selling the coal at bituminous prices. See EPA-R09-OAR-2010-0683-0056.pdf



This is robbery of the Navajo people.

Sincerely,

Vincent Yazzie

[Redacted signature block]

3 attachments

- doc\_22\_exhibit\_a.pdf  
679K
- Navajo\_Coal\_Royalty\_Calculations\_05102014.pdf  
118K
- EPA-R09-OAR-2010-0683-0056.pdf  
1659K

Calle, Marcelo <mcalles@osmre.gov> Mon, May 12, 2014 at 2:56 PM  
To: OSM FCPP-Navajo-Energy-EIS <FCPPNavajoEnergyEIS@osmre.gov>

[Quoted text hidden]

3 attachments

- doc\_22\_exhibit\_a.pdf  
679K
- Navajo\_Coal\_Royalty\_Calculations\_05102014.pdf  
118K

[Redacted footer line]

5/14/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Fw: Four Corners Power Plant pink steam clouds. FCCP/Navajo Mine Energy Project comments

COMMENT #84



**Fwd: Fw: Four Corners Power Plant pink steam clouds. FCCP/Navajo Mine Energy Project comments**

1 message

[Redacted] Mon, May 12, 2014 at 3:15 PM

Comment FCCP and Navajo Mine Energy Project - Vincent Yazzie to Marcelo Calle

----- Forwarded message -----

From: Vincent Yazzie [Redacted]  
Date: Sat, May 10, 2014 at 7:12 PM  
Subject: Fw: Four Corners Power Plant pink steam clouds. FCCP/Navajo Mine Energy Project comments

[Redacted]

Vincent H. Yazzie

[Redacted]

Dear Mr. Calle,

A conversation with Vinny Spotleson about pink steam clouds from Four Corners Power Plant attributable to high nitrogen or nitrates in the exhaust. Goes back to to much NOx from incorrectly measure NOx emissions as the coal rank calculations were off. Navajo Mine coal has been incorrectly classified as sub-bituminous when it should be bituminous coal. Any ammonia SCR system would be overpower with to much NOx. SCR would not be engineered to handle the extra NOx.

84.001

Sincerely,

Vincent Yazzie

On Tuesday, April 30, 2013 10:19 AM, Vinny Spotleson [Redacted] wrote:  
Vincent -

[Redacted] 1/7

**Comment Letter 84..... Yazzie, V.**

**Response 84.001**

Future emissions estimates are based on the historic worst-year emissions data, not on EPA sub-bituminous or bituminous coal estimates. The selective catalytic reduction (SCR) technology will be implemented in conformance with the USEPA Final Implementation Plan and BART requirements, ensuring best available technology for NOx emissions management.

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant comments

COMMENT #85



[Redacted]

**Fwd: Four Corners Power Plant comments**

1 message

Mon, May 12, 2014 at 2:48 PM

Comment FCPP and Navajo Mine Energy Project - Vincent Yazzie to Marcelo Calle

Forwarded message

[Redacted]

Vincent Yazzie  
10080 Palomino Road  
Flagstaff, AZ 86004

Four Corners Power Plant is running out of water.

Four Corners Power Plant and Navajo Mine Energy Project, Draft Environmental Impact Statement Section 4.12.2.3 Water, page 4.12-2, (716 of 960), Section 4.12.4.1 Alternative A - Proposed Action, page 4.12-6 (720 of 960) assures that there is water for the Four Corners Power Plant.

This came out yesterday, that there is not enough water for the Four Corners Power Plant.

Further, assured supplies of water are important for the Company's operations and assets, including Four Corners. Four Corners is located in a region that has been experiencing drought conditions which could affect the plant's water supply. Four Corners has accordingly been involved in negotiations and proceedings with third parties relating to water supply issues. The drought conditions and related negotiations and proceedings could adversely affect the amount of power available, or the price thereof, from Four Corners.

2014 March 10Q

1/2

**Comment Letter 85..... Yazzie, V.**

**Response 85.001**

As described in Section 2.2.4, Plant Water Supply, on page 2-23 of the Draft EIS, water supply for the FCPP is pumped from the San Juan River. Water rights for the FCPP is through a water rights permit held by BHP Billiton. As discussed in Section 4.5 of the Draft EIS, review of annual reports from BNCC indicate that the full amount of consumptive water rights was not used between 2010 and 2012, in accordance with a voluntary agreement to reduce water use. However, water supply for the FCPP and Navajo Mine is permitted for the proposed duration of the Proposed Action and would not adversely affect the amount of power available, or price thereof, from FCPP.



5/13/2014

DEPARTMENT OF THE INTERIOR Mail - EIS Four Corners Power Plant

COMMENT #86



[Redacted]

**EIS Four Corners Power Plant**

1 message

randy willis

Mon, May 12, 2014 at 4:30 PM

Please do not extend the lease without major requirements to reduce the air borne pollution in the 4 corners region. The fish in the alpine lakes of the San Juan Mountains are polluted w/ high levels of mercury. Do not add any more carbon to the atmosphere. Do not destroy the area by digging up more carbon. Please pursue renewable energy sources instead.

86.001

86.002

Thank, Sincerely  
Randy Willis

**Comment Letter 86.....Willis, R.**

**Response 86.001**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015. With regard to including requirements to reduce air pollution in the region, please see Master Response #12, Conditions as Part of the Lease or Mine Permit. With regard to mercury levels of fish, please see Master Response 4, Mercury Levels in Fish in Nearby Lakes.

**Response 86.002**

Please see Master Response #2, Renewable Energy Alternatives.

[Redacted] 1/1

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - (no subject)

**COMMENT #87**

FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>



(no subject)

1 message

Jo Young [REDACTED]

Mon, May 12, 2014 at 12:35 PM

Please reconsider expanding coal mine operations. In an age of growing global warming and increasing climate change, it doesn't make sense.

- The era of coal is coming to a close. By the end of this decade, close to 1/4 of the nation's coal plants will likely be retired.
- The Four Corners does not want to prolong for 25 years the operations of a dirty, antiquated coal plant that will add 258 million metric tons of carbon pollution to our atmosphere (the equivalent of 54 MILLION cars).
- The Four Corners is tired of being a dumping ground for air, land and water pollutants associated with power that is shipped out of our region.
- The DEIS is deficient in its analysis of the full economic, environmental, and human health costs of this project.
- For more talking points

87.001

87.002

Thanks,

Jo



[REDACTED]

1/1

**Comment Letter 87.....Young, J.**

**Response 87.001**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015.

**Response 87.002**

Thank you for your comment. Please see Master Response #1, Deficient Analysis.

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Request for 60-day extension on EIS comment period



COMMENT #88

[Redacted]

**Request for 60-day extension on EIS comment period**

1 message

Dine CARE

Tue, May 13, 2014 at 12:42 PM

Hello Mr. Calle,

Attached are three Chapter Resolutions and one letter by the Navajo communities requesting for a 60-day extension on the draft EIS comment period.

88.001

Thank you,  
Colleen  
Diné CARE

**6 attachments**



Shiprock Resolution on EIS extension.jpg  
2861K



DMMA request letter on EIS extension\_page1.jpg  
2329K



DMMA request letter on EIS extension\_page2.jpg  
2325K

WRC-014-073 Request for 60 Day Extension to EIS.pdf

[Redacted]

1/2

**Comment Letter 88.....Diné CARE**

**Response 88.001**

Please see Master Response #8, Public Review Period.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Please stop, step back, and lead!

**COMMENT #89**



[Redacted]

**Please stop, step back, and lead!**

1 message

Garlid, Scott C

Tue, May 13, 2014 at 4:24 PM

Marcelo Calle and others,

Let's be leaders with a vision for the future. Let's stop damaging our precious air and water quality in exchange for a simple and cheap way to generate power. The Four Corners Power Plant and Navajo Energy plan is a bad deal for anyone interested in the long term best interests of that region. Coal is dirty and that plant is particularly old and even dirtier. I don't believe the environmental impact statement thoroughly explored the total impact to the environment and region nor has thoroughly explored alternatives. 89.001

I own property near Dolores, CO. I bought that property because of how pristine it is—clean air and water. You can see the air pollution from the Navajo Plant and the wind carries it for many, many miles impacting a broad surrounding area. The impact is there. If your studies tell you there is no or minimal impact, I think you're either looking at the wrong data or you've got a confirmation bias and you're only seeing what you choose to see. Step back, think long term, and look deeper. 89.002

My wife is Navajo and we have family on the Rez. My children are part Navajo. I care about what happens there and I recognize the impact and scarcity of good jobs there. Let's find a way to create those jobs from something else. Stop exploiting the land and the air. What about wind power or solar? Both are clean; both are in abundance on Rez and we should be able to figure out a way to use the transmission infrastructure that's already there. 89.003

I've got 4 kids. Do you think when they have kids they will care that you saved a fraction of a cent per KW by keeping that plant running for another 25 years? I'm pretty sure it won't even register with them. But I know they would be devastated to know that the environmental damage that was done was avoidable if we had been more forward thinking leaders today.

I live in Phoenix, AZ and I travel for work to China. I know how much worse the smog has gotten in Phoenix over the past 25 years and I have seen how bad the air quality is due to coal plants in China. Even China is taking action to cut back on their dependence on coal because they know how bad it is, and they are a far cry from leading edge thinkers on the topic.

Believe me, the precious resource in the 4 Corners area is NOT the coal—it's the good air and water quality and pristine environment—and *that* is what we need to protect.

[Redacted]

1/2

**Comment Letter 89..... Scott, G.**

**Response 89.001**

Please see Master Response #1, Deficient Analysis and Master Response #2, Renewable Energy Alternatives.

**Response 89.002**

Please see Master Response #1, Deficient Analysis.

**Response 89.003**

Please see Master Response #2, Renewable Energy Alternatives.

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Pinabete Mine Permit

COMMENT #90



[Redacted]

**Pinabete Mine Permit**

1 message

jerold morris

Tue, May 13, 2014 at 3:02 PM

To whom it may concern: My name is Jerold Morris I am writing in support of the Pinabete Mine Permit. I am employed by NTEC , Me and my family depend on the income I get, If the permit fails we will have to relocate. Because , there will be no good paying jobs and the whole area will be in decline . There are alot vendors that work out at the mine. With the units 1,2 and3 shutting down the power plant will be under the EPA standards. Navajo mine has always done a great job reclaiming the mined area, they have won awards for the work they do. The Navajo Nation gets alot of revenue from the royalties for its operating cost,it will be devastating for the tribe if this permit fails. Please vote yes for the Pinabete Mine Permit. Thank you for your time Jerold Morris

90.001

[Redacted]

1/1

**Comment Letter 90.....Morris, J.**

**Response 90.001**

Thank you for your comment. Section 4.10, Socioeconomics includes a discussion of the revenue received by the Navajo Nation, associated with operation of the subject facilities.

5/14/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments

COMMENT #91

[Redacted]

2 attachments

senator\_kennedy\_on\_four\_corners\_ash.JPG  
76K

fcpp\_major\_minor\_elements\_soil\_vegetation.pdf  
2370K

Wed, May 14, 2014 at 12:53 PM

Comment from Vincent Yazzie forwarded from MCALLE

----- Forwarded message -----

From: Vincent Yazzie [Redacted]  
Date: Wed, May 14, 2014 at 12:41 PM  
Subject: Re: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments

[Redacted]

There is more historical material on Four Corners Power Plant international notorious image. This link and the link in the previous link have little write ups and testimony on Four Corners Power Plant from 1971. Many of the documents were obtained from the ASU lawlibrary online research collection June 1,2, 2013 on the Eric Swenson paper.

