

CHAPTER 1.0 INTRODUCTION AND BACKGROUND

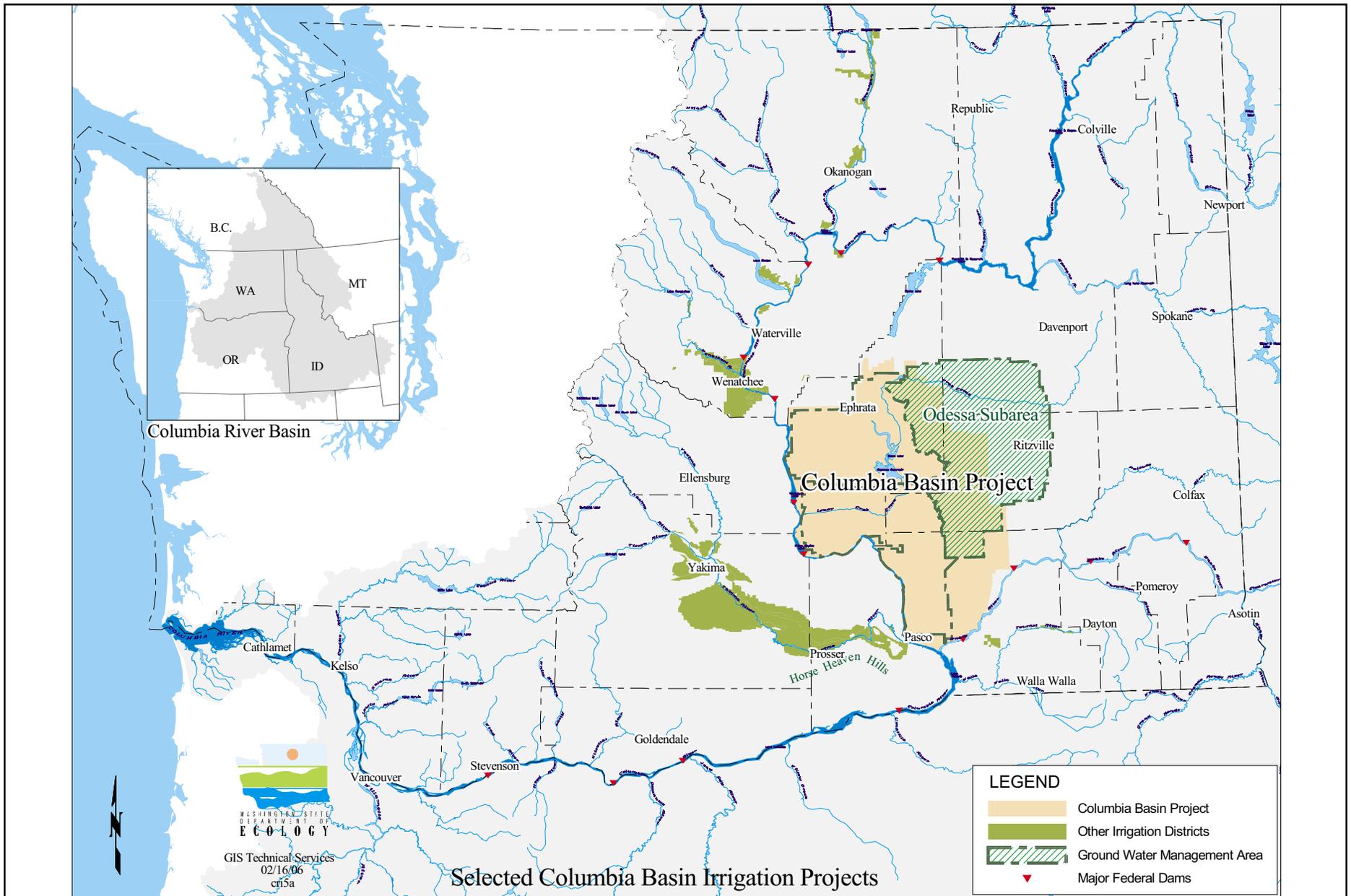
1.1 Introduction

The 2006 Washington State Legislature passed the Columbia River Water Management Act, an act relating to water resource management in the Columbia River Basin (Engrossed Substitute House Bill (ESSHB) 2860) (Appendix A). The Act has been codified as Chapter 90.90 of the Revised Code of Washington (RCW). The Act directs the Washington State Department of Ecology (Ecology) to “aggressively pursue the development of water supplies to benefit both instream and out-of-stream uses.” The Act also establishes the Columbia River Basin Water Supply Development Account and authorizes its use to assess, plan, and develop new storage; improve or alter operation of existing storage facilities; implement conservation projects; or undertake any other actions designed to provide access to new water supplies within the Columbia River Basin. The Act authorizes Ecology to enter into Voluntary Regional Agreements (VRA) to provide new water for out-of-stream use, streamlining the application process, and protecting instream flow. The Act applies to the portion of the Columbia River Basin in the state of Washington (Figure 1-1).

Ecology is currently in the process of developing a Columbia River Water Management Program (Management Program) to facilitate implementation of the legislation, including administration of the Columbia River Basin Water Supply Development Account. This State Environmental Policy Act (SEPA) programmatic environmental impact statement (EIS) is part of the program development process.

This programmatic SEPA EIS evaluates the potential impacts of program and policy components of the Management Program as well as activities identified for early implementation referred to as “early actions.” The early actions include two projects being conducted in partnership with the U.S. Bureau of Reclamation (Reclamation)—the Supplemental Feed Route from Pinto Dam to Potholes Reservoir and the Lake Roosevelt drawdown—as well as the Columbia Snake River Irrigators Association’s (CSRIA) request for Ecology approval of a Voluntary Regional Agreement (VRA). The Lake Roosevelt Drawdown and Supplemental Feed Route projects will require Ecology to issue permits and/or to approve changes to water rights. Both of these projects will require subsequent SEPA threshold determinations and supplemental SEPA environmental review prior to implementation.

