

Alpine Lakes Protection Society - El Sendero - Endangered Species Coalition  
Friends of Bumping Lake – Friends of the Earth - Issaquah Alps Trails Club  
Kittitas Audubon Society - The Mazamas - Middle Fork Outdoor Recreation Coalition  
North Cascades Conservation Council - Olympic Forest Coalition - Sierra Club  
Washington Native Plant Society - Wenatchee Mountains Coalition  
Western Lands Project - Western Watersheds Project

March 30, 2012

Attention: Derek Sandison  
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Attention: Candace McKinley  
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RE: Comments on the Yakima "Integrated Plan" FPEIS

We have reviewed a copy of the Final Programmatic Environmental Impact Statement for the "Integrated Water Resource Management Plan, Yakima River Basin Water Enhancement Project, Benton, Kittitas, Klickitat, and Yakima Counties, Washington" (FPEIS).

Overall, we find that the FPEIS does not comply with the requirements of the National Environmental Policy Act (NEPA) or State Environmental Policy Act (SEPA). We request that the Bureau of Reclamation and the Department of Ecology withdraw the FPEIS and provide written responses to the following concerns:

\* **NRAs and ORV use added to FPEIS.** The FPEIS, Sec. 2.4.7.1 includes as part of the "Integrated Plan" a Targeted Watershed Protections and Enhancements element that has little to no connection to the Purpose and Need for the Action, FPEIS, Section 1.3. This element is not related to fish passage, streamflow alterations and water demands by the irrigators, demand for municipal and domestic water supplies or climate change. Parts of the Targeted Watershed Protections and Enhancements element are important in and of themselves. However, the Draft PEIS contains no mention of two new proposed National Recreation Areas (NRAs), an Upper Yakima NRA and

Manastash-Taneum NRA within the Okanogan-Wenatchee National Forest, added to the FPEIS. This proposal was released by the Yakima Workgroup Watershed Lands Conservation Subcommittee on January 4, 2012, the day after comments closed on the Draft PEIS,<sup>1</sup> and includes over 41,000 acres for “backcountry motorized recreational use,” i.e., use by off-road vehicles (ORVs) such as motorcycles, ATVs, 4x4s and snowmobiles. A proposal for NRAs and ORV use appears only in the Final PEIS and did not appear in the Draft PEIS.

Designation of new NRAs for ORV use is a significant change to the proposed alternative as presented in the Draft PEIS. Furthermore, additional ORV use would have a probable significant adverse impact on the Okanogan-Wenatchee National Forest environment. On March 6, 2012, the Okanogan-Wenatchee National Forest issued a fact sheet stating, “The NRA designations have potential to increase recreation impacts to ecosystems and affect wildlife corridors that pass through these areas because the designation would likely attract more of the recreating public.”

Because the proposal for NRAs was NOT included in the Draft PEIS, the public and our organizations were not given the opportunity to provide comments on the NRA proposal. Will the Bureau of Reclamation and Department of Ecology withdraw the FPEIS or issue a supplement to allow public comment on this new proposal?

\* **Early Action prior to issuance of Draft PEIS.** The Federal Register Notice (77 FR 12076; February 28, 2012) announcing the availability of the FPEIS stated that the Bureau of Reclamation will not make a decision on the proposed action until at least 30 days after filing the Final PEIS with the Environmental Protection Agency. WAC 197-11-460(5) prohibits agencies from acting on a proposal for which a SEPA EIS has been required prior to seven days after issuance of the Final EIS. “NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (emphasis added). *40 CFR Sec. 1500.1(b)*.

Before the Draft PEIS was even released for public comment, on September 18, 2011, at a briefing for Yakima Tribal Chairman Smiskin, Secretary Salazar, Governor Gregoire, Congressman Hastings, Senator Cantwell, and Commissioner Connor on the Yakima River Basin Integrated Water Resource Management Plan, Secretary Salazar requested that a list of early action items be submitted to him by November 1, 2011.<sup>2</sup> On October 2011, the Workgroup Implementation Subcommittee presented an Early Implementation Request for over \$20 million to the Workgroup,<sup>3</sup> prior to the issuance of the Draft PEIS dated November 16, 2011. At the March 14, 2012, Yakima Workgroup

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<sup>1</sup> The Endangered Species Coalition, Federation of Western Outdoor Clubs, Kittitas Audubon Society, Lower Columbia Basin Audubon Society, The Mazamas, The Mountaineers, Seattle Audubon Society, Sierra Club Washington State Chapter, Western Lands Project, Western Watersheds Project, Wild Fish Conservancy sent a letter dated November 23, 2011, requesting an extension of the comment period on the DPEIS. The Bureau of Reclamation and Department of Ecology denied this request.

<sup>2</sup> <http://www.usbr.gov/pn/programs/yrbwep/2011integratedplan/meetings/2011-12-14/3yakactnsum.pdf>

<sup>3</sup> <http://www.usbr.gov/pn/programs/yrbwep/2011integratedplan/meetings/2011-10-12/4earlyimpre-rev.pdf>

meeting, the Bureau of Reclamation and Ecology distributed a document entitled, "Yakima River Basin Integrated Water Resource Management Plan Early Action Items Funding Status," which identifies several "Integrated Plan" actions/projects receiving funding from the Bureau of Reclamation and Washington State.<sup>4</sup> The Bureau of Reclamation also distributed a FY 2012 spending plan, which includes funding elements of the proposed "Integrated Plan."<sup>5</sup> Will the Bureau of Reclamation and Ecology identify all early action implementation steps they have taken to date, prior to the decision deadline mentioned in the Federal Register and the SEPA Regulations?

\* **Lack of Alternatives.** The FPEIS fails to include any alternatives other than the proposed alternative ("Integrated Plan," which now includes the proposed NRAs) and the required "no-action alternative." Because the FPEIS does not provide a range of alternatives, decisionmakers and the public are not presented with a clear basis for choice among options as required by NEPA. An "Integrated Plan" element also includes construction of two new large dams (Bumping Lake and Wymer) that would destroy endangered species habitat. The FPEIS states that "Old-growth forest that is lost to reservoir expansion or facility construction cannot be replaced. Mitigation efforts for shrub-steppe communities have had mixed results, and successful outcomes are not certain." *Sec. 5.84, FPEIS*. We remain opposed to these projects. Will the Bureau of Reclamation and Ecology withdraw the FPEIS or issue a supplement to present additional alternatives that would avoid these impacts?

In summary, the Bureau of Reclamation and Department of Ecology have issued a FPEIS that does not comply with either NEPA or SEPA and has incorporated the January 4, 2012, National Recreation Areas proposal with ORV use into the "Integrated Plan" without allowing public comment at either the Workgroup or Draft PEIS stage. Please consider this letter as comments on the Final DEIS and provide responses to the above concerns.

Signed:

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<sup>4</sup> <http://www.usbr.gov/pn/programs/yrbwep/2011integratedplan/meetings/2012-03-14/4funding.pdf>

<sup>5</sup> <http://www.usbr.gov/pn/programs/yrbwep/2011integratedplan/meetings/2012-03-14/3spending.pdf>

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