The image is from Problems of Electrical Power Production in the Southwest Hearings before the Committee on Interior and Insular Affairs United States Senate, 92nd Congress, First Session on Environmental Problems Associated with the Production of Electrical Power by Coal-Fired Plants in the Four Corners Region of the Southwest U.S., Albuquerque, N. Mex.-May 24, 1971, Part 1. (36 MB).

The quoted image is by Manuel Lujan, Jr. on FCPP smoke being visible by

[Redacted]

91.001

34

Comment Letter 91 ..... Yazzie, V.

Response 91.001

Visibility is addressed in Section 4.1 on page 4.1-96.

The USEPA Final Implementation Plan (FIP) requiring FCPP implementation of Best Available Retrofit Technology (BART) addresses the historic emission issues with FCPP in the Four Corners area. The proposed action's conformance with the FIP, including shutdown of Units 1, 2, and 3 and installation of selective catalytic reduction technology on Units 4 and 5 addresses the issues raised in the comment.

No change has been made in the Draft EIS.

5/14/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments

the Mercury astronauts.

COMMENT #91

[http://www.navajohopiittlecoloradoriverwatersettlement2012.info/southwest\\_electrical\\_power\\_problems\\_albq\\_05241971\\_part\\_1.pdf](http://www.navajohopiittlecoloradoriverwatersettlement2012.info/southwest_electrical_power_problems_albq_05241971_part_1.pdf)

Still many things to historically read from the June 1,2, 2013 download session.

Vincent H. Yazzie

MV in

On Wednesday, May 14, 2014 8:42 AM, Adella Begaye [REDACTED] wrote:  
Thanks Vincent.

For all your reseach and discovering all these unresolved issues that continue to be swept under the rug. By notifying these to the proper authorities is a paper trail that is necessary from our end. Thank you.

[Quoted text hidden]

[Quoted text hidden]

This is why New Mexico were checked beyond reason when the Mercury astronauts reported from their reports that the only evidence of man's earthly existence anywhere from outer space was the flag of South America. When they returned to the planet Earth in the Four Corners region, in central New Mexico, New Mexico changed from a stretch of beautiful arid-lands to just a barren wasteland. It is the strangest and saddest thing that has ever happened in our history. It is the strangest and saddest thing that has ever happened in our history. It is the strangest and saddest thing that has ever happened in our history.

mercury\_astronauts\_fcpp.JPG  
158K

5/13/2014

DEPARTMENT OF THE INTERIOR Mail - Coal mining

COMMENT #92



[Redacted]

Coal mining

1 message

Heather Snow [Redacted]

Tue, May 13, 2014 at 10:40 AM

To whom it may concern,  
Please stop coal development in the 4 Corners and abroad. We can no longer allow coal exploration to destroy our health and planet.

- The era of coal is coming to a close. By the end of this decade, close to 1/4 of the nation's coal plants will likely be retired.
- The Four Corners does not want to prolong for 25 years the operations of a dirty, antiquated coal plant that will add 258 million metric tons of carbon pollution to our atmosphere (the equivalent of 54 MILLION cars). 92.001
- The Four Corners is tired of being a dumping ground for air, land and water pollutants associated with power that is shipped out of our region. 92.002
- The DEIS is deficient in its analysis of the full economic, environmental, and human health costs of this project. 92.003

Please stop this madness and head in the direction of renewable energy. 92.004

Thank You!  
Heather Snow  
[Redacted]

[Redacted]

1/1

Comment Letter 92.....Snow, H.

Response 92.001

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015.

Response 92.002

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015. With regard to power being shipped out of the region, as described on page 1-3 of the Draft EIS, six transmission lines extend from the FCPP and provide power to the southwest - in Arizona, New Mexico and Texas.

Response 92.003

Please see Master Response #1, Deficient Analysis.

Response 92.004

Please see Master Response #2, Renewable Energy Alternatives.

5/14/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments

COMMENT #93



**Fwd: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments**

2 messages

Wed, May 14, 2014 at 12:52 PM

Comment from Vincent Yazzie forwarded from MCALLE

----- Forwarded message -----

From: Vincent Yazzie  
Date: Wed, May 14, 2014 at 4:01 AM  
Subject: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments

May 14, 2014

Vincent Yazzie

Dear Mr. Calle,

Four Corners Power Plant and Utah International were mixing ash with the soil at the Navajo Mine for fertilization in 1972.

Transcript from Federal Protection of Indian Resources, Hearings before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary United States Senate 92nd Congress, First Session on Federal Administrative Protection of Indian Rights and Natural Resources, Part 3, January 3, 1972, page 46 of 137 (pdf) or 754. See link below. Big file.

"Senator Kennedy. This morning at Four Corners, the Utah Power Co. told us that it only cost \$200 to level the high and low points. They say that they are

14

**Comment Letter 93..... Yazzie, V.**

**Response 93.001**

Thank you for your comment and the information provided. As described on page 2-16 of the Draft EIS, the Navajo Mine accepted CCR for use in reclamation at the mine between 1971 and 2008.

5/14/2014 DEPARTMENT OF THE INTERIOR Mail - Fwd: Four Corners Power Plant Navajo Mine Energy Project Draft EIS Comments

going to try to make the peaks and valleys consistent in terms of the landscape and put ash back in for fertilization. They say that this cost approximately \$200 an acre. What do you say to that?"

Looks like Utah International was mixing fly ash into the soil for fertilization before they started to bury the ash. A different story that Utah International had authorization to dump the ash into the ground.

[http://www.navajohopilittlecoloradoriverwatersettlement2012.info/window\\_rock\\_hearings\\_part\\_3\\_01031972.pdf](http://www.navajohopilittlecoloradoriverwatersettlement2012.info/window_rock_hearings_part_3_01031972.pdf)

Contribution of major and minor elements to soils and vegetation by the coal-fired Four Corners Power Plant, San Juan Co., New Mexico. H.L. Cannon, V.E. Swanson, USGS, Denver, Colorado, Open-File Report No. 75-170, 1975. page 1 (abstract), "In the vicinity of the power plant, the fly ash is currently contributing major and minor elements that are essential to vegetative growth to otherwise deficient soils. The concentrations of potentially harmful minor elements, such as Hg, As, Se, Te, Cd, Be, and Pb, that originate from the power plant drop off rapidly with distance from the stacks and are lower than the average contents in U.S. soils at distances greater than 3 kilometres."

It is quite obvious that Utah International mixed the fly ash with the soil for fertilization. Many heavy metals were then added to the soil.

Since NTEC assumed responsibilities for BHP and Utah International. NTEC and APS are responsible for restoring the hydrological balance to the power plant area and the mine area. The soil near the power plant needs to be scrapped and stored in a lined pit and covered with rip rap to prevent the heavy metals from entering the San Juan River.

Sincerely,

Vincent H. Yazzie

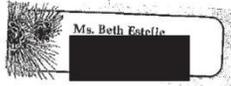
—  
Marcelo Calle

EIS Coordinator, The Four Corners & Navajo Mine Energy Project

24

**Response 93.002**

Section 4.5.2.1 of the Draft EIS discusses OSMRE's analysis of the placement of CCR at the Navajo Mine. This study did not identify any adverse impacts associated with this placement. Section 4.15 of the Draft EIS addresses the disposal of CCR at the FCPP. Table 4.15-5 provides FCPP Toxic Release Inventory data related to heavy metals. Section 4.15.5 includes OSMRE's recommendations for closure of the ash disposal areas in order to address the potential for off-site contamination. In addition, soil sampling, both shallow and deep, was conducted in support of the EIS. The data showed comparable levels of metals in both shallow and deep samples.



COMMENT #94

April 17 2014

Mr. Marcelo Calle  
Office of Surface Mining Reclamation & Enforcement  
Western Region Office  
1999 Broadway Suite 3320  
Denver, CO 80202-3050

Dear Mr. Calle

While it is good news that some of the Four Corners power plant units will be shut down, I don't feel this is enough. These plants are a serious source of pollution, particularly worry about mercury pollution.

I enjoyed growing up in Durango a cabin at Shoshone Lake where we could drink the water and eat the kale with confidence. The contamination of the fish is a terrible loss.

I'm also concerned about acid rain and its effect on Mesa Verde and another loss of sky clarity diminishes us.

I'd like to see all units shut down and further coal mines avoided.

It's time to shift to renewables such as solar & wind with more use of gas (rather than coal) as a bridge to a new future.

Beth Estelle

Comment Letter 94.....Estelle, B.

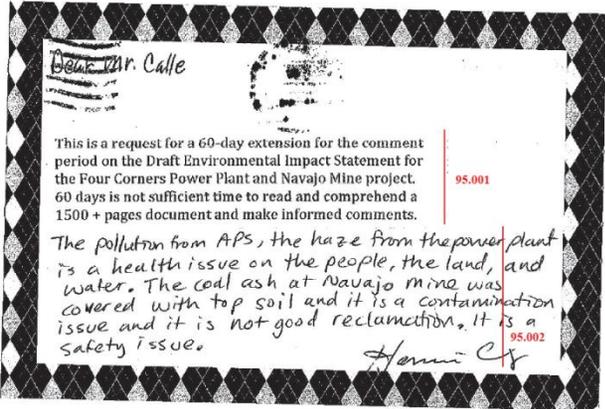
**Response 94.001**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015. With regard to mercury pollution, please see Master Response #4, Mercury in Fish in Nearby Lakes. Acid rain and visibility are addressed in Section 4.1, Air Quality, of the Draft EIS.

**Response 94.002**

Please see Master Response #2, Renewable Energy Alternatives.

COMMENT #95



Comment Letter 95.....Cly, H.

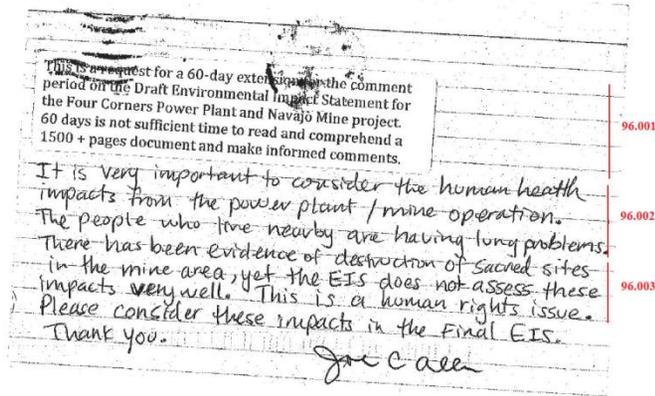
**Response 95.001**

Please see Master Response #8, Public Review Period.

**Response 95.002**

Thank you for your comment. An evaluation of the potential air quality impacts of the proposed action and alternatives is included in Section 4.1, Air Quality, of the Draft EIS. Health and Safety is addressed in Section 4.17. With regard to placement of CCR at the Navajo Mine, a summary of OSMRE's evaluation of potential impacts is provided in Section 4.5.2.1 of the Draft EIS.

COMMENT #96



Comment Letter 96..... Allen, J.

**Response 96.001**

Please see Master Response #8, Public Review Period.

