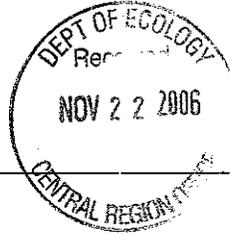




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November 20, 2006

Derek Sandison
Department of Ecology CRO
15 W. Yakima Ave., Suite 200
Yakima, WA 98902-3452

RE: Programmatic EIS

Dear Mr. Sandison,

Please accept these comments on the Columbia River Water Management Program's draft Programmatic Environmental Impact Statement, submitted on behalf of Sierra Club's Upper Columbia River Group.

A quote from Blaine Harden's book, "A River Lost - the Life and Death of the Columbia", seem appropriate to open these comments.

Testifying before the state legislature in 1984, [WSU economist Norm] Whittlesey ... calculated that each one thousand-acre farm added to the [Columbia Basin] Project would cost the Northwest about \$200,000 a year in higher utility bills. That was the cost of replacing the electricity lost when farmers took water from the river. ...

As for construction cost, Whittlesey calculated that any expansion of the Project would cost \$5,000 an acre, with farmers paying just \$115.

The professor further concluded that expanding the Project would increase the country's surplus of grain, take water away from migrating salmon, and penalize the vast majority of Northwest farmers, who lived outside the Project and yet would have to pay higher taxes and electricity bills to support a scheme that only benefited their competitors.

Whittlesey's 1984 economic analysis effectively put a stake in the heart of expansion of the Columbia Basin Project. Twenty years later the economics are even more unworkable. But in 2006, Governor Gregoire gave her highest legislative priority to passing the dam bill. Parts of the Columbia Water Management Program are designed to increase the farms served by the Columbia Basin Project while elsewhere the Program will create new publicly-funded subsidies for agriculture. None of this makes economic sense for taxpayers and ratepayers who foot the bill.

The Washington Legislature delivered by giving the governor what she wanted, without adequate consideration of the economic, environmental and social consequences of authorizing a new bureaucracy within the Department of Ecology with a mission to develop water supply.

As noted on the Dept of Ecology's website,

This State Environmental Policy Act (SEPA) Draft Environmental Impact Statement (EIS) has been prepared to assist the Department of Ecology (Ecology), other participating agencies and entities, and the public in evaluating conceptual approaches to the development of a Columbia River Water Management Program. The Management Program is being developed to implement the Columbia River Water Management Act (Chapter 90.90 RCW), passed by the state legislature in February 2006.

The purpose of the legislation is to develop new water supplies "to meet the economic and community development needs of people and the instream flow needs of fish." The legislation directs Ecology to "aggressively pursue" the development of water supplies. The purpose of this programmatic Draft EIS is to describe the potential impacts that could be associated with the components of the Management Program. The major components evaluated in this document are storage, conservation, Voluntary Regional Agreements, and policy alternatives for implementing requirements of the legislation. The Draft EIS also evaluates potential impacts associated with three actions identified for early implementation-drawdowns of Lake Roosevelt, a supplemental feed route to supply Potholes Reservoir, and the proposed Columbia-Snake River Irrigators Association Voluntary Regional Agreement.

Now the public is confronted with a programmatic environmental impact statement that fails to get to the heart of the issues. My experience with programmatic EISs has found that they are plans to do more planning – where key analysis and decisions are deferred to another day and document, and when that day and document arrive the information and analysis is not there. The result: the agency and public officials set up a shell game with eastern Washington's rivers and habitats where the public is forever chasing the pea – while the environmental damage takes place. The programmatic EIS is a red flag for a flawed political process.

The following are the salient points regarding the PEIS:

(1) No More Dams for the Columbia Basin

Dams destroy shrub-steppe, ephemeral streams, and wetlands. These lands support a diversity of species, including endangered wildlife, that should be protected. These last pockets of Columbia Plateau habitat are valuable and should be protected from development.

Hawk Creek, Lower Crab Creek, Foster Creek & Sand Hollow Creek. The state is now targeting these watersheds. If you have knowledge and information about the wildlife, habitat, aesthetic and other values of these areas, this would be a good time to share it with the Department of Ecology.

Dams will not help fish. The premise that new dams and reservoirs will help fish by releasing one-third of the "new" water into the Columbia River – is false. Solar-heated, sediment-laden, slackwater from reservoirs cooking in the heat of the Columbia Plateau summers will harm fish, not help them.

Water is not available. Most of the water of the Columbia River is already allocated to irrigation, hydropower, and target flows for fisheries, year-round. While the Washington legislature has imprudently legislated otherwise, that does not make it true. The PEIS is deficient for failing to acknowledge and discuss necessary mitigation for months other than July and August.

The PEIS does not create a coherent "big picture." Alleged demand for water supply is being driven from several locales, including irrigators in the Columbia-Snake River region, Yakima basin and Odessa Subarea. Even assuming a modest additional amount of water can be taken from the Columbia River, there is only so much to go around. How does the state propose to choose between irrigators in different parts of the Columbia basin? This PEIS fails to address this fundamental question.

