

US EPA ARCHIVE DOCUMENT

Navajo Tribal Utility Authority – Twin Arrows Casino and Resort
NPDES Permit No. NN0030344

RESPONSE TO COMMENTS DOCUMENT

Commenter and method and date of comment underlined

Comments in Bold

Response in Plain Text

1. Misa Soliz via email 08/09/2012:

Subject: RE: Public Notice az-12-w-11

“This is a violation and will go down in history as genocide. Please do not continue with this project.”

RESPONSE: The applicant submitted a complete application and supporting documentation for discharge of treated effluent in accordance with the currently applicable requirements of the Federal Clean Water Act (CWA) and the 2007 Navajo Nation Water Quality Standards (NNSWQS) indicating that it will discharge treated effluent that will meet all requirement and limits under the law. As the applicant meets the requirements of applicable laws, EPA plans to issue a permit.

2. Shirley Manychildren via email 08/09/2012:

Subject: no discharge into Padre Canyon & LCR

“NTUA & Twin Arrows Casino needs to find other method of sewage disposal. We have livestock that feeds in around LCR and Padre Canyon. Absolutely no discharge of sewage, treated or not.”

RESPONSE: The designated uses of the receiving water (unnamed wash a tributary of Padre Canyon wash tributary to Canyon Diablo tributary to Little Colorado River) as defined by the 2007 NNSWQS and *draft* 2010 NNSWQS revisions includes Livestock Watering among others. The proposed National Pollutant Discharge Elimination System (NPDES) permit for the Navajo Tribal Utility Authority (NTUA) Twin Arrows Navajo Casino wastewater treatment plant includes discharge limits imposed by Federal and Navajo Nation law designed to ensure adequate protection of the above-listed designated uses of the receiving waters. EPA believes that effluent released in compliance with this permit will be protective of this beneficial use.

3. Furdale Smith via email 08/09/2012:

Subject: NTUA proposed Waste water discharge for Twin Arrows casino

“I would like to express myself on behalf of my family who lives and resides next to Canyon Diablo and Padre canyon. We have family gatherings in this canyon annually and walk and herd sheep in the area. There are families who have cattle and have open grazing throughout the Navajo Nation. Releasing effluent into this canyon will combine with the spring run off and flash floods that will spread towards our area. We would not like to see this happen. Please consider the family’s and generations who have lived in beauty in this area.”

RESPONSE: EPA has reviewed the stream capacity of Padre Canyon as calculated by a 2011 study of the “Floodplain Delineation of Padre Canyon Tributary within Coconino County, Arizona.” The report indicates that the maximum flow capacity of Padre Canyon is over 182 million gallons per day (MGD) while the maximum design flow from the NTUA Twin Arrows Casino wastewater treatment plant will be 0.13 MGD, i.e. less than 0.1 % of the maximum capacity of the waterway at Padre Canyon. Thus the additional flow from the treated effluent is not likely to contribute significantly to any potential for flash flooding.

4. Ingrid Sam via email 08/09/2012:

Subject: Public notice #AZ-12-W-11

“I read the public notice #AZ-12-W-11 that the EPA is considering putting “effluent” near Diablo Canyon. I understand it needs to go somewhere; however, this is not the place. My family and other Dine people have gone to this area for hundreds of years. I enjoy this landscape very much, please brainstorm for another place. Our wonderful Little Colorado River has already dwindled in a dry bed, it would be shameful to our people to see sewage there next. There is a great possibility of harming future tribal relations by passing AZ-12-W-11. Many of us Dine did not ask for a Casino and definitely do not want a sewer on top of that.”

RESPONSE: The designated uses of the receiving water (unnamed wash a tributary of Padre Canyon wash tributary to Canyon Diablo tributary to Little Colorado River) as defined by the 2007 NNSWQS and *draft* 2010 NNSWQS revisions include Secondary Human Contact, Fish Consumption, Aquatic and Wildlife Habitat and Livestock Watering. The proposed NPDES permit for the NTUA Twin Arrows Navajo Casino wastewater treatment plant includes discharge limits imposed by Federal and Navajo Nation law designed to ensure adequate protection of the above-listed designated uses of the receiving waters. EPA believes that effluent released in compliance with this permit will be protective of these beneficial uses.

5. Beverly Smith via email 08/09/2012:

Subject: AZ: Padre Canyon

“Hello my name is Beverly Smith and I am an enrolled member of the Navajo Tribe (C#320,828). I am responding to Public Notice AZ-12-W-11. I was raised within Padre Canyon, Canyon Diablo, Grandfalls region of the Navajo Reservation. I do not agree to the purposed waterway. I do not know what it will take to convince that this waterway is unjust, I barely have any words to describe how much I’m in disagreement with this notice. Please take my email into consideration as a person who has been raised in this region, not only with animal and plant life be affected greatly but the overall balance of life will be disturbed. Do not go forward with this purposed waterway, it is not good for the future generations. I am disgusted that this is even a thought or an option.”

RESPONSE: The designated uses of the receiving water (unnamed wash a tributary of Padre Canyon wash tributary to Canyon Diablo tributary to Little Colorado River) as defined by the 2007 NNSWQS and *draft* 2010 NNSWQS revisions include Secondary Human Contact, Fish Consumption, Aquatic and Wildlife Habitat and Livestock Watering. The proposed NPDES permit for the NTUA Twin Arrows Navajo Casino wastewater treatment plant includes discharge limits imposed by Federal and Navajo Nation law designed to ensure adequate protection of the above-listed designated uses of the receiving waters. EPA believes that effluent released in compliance with this permit will be protective of these beneficial uses.