**Response 96.002**

Thank you for your comment. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

**Response 96.003**

Two programmatic agreements have been developed for the project to address the protection of cultural resources and artifacts. A discussion of the tribal and Section 106 consultation processes through which these programmatic agreements were developed is provided in Section 4.4, Cultural Resources. In addition, a complete summary of all consultation activities to date is provided in Section 5, Consultation and Coordination. OSMRE has been in close coordination with the Navajo Nation Tribal Historic Preservation Officer throughout the EIS and Section 106 process to identify and evaluate impacts to all historic properties, cultural resources, and traditional cultural properties within the project area of potential effect. This work has been conducted with a large Section 106 consulting parties group, as well as direct involvement by the Navajo Nation Tribal Historic Preservation Office.

COMMENT #97

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

AT ALL POSSIBLE, "PLEASE" MAKE THIS E.I.S. LANGUAGE IN OUR NATIVE TONGUE, SO OUR ELDERLY CAN UNDERSTAND IT. ENOUGH IS ENOUGH, ABOUT THE POLLUTION THAT WE PUT OURSELVES THROUGH EVERY DAY,.... HEALTH ISSUES, WATER, PLANT GROWTH, & LAND DETERIORATION & OTHER RISKS.

97.001

97.002

97.003

Comment Letter 97.....Lee, J.

**Response 97.001**

Please see Master Response #8, Public Review Period.

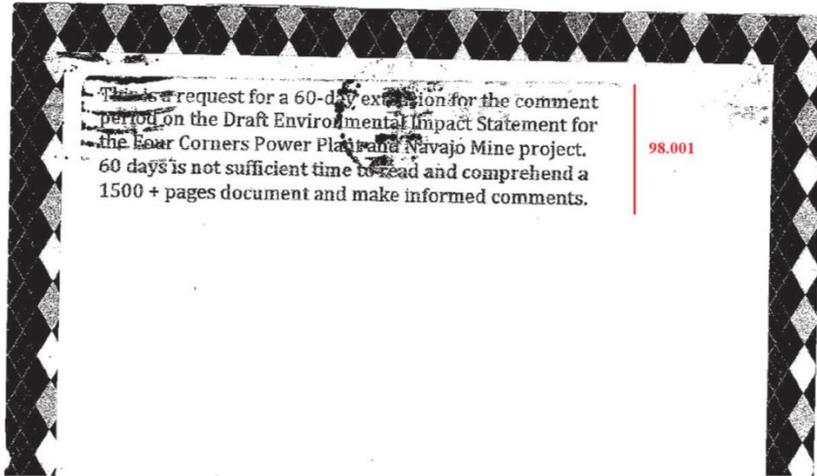
**Response 97.002**

Please see Master Response #10, Translation of the EIS.

**Response 97.003**

Thank you for your comment. The Draft EIS addresses public health in Section 4.17, water in Section 4.5, plant growth in Section 4.6, and land deterioration in Section 4.9.

**COMMENT #98**

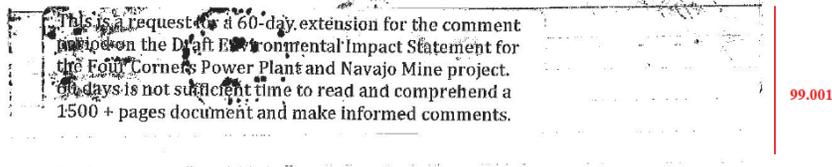


**Comment Letter 98.....Peters, F.**

**Response 98.001**

Please see Master Response #8, Public Review Period.

**COMMENT #99**



**Comment Letter 99..... Maxwell, B.**

**Response 99.001**

Please see Master Response #8, Public Review Period.

**COMMENT 100**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

100.001

**Comment Letter 100..... James, H.**

**Response 100.001**

Please see Master Response #8, Public Review Period.

**COMMENT #101**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

101.001

**Comment Letter 101..... Tohe, R.**

**Response 101.001**

Please see Master Response #8, Public Review Period.

**COMMENT #102**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

102.001

**Comment Letter 102..... Whisper, C.**

**Response 102.001**

Please see Master Response #8, Public Review Period.

I insist that 60 days is not enough time to review this document & inform the community.

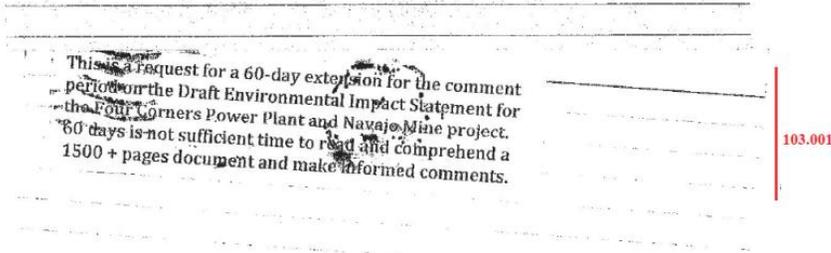
Respectfully C. Whisper C.K

**COMMENT #103**

**Comment Letter 103..... McKinney, R.**

**Response 103.001**

Please see Master Response #8, Public Review Period.

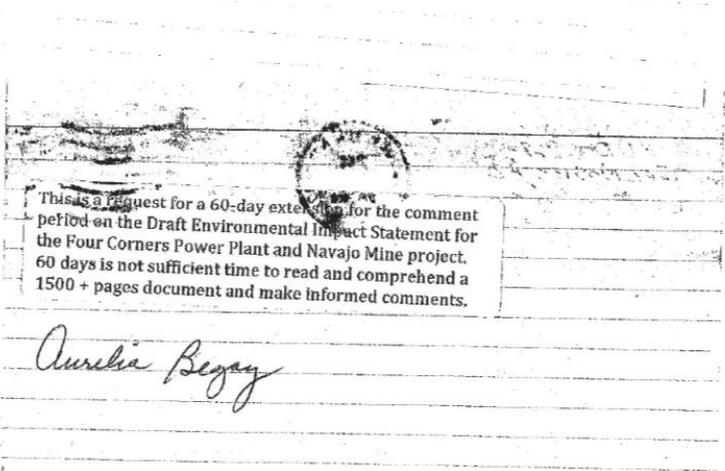


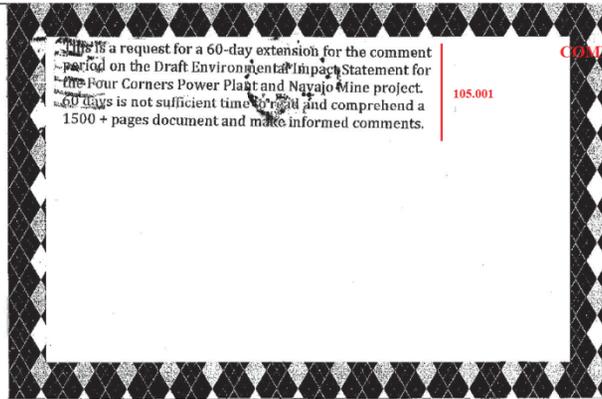
**COMMENT #104**

**Comment Letter 104..... Begay, A.**

**Response 104.001**

Please see Master Response #8, Public Review Period.





**Comment Letter 105.....Claushee, L.**

***Response 105.001***

Please see Master Response #8, Public Review Period.

**COMMENT #106**

**Comment Letter 106..... Begay, J.**

**Response 106.001**

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

106.001

**COMMENT #107**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

107.001

107.002

*Many Navajo citizens cannot read a 1500 page plus document - We need informed consent to agree, another years of pollution*

**Comment Letter 107..... Begay, A.**

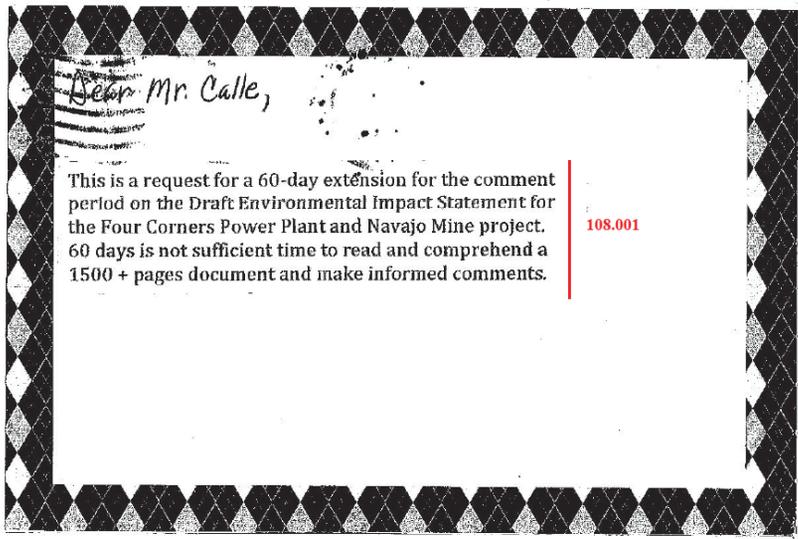
**Response 107.001**

Please see Master Response #8, Public Review Period.

**Response 107.002**

Please see Master Response #8, Public Review Period.

**COMMENT #108**



**Comment Letter 108.....Smith, T.**

**Response 108.001**

Please see Master Response #8, Public Review Period.

**COMMENT #109**

**Comment Letter 109..... Frazier, J.**

**Response 109.001**

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

109.001

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 500+ pages document and make informed comments.

**COMMENT #110**

**110.001**

*Harvey Begay*



**Comment Letter 110..... Begay, H.**

**Response 110.001**

Please see Master Response #8, Public Review Period.

**COMMENT #111**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ page document and make informed comments.

111.001

Jonathan Perry



**Comment Letter 111.....Perry, J.**

**Response 111.001**

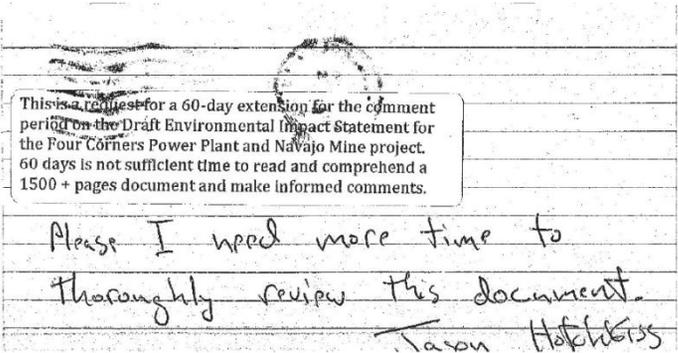
Please see Master Response #8, Public Review Period.

COMMENT #112

Comment Letter 112..... Hotchkins, J.

Response 112.001

Please see Master Response #8, Public Review Period.



112.001

**COMMENT #113**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1300+ pages document and make informed comments.

113.001

**Comment Letter 113..... Long, D.**

**Response 113.001**

Please see Master Response #8, Public Review Period.

