

Although the Department of Ecology and the Bureau of Reclamation did not request public comment on its “Workgroup Agreement to Support Final Integrated Water Resource Management Plan”, please distribute the following comments from the Water & Salmon Committee of the Sierra Club, Cascade Chapter, to the Workgroup prior to its next meeting on December 17, 2010.

General Comments on the Workgroup Process

- * The membership of the Workgroup raises the following concerns:
 - The City of Yakima is a member while the Cities of Ellensburg and Cle Elem are not.
 - The Washington Department of Fish & Wildlife is a Workgroup member but the Meeting Notes for October 21, 2010, list two voting members from that Department (John Easterbrooks; Jeff Tayer).
 - Federal Resources agencies with permitting authority (e.g., USF&WS, NOAA Fisheries Service) are members, while the U.S. Forest Service, which manages the public’s land within the Wenatchee National Forest is not.
 - Only one environmental/conservation group is a member.
 - The two agencies (i.e., Ecology and Bureau of Reclamation) responsible for funding and hiring the Workgroup facilitator are also voting members.

- * The November 19, 2010, Workgroup meeting was held without posting of any material from the October 21, 2010, Workgroup meeting on the Bureau of Reclamation website.

- * At the November 19, 2010, Workgroup meeting, Workgroup members were asked to vote on their support of the “Draft Agreement to Support Final Integrated Water Resource Management Plan and Related Future Activities” before the public comment period scheduled on the agenda.

- * Ecology is holding meetings relevant to YRBWEP mitigation without public notice.

Specific Comments on the Workgroup Agreement

1.0 Action

This section states, “The Workgroup supports an Integrated Water Resource Management Plan for the Yakima basin.”

Comment: This is not a management plan for the Yakima basin. It also proposes the construction of new or enlarged irrigation dams. The Workgroup should not mislead the public by portraying this as a “management” plan.

This section states that “By approving this decision document the Workgroup also supports Integrated Plan implementation.” This includes support of the “National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) reviews, permitting and mitigation for actions in the Integrated Plan.” In addition, Workgroup members commit to an Implementing Subcommittee “to seek authorization and funding.”

Comment: We are opposed to Ecology and the BuRec requiring Workgroup members to commit to supporting permitting and lobbying for authorization and funding prior to the completion of any NEPA or SEPA EIS.¹

2.0 Background

This section states, “The Yakima River Basin Water Enhancement Project (YRBWEP) Workgroup has been working for nearly 18 months on a Yakima Basin Integrated Water Resource Management Plan (Integrated Plan) to restore fisheries and improve water supply in the Yakima basin.”

Comment: Again, this is not an accurate description. Ever since the BuRec concluded that a new Black Rock dam, and two variations of the Wymer dam would generate only 0.13 cents, 0.31 cents, and 0.07 cents for every dollar spent respectively, Ecology and the Workgroup have spent every Workgroup meeting reviewing multiple new or expanded dams in the Yakima basin. The Workgroup should not mislead the public by portraying this as merely an attempt to “improve” water supply.

This section states, “. . .seven elements were identified in the 2009 Ecology Final Environmental Impact Statement for the Yakima River Basin Integrated Water Resource Management Plan.”

Comment: This is incorrect. The “Integrated Plan” includes conducting a feasibility study for direct pumping from the Columbia River with Yakima Basin storage options (Sec. 3.3.4). The 2009 Ecology FEIS specifically states, “An alternative of pumping directly from the Columbia River to Roza canal without using a reservoir has not been fully considered, but seems infeasible at this time. Because of these considerations, Ecology has decided not to carry forward the direct pumping option at this time.” *Ecology, Final EIS, June 2009, page 2-70*. The Workgroup should not mislead the public by mischaracterizing elements as already a part of Ecology FEIS.

This section states, “More detailed information will be provided in the Integrated Plan.”

Comment: By this admission, the Workgroup is being asked to support a “Final Integrated Water Resource Management Plan” without adequate information. This is also confusing as it fails to specify whether more detailed information will be provided in a “draft” or a “final” Integrated Plan.

This section states, “Workgroup members will have the opportunity to review and comment on the draft Integrated Plan in early 2011.”

Comment: Again, the Workgroup has ignored any mention of public notice or opportunity to review and comment on the draft Integrated Plan.

This section includes key concepts for promoting the “Integrated Plan.”

¹ Prior to the establishment of the YRBWEP Workgroup, the Department of Ecology released a supplemental draft EIS in December 2008 on a “Yakima River Basin Integrated Water Resources Management Alternative,” and a final EIS in June 2009. As acknowledged by Ecology, this was a “programmatic” EIS. Because the BuRec’s April 2009, Yakima River Basin Water Storage Feasibility Study concluded that none of its action alternatives met federal criteria for an economically and environmentally sound water project, the BuRec did not participate in Ecology’s SEPA process.