In reality, there is no demand for water. The state's Water Supply Inventory (issued almost simultaneously with the Draft PEIS) indicates that there will be little demand for new irrigated cropland in the coming decades. If this is the case, why is Washington throwing millions of dollars at studies and proposals for new dams and storage reservoirs? To the extent there is local demand for water, local irrigators should pay for it through water markets and transfers, pricing and other economic tools. The state should not subsidize water for agriculture.

(2) Sustainability is a key issue for our agricultural communities.

Sustainable agriculture. The state should use its funding and resources to promote sustainable agriculture. Sustainable agriculture means environmentally friendly farming methods that allow the production of crops and/or livestock while preserving and improving the ecosystem, including maintaining soil fertility and water quality and quantity, preserving biodiversity, and otherwise protecting natural resources.

New dams are the antithesis of sustainable agriculture. Period.

New dams are subsidies for corporate agriculture. The Columbia Basin Project is already one of the most heavily subsidized irrigation projects in the country. Washington has neither the resources nor the need to extend this subsidy to corporate farms. The state should get out of the dam-building business before it becomes invested in projects that damage the environment.

(3) The Programmatic EIS fails to consider cumulative effects

Cumulative effects are changes to the environment that are caused by an action in combination with past, present and future actions, human and otherwise. The PEIS does not consider the impacts of new dam building and new irrigation projects added on top of the extensive dam, reservoir and water supply infrastructure that already exists on the Columbia Plateau.

The discussion of a new Potholes feed route fails to identify the purpose of the action: to extend the Columbia Basin Project eastward. The state is assessing whether the Bureau of Reclamation should send more water from Grand Coulee to Potholes Reservoir. However, the PEIS does not acknowledge that the feed route is intended to extend the Columbia Basin irrigation project eastward. This is “piece-mealing” – exactly what environmental impact statements are supposed to avoid.

The discussion of Potholes feed route fails to identify impacts to Crab Creek. Under the proposal, Crab Creek’s natural streambed would be used as an irrigation ditch. The discussion of the impacts of this action is completely inadequate.

The discussion of “Lake Roosevelt drawdown” fails to identify impacts to the Columbia River. The state asserts that taking more water out of Lake Roosevelt (behind Grand Coulee Dam) will have virtually no impacts. There is no discussion of the overall impacts of the existing dam, reservoir and irrigation project and the extent to which this proposal would add to them.

Why is the state conducting project-level analysis of the Potholes feedroute? If the state intends to defer to the Bureau of Reclamation for future environmental analysis, what is the point of the perfunctory analysis in the PEIS?

The information in the PEIS is so generalized as to be useless. Discussion of impacts regarding dams, reservoirs, and conservation projects is without site-specific detail and of no use to determine actual impacts and mitigation associated with such activities.

(4) Voluntary Regional Agreement is a Bad Idea

The PEIS assesses a proposal to give new water rights to the Columbia-Snake River Irrigators Association using an untested new mitigation process called Voluntary Regional Agreements (VRA).

Proposed VRA would subsidize corporate agriculture. The PEIS gives examples of how the VRA would work, including proposing a 45-year interest-free loan to irrigators to pay for dam construction. The VRA is a Very Bad Idea and should be rejected.

Proposed VRA would require Columbia River mitigation only during July & August. For unknown reasons, the Washington legislature enacted a law asserting that water withdrawals are a problem for the Columbia River only during July and August. This “law” is problematic because it false. Water withdrawals from the Columbia River create adverse impacts almost

year-round. But the PEIS would only require new VRA-based water rights to mitigate during July & August. This is incorrect and must be corrected.

(5) PEIS & Policy Choices

Rather than engage in formal public policy analysis, the Department of Ecology is using the PEIS to assess various policy choices involving water management. This dubious approach to decision making could lead to expenditure of hundreds of millions of dollars without formal rulemaking or policy analysis. The state should re-assess its method, but in the meantime, the following comments on the PEIS are needed.

Washington should not "aggressively pursue" new dams. The PEIS suggests that the Columbia River Water Management Program requires the state to build new dams. As noted above, dam-building will create significant environmental impacts. The state needs to hear otherwise.

Public investments should lead to public benefits. When Washington spends tens of millions of public dollars on water conservation projects, saved water should be applied to improve streamflows, water quality, and other public benefits.

No interbasin transfers of water. The PEIS proposes to allow water savings in the watersheds to be used by mainstem irrigators. This policy option should be rejected. To the extent that water conservation can be achieved in the watersheds, the benefits should remain in those watersheds.

Do not issue new, uninterruptible water rights. The National Academy of Sciences studied Washington's Columbia River water management program and made several explicit recommendations. One of them is that the state should not issue water rights that cannot be interrupted when flows in the Columbia River drop to the point of harming fish. Nonetheless, the PEIS is considering exactly how to do that. The state needs to JUST SAY NO to new water rights.

No special treatment for VRAs. Mainstem Columbia River irrigators want to use the VRA process to cut to the front of the line, to obtain state subsidies, and to use water conservation obtained in watershed upstream of the Columbia mainstream. These proposed policies should be rejected.

Your attention to these comments is appreciated.

Sincerely,



John Osborn, MD
Conservation Chair

Upper Columbia River Group, Sierra Club

cc: Gov Gregoire, Sen. Brown, Rep Ormsby