COMMENT #114

This is a request for a 60-day extension for the comment period on Draft Environmental Impact statement for 4 Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

114.001

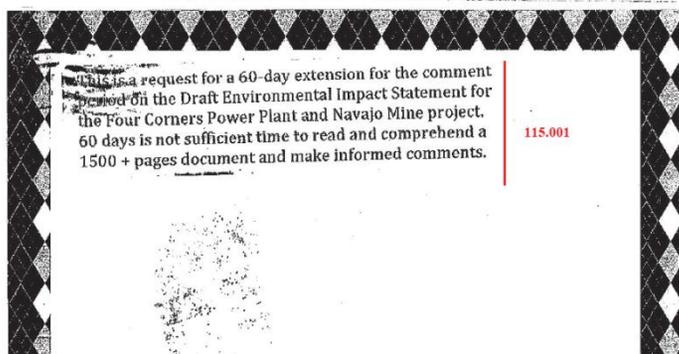
Comment Letter 114.....Clahchischilli

Response 114.001

Please see Master Response #8, Public Review Period.

**COMMENT #115**

[Faint, illegible text from a scanned document]



**Comment Letter 115..... Peters, A.**

***Response 115.001***

Please see Master Response #8, Public Review Period.

**COMMENT #116**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500 + pages document and make informed comments.

116.001

*Don T. Benally*

**Comment Letter 116..... Benally, D.**

**Response 116.001**

Please see Master Response #8, Public Review Period.

**COMMENT #117**

**Comment Letter 117..... Becenti, E.**

**Response 117.001**

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ page document and make informed comments.

117.001

**COMMENT #118**

**Comment Letter 118..... Jones, J.**

**Response 118.001**

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

118.001

**COMMENT #119**

This is a request for a 60-day extension of the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1,500 page document and make informed comments.

119.001

**Comment Letter 119..... Becenti, S.**

**Response 119.001**

Please see Master Response #8, Public Review Period.

**COMMENT #120**

**Comment Letter 120..... Claushee, C.**

**Response 120.001**

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ page document and make informed comments.

120.001

*Corinne Claushee*

**COMMENT #121**

[Faint, illegible text]

[Faint, illegible text]

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

121.001

*P. Bedah*

**Comment Letter 121.....Bedah, L.**

**Response 121.001**

Please see Master Response #8, Public Review Period.

**COMMENT #122**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ page document and make informed comments.

122.001

The Navajo Nation is in need of more time to fully educate its citizens on an important issue that has affected our past, current and future people - land, health, water, and social welfare.

Provide this time to educate and open communication for this important concern to our nation. Thank you

**Comment Letter 122..... Atcitty, L.**

**Response 122.001**

Please see Master Response #8, Public Review Period.

**COMMENT #123**

**Comment Letter 123..... Bencenti, S**

**Response 123.001**

Please see Master Response #8, Public Review Period.

Dear Mr. Cille,

This is a request for a 60 day comment  
period extension for the Four Corners Power  
Plant and Navajo Mine EIS.

Thank you,  
S. Bencenti

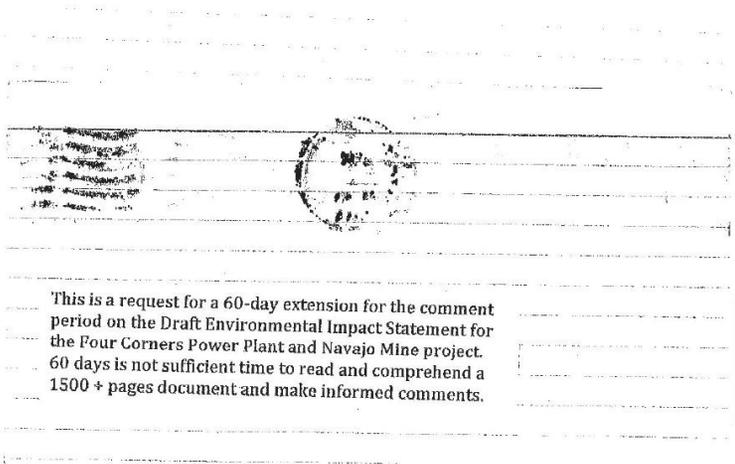
123.001

**COMMENT #124**

**Comment Letter 124..... Benally, G.**

**Response 124.001**

Please see Master Response #8, Public Review Period.



124.001

**COMMENT #125**

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

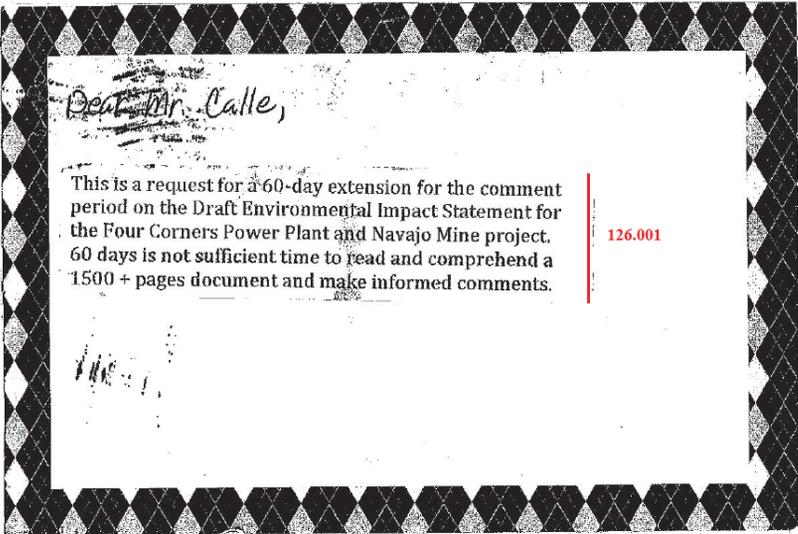
125.001

**Comment Letter 125.....Sells, A.**

**Response 125.001**

Please see Master Response #8, Public Review Period.

**COMMENT #126**



**Comment Letter 126.....Deale, R.**

**Response 126.001**

Please see Master Response #8, Public Review Period.

COMMENT #127

Comment Letter 127.....Benallie, V.

Response 127.001

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

127.001

More than 60 days is required  
to comprehend 1500+ pages  
regarding lay people - grass  
roots

**COMMENT #128**

This is a request for a 60-day extension for the comment period for the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

The EIS is too complicated to understand. There should be better communication provided to the Navajo public. It should also include study on health and water impact.  
perc y deal

128.001

128.002

**Comment Letter 128.....Deale, P.**

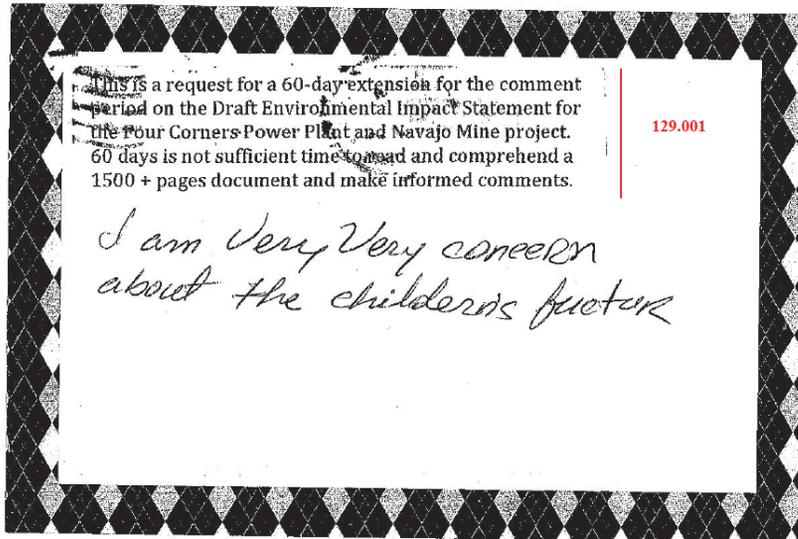
**Response 128.001**

Please see Master Response #8, Public Review Period.

**Response 128.002**

Thank you for your comment. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS. Water resources are addressed in Section 4.5 of the Draft EIS.

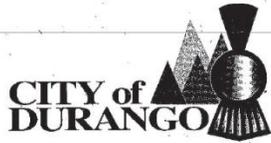
**COMMENT #129**



**Comment Letter 129..... Youngbear, B.**

**Response 129.001**

Please see Master Response #8, Public Review Period.



COMMENT #130

14-05-06-20

April 28, 2014

Mr. Marcelo Calle  
Navajo Mine Team Coordinator  
U.S. Department of the Interior  
Office of Surface Mining Reclamation and Enforcement  
Western Region  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

Mayor  
Sweetie Marbury

Mayor Pro Tem  
Dean Brookie

Councilors  
Christina Kinderle  
Keith Brant  
Dick White

City Manager  
Ron LeBlanc

RE: Four Corners-Navajo Mine EIS Extension of the Public Comment Period

Dear Mr. Calle:

This letter is in response to the notice of availability (NOA) for the Four Corners Power Plant and Navajo Mine Energy Project Draft Environmental Impact Statement (DEIS) that was published in the Federal Register on March 28, 2014. Due to the scope and breadth of this DEIS, the Durango City Council requests that OSMRE consider extending the 60-day public comment period.

130.001

The scale and complexity of this DEIS, which combines four independent proposed actions into one NEPA process, warrants a 60-day extension beyond the May 27, 2014 deadline. Extending the public comment period will allow for adequate and substantive review and analysis of the direct, indirect and cumulative environmental and economic impacts associated with the continued operation of the Four Corners Power Plant, the Energy Transmission Line Renewal, the Navajo Mine Permit Renewal and proposed new Pinabete Permit Area.

Continued operations at the Four Corners Power Plant impact the quality of life in Durango and the Four Corners Region. Thank you in advance for considering extending the public comment period to allow residents of our region to review the proposed alternatives. If you have questions regarding this request, please contact Mary Beth Miles, Assistant to the City Manager, at [REDACTED]

Respectfully,

Sweetie Marbury  
Mayor

[REDACTED]

Comment Letter 130..... Marbury, S.

Response 130.001

Please see Master Response #8, Public Review Period.

GOVERNOR  
Susana Martinez



INTERIM DIRECTOR AND SECRETARY  
TO THE COMMISSION  
R.J. Kirkpatrick  
DEPUTY DIRECTOR  
Daniel E. Brooks

**COMMENT #131**  
STATE OF NEW MEXICO  
DEPARTMENT OF GAME & FISH

One Wildlife Way, Santa Fe, NM 87507  
Post Office Box 25112, Santa Fe, NM 87504  
Tel: (505) 476-8000 | Fax: (505) 476-8123  
For information call: (888) 249-6886  
www.wildlife.state.nm.us

STATE GAME COMMISSION  
PAUL M. KIENZLE III  
Chairman  
ABRAQUOTO  
BILL MCINTOYA  
VICEDIR  
ALSO  
DR. TOM ARIVAS  
ALBUQUERQUE  
ROBERT ESPINOZA, SR.  
Farmington  
RALPH RAMOS  
Las Cruces  
THOMAS "DICK" SALOPEK  
Las Cruces

**Comment Letter 131.....Jankowitz, R.**

**Response 131.001**

Thank you for your comment. While the majority of the project is located on the Navajo tribal trust lands, segments of the subject transmission lines extend outside of tribal trust lands into New Mexico. Potential effects to vegetation and wildlife in this area was addressed in Section 4.6 and 4.7 of the Draft EIS.