This programmatic SEPA EIS discusses some additional projects involving collaboration between Ecology and Reclamation. These projects include the Odessa Subarea Special Study and the Columbia Mainstem Off-Channel Storage Study. The role of Ecology in these projects as well as the Lake Roosevelt Drawdown and Supplemental Feed Route projects is as a funding partner. Actual implementation of the projects will be done by Reclamation in conjunction with operation of the Columbia Basin Project. Thus, it is Ecology’s issuance of permits, water rights approvals, and funding that constitute actions that require SEPA review. A number of these projects will trigger environmental review under the National Environmental Policy Act (NEPA). For example, Reclamation anticipates issuing a NEPA Environmental Assessment on the Supplemental Feed Route project in late summer of 2007. Reclamation will prepare a NEPA EIS for the Odessa Subarea Special Study beginning in 2008 and continuing through 2010.



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FIGURE 1-1
COLUMBIA RIVER BASIN IN WASHINGTON
 COLUMBIA RIVER WATER MANAGEMENT PROGRAM EIS
 WASHINGTON

In addition, should the Columbia Mainstem Off-Channel Storage Study proceed to a “feasibility” level of evaluation, Reclamation will prepare a NEPA EIS for that project. The earliest a feasibility study and EIS could be initiated would be in 2008.

1.2 Organization of Document

Chapter 1 of the programmatic Final EIS provides background information on water allocation issues in the Columbia River Basin and the proposals and studies undertaken by Ecology and others to improve Columbia River water management. Chapter 1 also describes the purpose of this programmatic EIS, the EIS scoping process, and existing documents that have been adopted or incorporated by reference. The proposal and alternatives are described in Chapter 2. The project description includes the Management Program, the policy alternatives within the proposal, the No Action Alternative, and the early actions. An overview of the affected environment for the Columbia River Basin in Washington and for the areas of the early actions is provided in Chapter 3.

Chapter 4 is a programmatic evaluation of the impacts associated with the components of the Management Program. Potential mitigation measures for identified impacts are described. Chapter 4 also includes an evaluation of the No Action Alternative (not implementing the Management Program). Chapter 5 evaluates the potential impacts of the early actions and describes potential mitigation measures. For each early action, a No Action Alternative is evaluated. Chapter 6 is a discussion of the policy alternatives Ecology considered for implementing the Management Program, along with selected preferred alternatives. Options are presented for how Ecology can implement these alternatives within the proposal, including a discussion of the potential impacts on water rights processing in the state. The references used in the document are listed in Chapter 7. Several appendices are attached which include various documents that relate to the Management Program.