Comment: P.L. 96-162 authorized the Department of Interior to conduct a feasibility study of the Yakima River Basin Enhancement Project, "which shall include an analysis by the United States Geological Survey of the water-supply data for the Yakima River Basin." The Workgroup has failed to incorporate such an analysis into its "Integrated Plan."

3.1 Fish Passage

This section states, "Restore anadromous salmonid access to habitat above the five existing large storage reservoirs and provide upstream and downstream passage for bull trout and other resident fish."

Comment: This section fails to disclose that the proposed Bumping Lake Enlargement would wipe out bull trout spawning habitat.

This section states, "There would be no changes to current operations (i.e., quantity and timing of flow releases), . . ."

Comment: This appears to be an unrealistic constraint if restoration of fisheries is a goal.

This section states, "Providing for unimpeded fish migration past the existing storage dams in the Yakima basin. . ."

Comment: "Unimpeded" appears to be an unfortunately choice of words. By their very nature, dams impede rivers. The Workgroup should not mislead the public that it can provide "unimpeded" fish migration past the existing storage dams in the Yakima basin.

Section 3.2 Structural and Operational Changes

Comment: The description of the structural and operational changes misleads the public by failing to mention any adverse impacts.

Section 3.2.5 Wapatox improvements

Comment: Why isn't this project included under Sec. 3.6.1, which also includes lining or piping existing canals or laterals?

Section 3.3.1 Wymer Dam

This section states, "Option 2 would be a 400 cfs pump station on the Yakima River just upstream of Lmuma Creek with water conveyance through a new water transmission main that would deliver water to Wymer."

Comment: The Workgroup should explain how this option is different from the Wymer option already rejected by BuRec because the costs of pumping water from the Yakima River upstream to the reservoir were considered too high. This section should disclose the loss of sage grouse habitat due to a Wymer Dam.

Section 3.3.3 Enlarged Bumping Reservoir

Comment: This section should disclose the loss of bull trout and spotted owl habitat due to an enlarged Bumping Reservoir.

Section 3.3.4 Columbia River Pump Exchange with Yakima Storage

This section states, “If the need for the Columbia River project is demonstrated and the project is feasible, then request project funding and schedule implementation.”

Comment: This section fails to describe or quantify the “triggers” to implement the Columbia River and Roza Alternate Supply projects. As with the entire “Integrated Plan,” Workgroup members are being asked to commit to implementation of a Columbia River project prior to the preparation of any environmental impact statement. As set out in NEPA, an EIS is to be prepared prior to decisionmaking, not as a post-hoc rationale for decisions already made.

Section 3.5 Fish Habitat Enhancement

This section states, “Implement an approximate \$470 million habitat enhancement program addressing reach-level floodplain restoration priorities and restoring access to key tributaries through flow restoration, removing fish barriers, and screening diversions.”

Comment: In 1979, Congress authorized and provided funds for the Yakima River Basin Water Enhancement Project, P.L. 96-162, which as part of Phase I included installation of fish ladders and screens. The Workgroup should explain why after 30 years removing fish barriers and screening diversion projects still need to be carried out.

Section 3.6 Enhanced Water Conservation

This section states, “Implement an approximate \$423 million agricultural water conservation program designed to conserve up to 170,000 acre-feet of water in good water years. The agricultural water conservation program includes measures beyond those likely to be implemented in the existing YRBEP Phase II conservation program.”

Comment: Congress authorized Phase II of the YRBEP in 1994, which resulted in a voluntary water conservation program and the establishment of target flows on the Yakima River. The Workgroup should explain why after over 25 years, such a large amount of water conservation remains to be implemented.

Water conservation plans for the Wapato Irrigation Project (WIP) remain inadequate. The WIP should become a national model for water conservation.

This section states, “Projects to be implemented would be selected through detailed feasibility studies and evaluation by the existing Conservation Advisory Group (CAG).”

Comment: There is no description of the CAG or its membership. Once again, there is no mention of any public notice or comment on the selection of projects.

Section 3.7 Market Reallocation

Comment: Based on the presentation at the November 19, 2010 Workgroup meeting, market reallocation is a non-structural alternative that could eliminate the need for structural storage alternatives with their significant adverse environmental impacts.

Unfortunately, the Market Reallocation presentation occurred barely an hour before the Workgroup was pressured into taking votes on the Workgroup Agreement to Support Final integrated Water Resources Management Plan. Additional work should be carried out to more fully categorize the opportunity for market reallocation.

Attachments

Comment: Because Attachments 1-5 are not referenced in the Workgroup “Agreement,” we do not consider them part as part of the document.