April 28, 2014

Marcelo Calle  
OSMRE, Western Region  
1999 Broadway, Suite 3320  
Denver CO 80202-3050

14-05-06-10

**RE: Four Corners Power Plant and Navajo Mine Energy Project Draft Environmental Impact Statement; NMDGF No. 16260**

Dear Mr. Calle:

The New Mexico Department of Game and Fish (Department) has reviewed this project. It appears that the entire project area is on the property of the Navajo Reservation. The Department has no jurisdiction or authority for the wildlife resources on Indian reservations or property. Continued operation of the Four Corners Power Plant could potentially impact New Mexico wildlife through air quality and aquatic deposition of airborne contaminants. However since the plant has, or will have, recently implemented an EPA-approved Federal Implementation Plan for Best Available Retrofit Technology, we have no comment on that issue.

131.001

Thank you for the opportunity to review and comment on your project. If you have any questions, please contact me at [REDACTED]

Sincerely,

Rachel Jankowitz, Habitat Specialist  
Ecological and Environmental Planning Division

cc: USFWS NMES Field Office

COMMENT #132



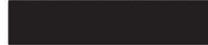
Diné Medicine Men's Association, Incorporated  
DINÉ BI NAHAGHÁ' YEE DA' AHOOTÁ'



May 06, 2014

Mr. Marcelo Calle  
Office of Surface Mining Reclamation and Enforcement  
1999 Broadway, Suite 3320  
Denver, CO 80202

Henry Barber *President*  
Diné Medicine Men's Association, Inc.



**Re: Request on Environmental Impact Statement**

Dear Mr. M. Calle;

An extreme concerned issue of a 1,500 page Draft Environmental Impact Statement (EIS) released by the Office of Surface Mining (OSM) presented before the DMMAI meeting at Tees Nos Pos, Arizona on May 04, 2014 which has been considered and concluded to request 60 days extension beyond May 27, 2014. 132.001

The Diné Medicine Men Association, Inc. (DMMAI), Diné Bi Nahagá Yee Da' ahootá, is a non-profit organization incorporated with the Navajo Nation of Commerce and has been existence since the early 1970's.

Emphasizing that Diné traditional medicine-people always have the commitment to teach, preserve and protect the welfare of the Diné people as well as the welfare of the Diné Nation through providing exceptional protocol of the traditional knowledge of the distinctive oral philosophy of indigenous people, including Dine' people, way of life on the basis of the Diné Ancient Oral Sacred Philosophy of the Spiritual Belief Foundation. Hence, it always has been the moral principle that guided the ceremonial sacred songs and prayers interwoven with intellectual and oral proceeding of planning and teaching with dignity and integrity which is still the effectual foundation of Diné life way since time immemorial.

The local and national elected leaders are bestowed to protect their peoples equally as Diné people, and as their children. Equally, their children, Diné people have the right to self-determination and culture. By virtue of this right the Diné people freely determine their political status and freely pursue their economic, social and cultural development. The right of self-determination is the fundamental human right and cannot be desecrated, denied, and taken away by any business entity or any governing institute.

File: DMMAI, 

Comment Letter 132.....Barber, H.

**Response 132.001**

Please see Master Response #8, Public Review Period.

By virtue of Diné Fundamental right and freedom bestowed within Asdzáá Naat'ááh (the First Man) and Hastiin Naat'ááh (the First Woman) having the greatest gift of intelligence as repeatedly told in our past footprints of life since the proceeding of the growth and the journey of life as our Diné traditional guiding immutable laws; whereby the establishment of leaderships have respectability [*prior*] to legislating of ultimate measure of importance to [*liberally*] be understood, with forward and factual [*informative*] to have the [*consent*] of the Diné people cannot be violated. Clear and forward consultation must occur through procedures of dialogue meant at arriving at a consensus. Further reminding that PRIOR, FREE, INFORM and CONSENT has also appeared in the Inter-National Laws; The United Nations' Declaration on the Rights of the Indigenous People.

With [respect] that from DMMAI perspective, many concerned are not so western educated people do not fully understand the American English form of written laws or legal documents, where some do not know actually how to ask what questions or to make such statements; when they come out of sessions they still do not fully understand as to when they went in, where this drafted policy needed be translated word by word and line by line; so to have full understanding and to have full inputs; majority of people as individuals cannot learn the complete package of highly sophisticated policy or documents in a few hours; some educated people has followed the several presentations yet still asking questions.

In hope, you would consider and approve the request to extend 60 more days for more effectual and forward consultation for the concerned people and educate the Navajo public to learn clearly on the Environmental Impact Statement related to the Navajo Nation Natural Resources and further Developments.

Respectfully yours,



Henry Barber, President of the Diné Medicine Men Association, Inc.

File: DMMAI, [REDACTED]

May 10, 2014

Nancy Holland

Marcelo Calle  
Office of Surface Mining Reclamation and Enforcement, Western Region Office  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

Re: Environmental Impact Statement - Four Corners Power Plant

To Whom It May Concern:

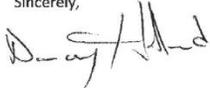
Thank you for making the effort to improve the Four Corners overall environment. I feel your efforts and the outcome of your efforts are of the utmost importance to the Four Corners quality of life both present and future. My father was born in Colorado as well as our three children and so my commitment to having clear skies, clean water, and a vibrant economy is quite important to me. However, a clean conscience is also of the utmost importance. Preserving National Parks, artifacts, as well as my personal environment is paramount.

I cannot write from experience about mining or power lines in the area concerned, but I do have an opinion regarding the quality of air as I observe it 8 miles south of Durango where we now live. It's extremely rare for us to have the startling clear Colorado views of the La Plata Mountains or even of the Weminuche Wilderness while driving to Silverton. I have lived in many parts of Colorado, but have never experienced the hazy views that we have here. Getting a decent Colorado photograph is usually impossible. I realize we have more dust in this part of the world, however, the humongous brown cloud that usually hangs over Shiprock and Farmington is quite visible and especially from above Bloomfield. 133.001

I live on a sailboat half of the year now that we are retired. It's a tiny boat, 31 feet. 100% of our electricity for navigation, computer, TV, cell phone, lights, and refrigeration is generated by three solar panels so I know well the limitations as well as the great abilities of solar. I have great hope that technology can be improved and only practice will make it better. Please practice!

Please do everything in your power to do the right thing for the environment. It would be so wonderful to see the Navajo Nation become the national leader in solar and wind. I believe in the long run incorporating those renewable features into the power plants capabilities will have huge dividends in money and the quality of life for everyone. 133.002

Sincerely,



**Comment Letter 133..... Holland, N.**

**Response 133.001**

Thank you for your comment. Visibility is addressed in Section 4.1, Air Quality, of the Draft EIS.

**Response 133.002**

Thank you for your comment. With regard to renewable energy, please see Master Response #2.

COMMENT #134

Jan Holt

**From:** Jan Holt [REDACTED]  
**Sent:** Sunday, May 11, 2014 9:10 AM  
**To:** Marcello Calle  
**Subject:** Comments: Coal fired power plants

Dear Marcello Calle:

It is time to retire coal mining and use in the Four Corners and look towards renewables. Having fled the Front Range to escape the horrible air pollution there, I find that it is bad here too. Continuing with coal means more decades of air pollution, related problems of health and thus detrimental effects on our economy. 134.001 134.002

I don't believe that the DEIS document sufficiently covers the negative problems that continued coal mining and use would bring. This is very worrisome to me. It would be a positive move to turn away from coal so we can have better health and spend our time and money on going forward with renewable energy. 134.003

Sincerely, Jan Holt [REDACTED]



Comment Letter 134.....Holt, J.

**Response 134.001**

Thank you for your comment. With regard to renewable energy, please see Master Response #2.

**Response 134.002**

Thank you for your comment. Pages 4.17-22 through 4.17-24 summarizes the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

**Response 134.003**

Please see Master Response #1, Deficient Analysis.



COMMENT #135

Office of Surface Mining Reclamation and Enforcement  
Four Corners Power Plant and Navajo Mine Energy Project  
Environmental Impact Statement (EIS)

Draft EIS Public Meeting Comment Form

Comments must be postmarked by May 27, 2014, for consideration in the Final EIS. Comments may be submitted at the open house public meetings (being held April 30 through May 9, 2014), via email to [FCPPNavajoEnergyEIS@osmre.gov](mailto:FCPPNavajoEnergyEIS@osmre.gov) or by postal mail, hand delivery or courier to the address below.

MEETING LOCATION: \_\_\_\_\_ DATE: \_\_\_\_\_

\*\*\*Please Print\*\*\*

I am an Episcopal priest. The air my elderly parishioners breathe is often hazy with particulate matter from the 4 Corners Power Plant. They have respiratory issues that are compromised by our bad air. We are to care for one another. To do that we need to assure our elders (and everyone else) have clean air to breathe. Coal cannot be part of that picture.

135.001

1. NAME: Leigh Waggoner (The Rev. Dr.)
2. ORGANIZATION (if applicable): St. Barnabas Church
3. EMAIL ADDRESS/PHONE NUMBER: [REDACTED]
4. MAILING ADDRESS: [REDACTED]

Do you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act (FOIA)?  NO  YES

Please give this completed form to one of the project team representatives or mail by May 27, 2014, to:  
Mr. Marcelo Calle  
Office of Surface Mining Reclamation & Enforcement, Western Region Office  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050  
Comments may be emailed to [FCPPNavajoEnergyEIS@osmre.gov](mailto:FCPPNavajoEnergyEIS@osmre.gov).

Comment Letter 135 ..... Waggoner, L.,  
St. Barnabas Church

Response 135.001

Thank you for your comment. Air quality is addressed in Section 4.1 of the Draft EIS. In addition, pages 4.17-22 through 4.17-24 summarize the results of the human health risk assessment performed for the project.

COMMENT #136

Dear Marcelo Calle,

I'm writing this letter in opposition to the Four Corners Power Plant and Navajo Mine Energy DEIS.

I am deeply concerned about climate change and how it will affect my children and grand children. Coal Power Plants are a major contributor to the warming of the earth.

I have invested in a 6kw solar system on my house so I am not asking for something I have not thought long and hard about.

136.001

I am worried about what will happen if we don't move towards renewable energy.

I feel the DEIS is deficient in its analysis of the full economic, environmental and human health costs of the project.

136.002

I hope you will re-consider a better, more informative DEIS

Thank you for your time  
Tricia Zuber



Comment Letter 136.....Zuber, T.

Response 136.001

Thank you for your comment. Climate Change is addressed in Section 4.2 of the Draft EIS, as well as in Section 4.18, Cumulative Impacts. With regard to renewable energy alternatives, please see Master Response #2, Renewable Energy Alternatives.

Response 136.002

Please see Master Response #1, Deficient Analysis.

5/19/2014

DEPARTMENT OF THE INTERIOR Mail - Four corners plant

COMMENT #137



[Redacted]

**Four corners plant**

1 message

Sent By Mobile Device HM

Fri, May 16, 2014 at 7:24 PM

It is filthy. Shut it down  
Christine Benally

[Redacted]

**Comment Letter 137..... Benally, C.**

**Response**

Thank you for your comment.

[Redacted]

1/1

**COMMENT #138**

Lilah Slaughter  
Science Essay  
5/1/14

The Shutdown of an Environmental Savage

The original lease for the Four Corners Coal-Powered Plant was granted in 1960, a decade after the lease signed for the original 33,600 acre mine to provide coal for it. Fifty-four years later, it is due to expire in two years, in 2016. The Navajo Transitional Energy Company, as well as the Arizona Public Service Company and to a lesser extent, the New Mexico Public Service Company proposed a permit renewal for the Four Corners Power Plant, a permit renewal for the Navajo Coal Mine, full permission to operate connected transition lines, and permission to develop a new mine of about 5,600 acres. Federal workers, the Office of Surface Mining and Reclamation and Enforcement, private sector individuals with Cardno, and Australian environmental service companies created five propositions in the draft Environmental Impact Statement including one called the No Action Alternative. This action, or rather lack thereof, allows the mine and power plant to operate until 2016, the predetermined date, then shut down and yield to renewable energy alternatives. The cleanup from fifty-six years worth of filthy coal mining can commence. This will clean the air, water, and soil as well as creating a renewable energy source that may be used for as long as there is wind or water to power it.

The conclusion of the mine's fifty six year life span will bring the beginning of environmental cleanup. Currently, from this plant alone, ten million tons of carbon emissions are expected per year. In the next two years, this would yield twenty million tons, whereas if the Four Corners Power Plant were left in operation until 2041, with the proposed twenty five year permit, 250 million tons of carbon waste would be released. Carbon emissions poison the air and water, killing plants and animals. The air humans inhale can be toxic with coal dust pollution, causing coal worker's pneumoconiosis or chronic pulmonary obstructive disorder. Both of these diseases cause respiratory issues and potential premature death. The environmental and health blows dealt out by the Four Corners Coal-Powered Plant greatly outweigh the few benefits provided by keeping the plant open for another twenty seven years.

The aforementioned benefits may include jobs provided by the plant. There are certainly jobs that are provided, especially during routine cleanup shut downs, but the people working at the plant legally have to be classified to do those jobs. These classifications do not only apply to mining jobs, and often, after cleanups are finished, the people that were hired are then fired. In turn, the new energy sources will require upkeep. The point of the Four Corners Coal-Powered Plant is obviously to generate electricity. In the next two years left on the permit, the Four Corners areas powered by the plant will have time to find new and renewable energy sources such as wind and water. Ideally, wind turbines, and to a lesser extent because of water ecosystem damage, hydroelectric plants can be constructed. The next two years will provide adequate time for the Four Corners to make a switch to renewable energy sources and for workers to find new jobs, even potentially in the fields of renewable energy.

In the interest of the environment, our health, and even the economy, the No Action plan should be followed. The No Action proposition will allow the Navajo Coal Mine and Four Corners

138.001

138.002

138.003

**Comment Letter 138..... Slaughter, L.**

**Response 138.001**

Thank you for your comment. Section 4.17 of the Draft EIS addresses potential impacts with regard to Health and Safety, including worker safety. Pages 4.17-22 through 4.17-24 summarize the human health risk assessment conducted for the project.

**Response 138.002**

Please see Master Response #2, Renewable Energy Alternatives, and Master Response #3, Analyze Alternatives with Shorter Lease Terms.

**Response 138.003**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015.

**COMMENT #138**

Coal-Powered Plant to operate until the end of their permit. After that, cleanup efforts will begin and hopefully, renewable energy plants will have been created to provide electricity for areas powered by the plant. Often coal-powered plants stay in operation for around forty to fifty years, and the Four Corners Coal-Powered Plant is overdue for retirement at the age of fifty-six. It should be allowed to run its course for the two years left on its permit, but then it should be immediately shut down. In the wake of its shutdown cleanup can commence and allow for cleaner air, water, and consciences.

5/19/2014

DEPARTMENT OF THE INTERIOR **COMMENT #139** - Four Corners Power Plant



FCPP-Navajo-Energy-EIS, OSM <osm-fcpp-navajo-energy-eis@osmre.gov>

**Four Corners Power Plant**

1 message

**Quinn Luthy**

Fri, May 16, 2014 at 11:47 AM

50 years is a long time. In 50 years, humanity has gone from 3.2 billion individuals to 7.1 billion individuals. We have landed on the moon, invented the internet, and have made incredible leaps of discovery and innovation. The Four Corners Power Plant has operated for 50 years. In Power Plant Years, it is an old man, wheezing and coughing up smoke, but still providing electricity to the surrounding area. In its final breaths, the power plant asks for a 25 year license renewal. Not only is this dangerous for the environment, it is also dangerous to the places that the plant provides power to, an area that is home to over 150,000 people and countless plants and animals living within diverse ecosystems. This power plant deserves no more than a five year license renewal (time for other energy development), and it should be taken down and replaced with safer, newer forms of energy-producing technology.

139.001

Case 1: This plant harms the environment and the air quality of northern New Mexico and Arizona, as well as the Southern Parts of Colorado and Utah. This plant expects 200,000,000 tons of carbon emissions over the next 25 years, which would harm both the air quality and climate of the surrounding region. Carbon Dioxide (emitted when coal is burned) contributes to the greenhouse effect (which slowly warms the affected region). The plant is at a lower elevation than the surrounding areas, which will trap Carbon Dioxide in the region like a bowl. Causing lung problems for people as far as Santa Fe and Flagstaff. Clearly, if environmental sustainability is a priority (like it is in the Four Corners), the plant cannot get the 25 year license.

139.002

Case 2: People need electricity. Old plants such as the Four Corners Power Plant often experience blackouts and brownouts much more often than new plants of any sort. The St. Vincent Hospital (in Santa Fe) serves 300,000 people per year, blackouts can harm the lives of any number of these visitors. Blackouts can also cause an overall population decrease to the Northern New Mexico and Arizona area, which will hurt the economy.

Case 3: We have much safer forms of electricity. Wind and solar power require a perfect environment to operate 24/7, hydroelectric power needs specific sites and nuclear power can be dangerous. The best renewable source of electricity lies beneath our feet, in the Earth's geothermal electricity. We can adopt power plants much like those in Iceland. Iceland relies on fossil fuels for only 15% of its total electric demands. In the Four Corner Region, one needs only to drill 300 feet down to get enough heat energy to heat their house and one needs only drill 500 feet down to boil water, which creates steam, which can turn a turbine, much like a coal plant. Such plants are cheap and can provide electricity for a very long time.

139.003

Rebuttal: *The Four Corners Power Plant is the only Power Plant in the Four Corners Region, not renewing this licence will leave 150,000 people without power (opponents argument).* A five year license renewal leaves time for the Northern New Mexico area to adopt a power system like that of their northern neighbors; La Plata County, CO. La Plata Electric Association (LPEA) has historically gotten its power from a local coal plant, but lately, business and homes are switching to solar power. There are over 100 business in La Plata County that are soon to build solar generating stations, with over 50 pre-existing sites. 100 homes are in the process of switching to solar. *Solar is unreliable (opponents argument).* Solar is a very stable alternative as the Southern Colorado and Northern New Mexico areas report an average of 325 days of sunshine a year. Batteries regulate power for darker days. Even the local hospital in La Plata county is a proposed solar site, the hospital is the same capacity as St. Vincents in Santa Fe. Businesses that cannot install solar generating stations on their

139.004

1/2

**Comment Letter 139..... Luthy, Q.**

**Response 139.001**

Please see Master Response #3, Analyze Alternatives with Shorter Lease Terms.

**Response 139.002**

Thank you for your comment. Potential impacts with regard to air quality and climate change are addressed in Section 4.1 and 4.2 of the Draft EIS, respectively.

**Response 139.003**

Please see Master Response #2, Renewable Energy Alternatives.

**Response 139.004**

Thank you for your comment. Solar energy was considered as a potential alternative in Section 3.3.1 of the Draft EIS.

5/19/2014

DEPARTMENT OF THE INTERIOR  
COMMENT #139  
Four Corners Power Plant

property are offered to buy green energy from LPEA community solar gardens. Obviously, this plan is simple, and effective for all solar available locations and regions currently powered by coal.

If a 25 year license is awarded to the Four Corners the air quality of the surrounding region will plummet, harming the extensive tourism economy of the area, we will experience smog such as that in Los Angeles on a daily basis, and the St. Vincent hospital (a major source of jobs, and money) will lose its reputation. All of the above consequences are a result of the license renewal. Do not support the continued survival of this plant, if you want the continued survival of the surrounding community.

In conclusion, the Four Corners Power Plant is unsafe and is an unwise power source to invest in for the Northern New Mexico region.

I am currently a student at Mountain Middle School and live in the Durango, CO area.

Thank you-  
Quinn Luthy

**Response 139.005**

Section 4.1 of the Draft EIS addresses potential air quality impacts, Section 4.16 addresses impacts to recreation. OSMRE is considering all alternatives analyzed in the Draft EIS and will issues its decision via the Record of Decision, anticipated in spring 2015.

5/19/2014

DEPARTMENT OF THE INTERIOR Mail - Comments FCPP

**COMMENT #140**



**Comments FCPP**

1 message

**Tim Thomas**

Sun, May 18, 2014 at 9:26 AM

My concerns with the proposed new Pinabete mine permit area, and a 25 year lease extension for operation of the Four Corners Power Plant (FCPP) are:

1. The the Federal government has not fully and adequately assessed the environmental impacts of a continued coal-fired plant operation in terms of consulting the Fish and Wildlife service, getting information on the health impact of Navaho and Hopi nation workers and residents living nearby, and the impact to the air and water quality of the region (& it's inhabitants) that the estimated 250+ million metric tons of carbon pollution will effect if continued to operate for another 25 years. 140.001
2. The Federal government needs to help promote cleaner energy alternatives to coal and not continue to support coal plants that the utilities profiting from these operations are not paying the true costs of the effects on the health and welfare of the populace and region. 140.002
3. Adequate time and public discourse be allowed to further study the issue and alternatives. As the draft EIS stands now, I would NOT favor a continuation of the FCPP lease, nor an expansion of it's operation of the Pinabete mine. I would favor a phase out of the coal powered plant over the next 10 years. 140.003

Tim Thomas

1/1

**Comment Letter 140.....Thomas, T.**

**Response 140.001**

Please see Master Response #1, Deficient Analysis. With regards to consulting with the US Fish and Wildlife Service, OSMRE began informal consultation with the Service in November 2013 and formal consultation in summer 2014, in accordance with ESA Regulations.

**Response 140.002**

With regard to alternatives to coal, please see Master Response #2, Alternatives.

Pages 4.17-22 through 4.17-24 summarize the results of the Human Health Risk Assessment performed for the Project. In addition, a discussion of the results of human health risk assessment evaluating potential impacts of the emissions from the Navajo Mine is located on pages 4.17-19 through 4.17-22 of the Draft EIS.

A quantitative analysis of the social cost of carbon (SCC) has been added to the Final EIS in Section 4.2. The Draft EIS considered the SCC in a qualitative manner, but did not quantify the effects. Subsequent to issuance of the Draft EIS, CEQ published Draft Guidance on climate change analysis (CEQ 2014), in which CEQ indicates that emissions monetization is not required in every project-level NEPA analysis. Nonetheless, OSMRE determined that a quantitative analysis would be included in the Final EIS, following the Interagency Working Group Methods. The results of the SCC analysis do not change the conclusions or the findings of level of significance for the Climate Change issue; however, the analysis has been added to provide additional context to OSMRE's decision.

**Response 140.003**

Please see Master Response #8, Public Review Period and Master Response #3, Analyze Alternatives with Shorter Lease Term.

5/19/2014 DEPARTMENT OF THE INTERIOR Mail - FCPP and Navajo Mine Energy Project - Comment Received Re: Four corners plant

**COMMENT #141**



[Redacted]

**FCPP and Navajo Mine Energy Project - Comment Received Re: Four corners plant**

2 messages

**FCPP-Navajo-Energy-EIS, OSM** [Redacted] Fri, May 16, 2014 at 7:25 PM

Thank you very much for your interest in the Four Corners Power Plant and Navajo Mine Energy Project. Your comment has been received and will be considered accordingly.

Best regards,

--  
Marcelo Calle

EIS Coordinator, The Four Corners & Navajo Mine Energy Project  
Office of Surface Mining Reclamation and Enforcement  
Program Support Division, Indian Programs Branch  
1999 Broadway, Suite 3320  
Denver, CO 80202-3050

[Redacted]  
[Redacted]  
[Redacted]

[Redacted] Mon, May 19, 2014 at 7:19 AM

Here are air pollution problem taken yesterday and today.

Sent via the Samsung Galaxy S™ II Skyrocket™, an AT&T 4G LTE smartphone.  
[Quoted text hidden]

**2 attachments**

[Redacted]

1/2

**Comment Letter 141..... Benally, C.**

**Response**

Thank you for your comment.

COMMENT #142

Comment Letter 142..... Clah. H.

**Response 142.001**

Please see Master Response #8, Public Review Period.

This is a request for a 60-day extension for the comment period on the Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine project. 60 days is not sufficient time to read and comprehend a 1500+ pages document and make informed comments.

142.001

COMMENT #143



Diné Citizens Against Ruining Our Environment  
Diné C.A.R.E.

May 20, 2014

Jared Blumenfeld  
EPA Region 9 Administrator  
U.S. EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

**RE: Office of Surface Mining EIS Public Meetings**

Dear Mr. Blumenfeld,

I am writing this letter regarding the Office of Surface Mining (OSM) EIS public meetings that took place from April 30-May 9, 2014. First, on behalf of the Diné people, I want to know why there was no representative from the Environmental Protection Agency (EPA) present at these meetings? I understand that the EPA is a participating agency in the Environmental Impact Statement on the Four Corners Power Plant and Navajo Mine project.

143.001

Second, our organization, Diné Citizens Against Ruining Our Environment (Diné C.A.R.E.) and other Diné community members were present at all the OSM public meetings. We witnessed an inadequate and intimidating public participation process during these meetings. The number of poster boards and the number of OSM staff and consultants at these meetings was overwhelming and intimidating to the general public.

143.002

Unlike previous and familiar participation processes hosted by the EPA, the poster board format presented by OSM was academic and deflecting engagement by the general public. Aside from only English-speaking staff and consultants, one was invited to provide a deposition to a recorder, setup in the corner of the room. This type of venue isolates participants from hearing one another's "real-life experiences" – which could educate the general public to consider possible health impacts and concerns.

143.003

Another observation we endured was the fact that OSM staff and consultants were not fully prepared to answer questions and concerns regarding the EIS document. When asked questions about certain parts of the EIS document by community members, some of the responses from OSM staff were, "That was covered in the EA (environmental assessment on the BHP Navajo Mine permit transfer)"... "You can ask that person about air quality, I only have knowledge on water quality" ... "I was asked to only cover this section."

143.004

In addition, there was one incident that occurred at the Farmington OSM public meeting, where an OSM representative approached a Navajo woman and accused her of being with Diné C.A.R.E. and ranting to her about posting misinformation on Facebook about OSM. This is an

**Comment Letter 143.....Diné CARE**

**Response 143.001**

OSMRE requested attendance of all cooperating agencies at the public meetings, including EPA. Whether or not to attend is at the discretion of each individual agency. Cooperating agencies that did attend meetings included BIA, USACE, and the Navajo Nation.

**Response 143.002**

Please see Master Response #9, Public Meeting Format.

**Response 143.003**

Please see Master Response #9, Public Meeting Format.

**Response 143.004**

All OSMRE representatives acted in a professional manner at all times during the public meetings. No accusations were made to anyone at any time. The OSMRE representatives were particularly accommodating to the Dine Care representatives who set up a table at the various public meetings. No change to the Draft EIS.

act of racism toward a Navajo community member who was only trying to obtain more information on the draft EIS. She was not affiliated with Diné C.A.R.E.

On behalf of Diné people, I want the EPA to be aware of the inadequate responses from OSM, the act of racism placed upon community members at these meetings, and to question why a representative from EPA was not present at any of the public meetings.

Attached is an article from the Gallup Independent that highlights several community members' experiences at the OSM public meetings.

Thank you for your time and feel free to contact me with any questions or concerns at

[REDACTED]

Sincerely,

Colleen Cooley  
Four Corners Energy Outreach Organizer  
Diné C.A.R.E.



**COMMENT #144**

Public comment process on Four Corners energy project criticized

Gallup Independent -May 14, 2014  
By Kathy Helms  
Diné Bureau [REDACTED]

WINDOW ROCK — The public has been given 60 days to read, comprehend and comment on a nearly 3 1/2-inch thick report that evaluates potential environmental impacts from continued operation of the Four Corners Power Plant and Navajo Mine to 2041.

The Office of Surface Mining Reclamation and Enforcement conducted nine “open house” meetings April 30-May 9 to answer questions from the public about the “Draft Environmental Impact Statement for the Four Corners Power Plant and Navajo Mine Energy Project,” five of which were held on the Navajo Nation, one on the Hopi Reservation, and one each in Durango, Colo., Farmington and Albuquerque.

Some members of the public raised concerns that the open house-style of meeting actually limits public comment. Navajo grassroots group Diné Citizens Against Ruining our Environment criticized the federal government for a process that is “discouraging community input on a study with glaring gaps on issues such as health, climate change, environmental justice, and renewable energy alternatives.”

144.001

‘Overwhelming’

Sarah Jane White, a member of Tiis Tsoh Sikaad (Burnham) Chapter, said the OSM setup is a “circus” that does not work for the Navajo people. “It’s intimidating to be all by yourself. It is overwhelming and confusing. I told them, ‘This is not the Navajo way. That’s why we hardly have any people in here.’ They come in and they see a whole bunch of boards and about 20 white people running around, and they turn around and walk right out the door. It scares them.

“This one lady from Sanostee, she showed up at Burnham Chapter. She said she walked in and everybody began to start telling her, ‘Do you want to make a comment?’ They all piled around her, she said. It scared her so much ... when I found her she was sitting in the corner hiding from them. It’s not cut out for the people’s benefit.”

Colleen Cooley of Diné CARE said it appeared that OSM staff and consultants were limited in their familiarity with the study. When asked questions, they would state, “Ask that person about air quality,” or “I was only responsible for this portion,” she said. “This shows that even the consultants have not read through the entire EIS themselves, and they expect the general public to read and understand the entire EIS in 60 days? It just does not make sense,” she said. Diné CARE plans to seek an extension of the comment period.

144.002

**Comment Letter 144..... Helms, K.**

**Response 144.001**

Please see Master Response #9, Public Meeting Format.

**Response 144.002**

NEPA mandates that the Federal Government “utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man’s environment”. As such, a single OSMRE representative cannot be expected to know all the technical minutiae of a particular resource section. Many environmental professionals can speak to each resource in a general manner; and in cases of greater detail we referred to the Draft EIS and/or the person who conducted the analysis. As such, during the public hearings, staff would often walk the public to appropriate staff to answer particular questions the public posed. No change to the Draft EIS.

Strategic move?

Sylvia Clahchischilli of Teec Nos Pos said she believes the change in format is a deliberate move by OSM, although the agency stated that it was to accommodate individuals who fear public speaking. "I think OSM feared hearing individuals speak about 'real life experiences' of health impacts by the pollution in air and water, and educating one another, resulting in solidarity and action in their communities," she said.

144.003

Energy Minerals Law Center attorney Travis Stills, who attended the Durango open house, said the format eliminates the community's ability to educate each other and engage in the process. "There's no ability for real substantive response. ... I think this is a deliberate shift. The Bush administration did this kind of process."

144.004

Although federal agency officials and private consultants fielded questions from the public in front of colorful boards explaining specific portions of the environmental report, those questions and comments do not get recorded for use in the environmental review.

144.005

"As the review proceeds, there is no way to review the information provided in such comments or to gauge whether or not the comments were considered by the agency. Basically, the meeting allows the company and agency personnel an opportunity to gather information in a way that avoids inclusion in a transparent and reviewable decision record. This type of meeting deceives the community and is contrary to federal laws meant to ensure a transparent decision-making process," Stills said.

Archaeological impacts

The proposed energy project would include continued operation of the Four Corners Power Plant, with a capacity to generate up to 1,500 megawatts of power from Units 4-5, renewal of transmission line rights of way, access roads, coal preparation facilities, continued surface mining within the Navajo Mine permit area and extension of mining to the Pinabete Permit area, which includes portions of Area 4 North and Area 4 South.

According to the preferred alternative, a total of 122 archaeological resources were identified in the survey for Arizona Public Service's 500kilovolt transmission line to the Moenkopi Substation. The survey conducted on Hopi tribal lands identified 29 archaeological sites of which one was previously recorded. Three may be eligible for the National Register of Historic Places.

Additionally, 84 archaeological resources and six Traditional Cultural Properties could be affected by the Navajo Mine expansion. A total of 20 archaeological resources and seven Traditional Cultural Properties could be affected by the power plant. An evaluation of historic resources is ongoing.

**Response 144.003**

Please see Master Response #9, Public Meeting Format

**Response 144.004**

Please see Master Response #9, Public Meeting Format

**Response 144.005**

Each member of the public who attended the meetings was informed upon entrance and sign-in that two court reporters were available to record oral comments and comment sheets were provided on tables for members of the public to submit their comments. Attendees who spoke with staff at information boards were listened to and encouraged to formally record their comments in either written or oral format.

#### Paleontological impacts

The proposed action also would physically affect 30 known significant paleontological resources through excavation of pits in Area 4 North and construction of haul roads. "The destruction of, or damage to, this number of significant localities within the Navajo Mine Lease Area would be considered a major adverse impact to paleontological resources. Furthermore, the potential exists for previously unknown paleontological resources to occur within the permit area," and those, too, would be adversely impacted, OSM said.

During a tour last year around Area 4 North, Arnold Clifford, who has spent 30 years studying geology and other earth sciences, showed members of Diné CARE and attorneys the leg bone of a dinosaur, fossilized turtle shells, glaash (clay) used in ceremonies, and gypsum used by weavers to whiten their wool as well as in Navajo nine-day ceremonies.

Lori Goodman of Diné CARE filmed the tour. In one segment Clifford pointed to a section of earth, saying, "This whole thing, about a foot thick, is nothing but dinosaur bones. There's probably about 12 to 15 different species in here." Other layers are rich in fossils and leaf imprints, he said.

During a presentation at Shiprock Chapter, Clifford said the area is ripe for a world-class museum where Navajo children can learn and work. In addition to more than 300 plant species, some endangered, "There's four different species of turtles, there's shark's teeth, all kinds of dinosaur bones out there," he said.

#### Graves disturbed

Sarah White said that several years ago when the Desert Rock power plant was on the table, she and others went around taking pictures of sites, including a house in Area 4 North next to where her father and his first wife lived. She later learned that inside the house was a tomb.

"There are two ladies that were buried there, one was my father's first wife, a young lady; the one besides her was her sister, another young lady that was married to another man that used to live in that house. My father lived in a hogan a little bit further from there, probably a few feet.

"This was during the time that there was some kind of fever that attacked people across the nation. They died the same night. One died at midnight and one died in the morning. They were twins. So they buried two ladies in that house and they just shut the door and never bothered it again." When White went back two years after taking the first photos, the graves had been disturbed.

A local elder, Alice Gilmore, showed them the site where her younger sister was buried. "She told us about it and two years later we went back and we saw a big

mess, like a tractor or backhoe had just come up and dug up the ground and they didn't even fix it," White said.

To learn more

OSM has posted an online public meeting video in the Navajo language that introduces the scope and content of the public meetings. It can be viewed at: <http://www.wrcc.osmre.gov/initiatives/fourCorners/videos.shtm>

Comments must be submitted by May 27 for consideration in the Final EIS. Send to: Marcelo Calle, Office of Surface Mining Reclamation and Enforcement, Western Region Office, 1999 Broadway, Suite 3320, Denver, CO 80202-3050. Email: FCPP-NavajoEnergyEIS@osmre.gov

5/28/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant

**COMMENT #145**



[Redacted]

**Four Corners Power Plant**

1 message

**Cindiman Pinneke** [Redacted]

Tue, May 20, 2014 at 10:47 AM

Hello,

I am responding to the Four Corners Power Plant DEIS. I am asking for the "No Action Alternative," which would require the existing permit to end in 2016. The clean up should begin immediately thereafter.

The reason I support this action is because we need to change to renewable sources of energy NOW. Our air quality is poor, public health is at risk, and climate change is wreaking havoc on ecosystems, water quality and wildlife survival, not to mention our own. 145.001

A switch to renewable energies must begin immediately before it's too late. The mine workers could be retrained to manufacture, install and maintain the renewable energies, so they wouldn't be out of work.

Thank you,  
Cindiman Pinneke

[Redacted]

[Redacted]

1/1

**Comment Letter 145..... Pinneke, C.**

**Response 145.001**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015. With regard to renewable energy alternatives, please see Master Response #2.

5/28/2014

DEPARTMENT OF THE INTERIOR Mail - Public Comment Period on Four Corners Power Plant and Navajo Mine Energy Project

COMMENT #146



**Public Comment Period on Four Corners Power Plant and Navajo Mine Energy Project**

1 message

Gabriel Bradley

Tue, May 20, 2014 at 10:26 PM

Reply-To: Gabriel Bradley <gwbradley37@yahoo.com>

Hello,

My name is Gabriel Bradley, I work for BHP Billiton at Navajo Mine. My job title is a Operator A Blaster Lead person. I've been working with the company since 2007. I am 29 years old, married with two beautiful kids, one daughter and one son. I am very thankful to have a job at BHP. They given me opportunities that I would have never known about. I went from being a maintenance D plant laborer, onto becoming a Operator C truck driver, and then to a Operator B heavy equipment operator before becoming a blaster. Their training programs are excellent with an emphasis on safety first and always stress the importance of the environment and do their best to comply with the regulations. The company has also been good to my fellow co-workers and even family that work at the mine. BHP provided many jobs to Native Americans in the four corners area, which in return gave them the opportunities to start their lives and families. I recently bought a house for my growing family, which was made possible by having a great job at BHP. Also the benefits they offer are outstanding for my family. I really hope the extension for the mine goes forward and my friends, family, and I continue to work and support for our families.

146.001

Thank You,  
Gabriel Watson Bradley  
Operator Blaster-Lead Person

1/1

**Comment Letter 146.....Bradley, G.**

**Response 146.001**

Thank you for your comment. A complete discussion of Socioeconomics is provided in Section 4.10 of the Draft EIS.

5/28/2014

DEPARTMENT OF THE INTERIOR Mail - Proposed Restructured Four Corners Power Plant and Navajo Mine Project

COMMENT #147



[Redacted]

**Proposed Restructured Four Corners Power Plant and Navajo Mine Project**

1 message

**Coyner, Melody** [Redacted]

Tue, May 20, 2014 at 4:08 PM

Attached please find a copy of Resolution No. 2014-1504 in support of the Four Corners Power Plant and Navajo Mine Project adopted by the Farmington City Council on May 20, 2014. 147.001

—  
**Melody Coyner**, CLA, CMC  
City Attorney's Office

[Redacted]

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL, EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW AND PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any review, dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please do not read it, delete it from your system without copying it and notify the sender by reply e-mail or by calling 505-599-1127, so that our address record can be corrected. Thank you.

2014-1504 FCPP.pdf  
48K

[Redacted]

1/1

**Comment Letter 147..... Coyner, M.**

**Response 147.001**

Thank you for your comment. OSMRE is considering all of the alternatives that were analyzed in the Draft EIS and will inform the public of its decision via the Record of Decision, anticipated in the spring of 2015.

RESOLUTION NO. 2014-1504

A RESOLUTION EXPRESSING THE CITY OF FARMINGTON'S SUPPORT OF THE EFFORTS BY THE NAVAJO NATION, ARIZONA PUBLIC SERVICE, BHP BILLITON AND OTHERS TO OBTAIN THE NECESSARY APPROVALS TO CONTINUE TO OPERATE THE PROPOSED RESTRUCTURED FOUR CORNERS POWER PLANT AND NAVAJO MINE PROJECT

WHEREAS, the Navajo Nation, operating through the Navajo Transitional Energy Company (NTEC), recently acquired the Navajo Mine at the Four Corners Power Plant (FCPP) from BHP Navajo Coal Company and entered into an agreement with BHP Billiton (BHP) to operate the mine through 2016; and

WHEREAS, the Four Corners Power Plant was recently reconfigured by the closing down of three of its five units in order to reduce air emissions and meet EPA visibility regulations; and

WHEREAS, NTEC, BHP and Arizona Public Service Company (APS), as operator of FCPP, are seeking to obtain the necessary land leases, environmental and regulatory permits, and other approvals from multiple state, tribal and federal agencies needed to operate the plant and mine into the future in order to continue to generate much needed electricity; and

WHEREAS, the continued operation of the Four Corners Power Plant and Navajo Mine Project (Project) will directly preserve approximately 758 highly skilled high-paying jobs occupied by local residents generating over 100 million dollars in income, provide additional indirect jobs and income to supporting businesses in the area providing goods and services to the Project, preserve the payment of tax revenues to San Juan County, and will provide significant direct and indirect economic benefits to the City of Farmington, San Juan County and the Four Corners Region.

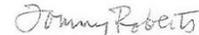
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FARMINGTON, that:

The City of Farmington expresses its support for the continued operation of the Four Corners Power Plant and Navajo Mine Project (Project);

The City urges all state, tribal and federal agencies to quickly and expeditiously grant the necessary leases, permits and other approvals necessary for the Project to continue its current operations into the future; and

City Staff is directed to forward copies of this resolution to NTEC, BHP, APS, the Navajo Nation, the Environmental Protection Agency, the US Fish and Wildlife Service, the NM Office of Surface Mining Reclamation, and all other agencies that Staff may determine are involved in this re-permitting process for the Project.

PASSED, APPROVED, SIGNED AND ADOPTED this 20th day of May, 2014.

  
Tommy Roberts, Mayor

ATTEST:

  
Dianne Smylie, City Clerk

COMMENT #147

5/28/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners - Navajo Mine DEIS comments

COMMENT #148



[Redacted]

Four Corners - Navajo Mine DEIS comments

1 message

CenturyLink Customer

Tue, May 20, 2014 at 8:32 AM

[Redacted]

We have lived in Fruitland NM for the past 6 years. Our home is located directly between both power plants. There is no doubt that extending the power plants existence would be a catastrophic decision for the health of the environment and the residence of the four corners community.

My wife teaches elementary school in Shiprock NM. She previously had taught in Peoria School District in Phoenix AZ for 17 years. She has observed a frightening number of children in this area with asthma and even has a child in her kindergarten class being treated for cancer. We've been told by a doctor in the area that cancer rates in the four corners are way above the national average. We have seen first hand the devastating health and environmental consequence's these coal plants have caused.

148.001

With any extension, it should be minimal and tied to a mandatory 50% or higher of renewable energy produced from the power plant. Please do the right thing.

148.002

Respectfully,

Randy McKnight

[Redacted]

1/1

**Comment Letter 148.....McKnight, R.**

**Response 148.001**

Thank you for your comment. Health and Safety is addressed in Section 4.17 of the Draft EIS. Specifically, pages 4.17-22 through 4.17-24 summarize the results of the human health risk assessment performed for the project.

**Response 148.002**

Please see Master Response #3, Analyze Alternatives with Shorter Lease Terms and Master Response #2, Renewable Energy Alternatives.

5/28/2014

DEPARTMENT OF THE INTERIOR Mail - Continued operation of the Navajo Mine and Four Corners Power Plant

COMMENT #149



[Redacted]

**Continued operation of the Navajo Mine and Four Corners Power Plant**

1 message

Chris A. Penner

Wed, May 21, 2014 at 8:12 PM

To whom it may concern:

I live, work and pay taxes in San Juan County. I am a college graduate with a Bachelor of Science Degree, a registered voter and I care about the future of my country!

One of the obvious needs of our country's future is in stable employment. I hope that intelligent decisions can be made in regards to the ongoing acquisition of the Navajo Mine and ensuring that the mine and the power plant, that it now feeds, have a secure future for those directly and indirectly employed because of their existence. When the employee headcounts are taken as a reference to how many are there, we often neglect to consider the three or more family members that are at home waiting for these employees to return home. We also neglect to count the number of contractors, sales related employees, delivery drivers, shipping employees and others that also have their jobs as a result of the operations of these entities. All of these salaries further feed the salaries of the restaurant workers, teachers, mechanics and doctors that are kept employed in our region because of sources of good paying jobs from the mine and the power plant. To cause these lives to all lose their sources of income would definitely be a shame!

149.001

Thank you,

Chris A. Penner

[Redacted]

1/1

**Comment Letter 149..... Penner, C.**

**Response 149.001**

Thank you for your comment. A complete discussion of Socioeconomics is provided in Section 4.10 of the Draft EIS.

5/28/2014

DEPARTMENT OF THE INTERIOR Mail - Four Corners Power Plant

**COMMENT #150**



[Redacted]

**Four Corners Power Plant**

1 message

**Maggie Bowes** [Redacted]

Wed, May 21, 2014 at 7:25 AM

To Whom it May Concern

The Four Corners area has been a dumping ground for contaminated air, polluted water and land that has been associated with the coal power from the Four Corners Power Plant and the Navajo Mine. Last year coal accounted for 39% of U.S. electricity generation (down from 50% from 2003-2008) and by the end of this decade, nearly a quarter of the nation's coal-fired power plants are likely to be retired. It is time to change the direction of coal power to renewable energy and gas which can support jobs, clean water and clean air. The health of all the residents in the Four Corners area should be of upmost concern to all and the DEIS needs to reevaluate the full economic, environmental and human health costs of this project.

150.001

150.002

Maggie Bowes  
[Redacted]

[Redacted]

[Redacted]

1/1

**Comment Letter 150..... Bowes, M.**

**Response 150.001**

Thank you for your comment. Please see Master Response #1, Deficient Analysis.

**Response 150.002**

Thank you for your comment. Please see Master Response #2, Renewable Energy Alternatives.