1.3 Background

The Columbia River Basin supports two resources that are highly valued in the Pacific Northwest—rich agricultural soils and abundant salmon runs. Making the soils productive in the arid climate requires irrigation and water withdrawals from the river and its tributaries. Irrigation withdrawals are one of the factors contributing to declines of Columbia River salmon populations. The competition between the need for irrigation water and the need to maintain instream flows for fish has been the subject of discussion and debate for decades.

In 1980, Washington adopted an administrative rule for protecting instream flows on the Columbia River (WAC 173-563). The rule required that water rights on the Columbia River mainstem issued after 1980 be subject to the state instream flow rule. These water rights (interruptible rights) can be curtailed in low flow conditions in order to maintain adequate flows for fish. Interruptible rights can be curtailed when the March 1 forecast for April through September runoff at The Dalles Dam on the lower Columbia River is less than 60 million acre-feet. Reliable water supplies are not guaranteed to water users in low flow years.

In the early 1990s, the federal listing of Columbia River salmon species as threatened or endangered under the Endangered Species Act (ESA) intensified the debate over whether

additional withdrawals of water could be allowed from the river without adversely affecting salmon runs. After the 1991 listing of Snake River sockeye salmon, Ecology established a moratorium on new permits in response to water right applications from the Columbia and Snake Rivers filed subsequent to December 20, 1991. The moratorium was lifted in response to a petition by environmental groups. The Legislature lifted the moratorium in 1997, and the administrative rule for protecting instream flows on the Columbia River was revised in 1998. The revised rule, known as the consultation rule, required that all water rights applications would be evaluated on a case-by-case basis for possible impacts on fish through consultation with appropriate local, state, and federal agencies and tribal governments. Flow conditions or mitigation requirements to protect fisheries were to be based upon the consultation.

The consultation rule added to the time needed to process water rights applications along the Columbia River. The backlog of applications increased to hundreds with many pending for over a decade. Some communities along the river lacked adequate or reliable water rights for growth or economic development. Ecology did not issue any new permits on water rights applications from the Columbia River filed after December 20, 1991 until 2005, when Ecology approved a permit for Berg Farms under application S4-34553.

In 2000, the Columbia-Snake River Irrigators Association (CSRIA) and the City of Pasco filed a lawsuit to obtain a court order requiring Ecology to process 12 water right applications that were pending prior to the 1991 moratorium. Ecology, the irrigators, and the City of Pasco reached an agreement before the case went to court. Ecology processed the pending pre-moratorium applications; however, prior to issuance of the Reports of Examination, CSRIA sought and obtained an injunction from Benton County Superior Court to prevent Ecology from issuing the permits with flow conditions as recommended in the review draft reports.

By late 2002, CSRIA and Ecology settled the Benton County Superior Court case. The settlement gave two options for processing of water rights applications (American Bar Association 2003). One option was for an applicant to pay \$10 per acre-foot per year for the water used to receive a water right permit not subject to flow conditions (noninterruptible water rights). Ecology would use the money to either replace water in a drought situation or to purchase perpetual mitigation for adverse impacts to salmon. Under the second option, the applicant would receive a water right subject to flow conditions (interruptible water right). All of the applicants except for the Quad Cities (Richland, Pasco, Kennewick, and West Richland) elected to pay the annual fee.

In early 2003, Ecology issued Reports of Examination consistent with the settlement. Six of the applications were appealed by the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, and the Center for Environmental Law and Policy. Ultimately, the Court of Appeals determined that Ecology had not properly consulted with the Umatilla and Nez Perce Tribes and remanded five of the applications back to Ecology. The permit recommended to the Quad Cities was appealed by the Center for Environmental Law and Policy. The Center for Environmental Law and Policy, the Quad Cities, and Ecology settled the appeal and the Quad Cities' permit was issued in 2003.

The continuing controversy over Columbia River water allocation and the backlog of water rights applications led Ecology to a new attempt to improve water management in the Columbia

River. Through the Columbia River Initiative (CRI), Ecology commissioned several studies and convened stakeholder groups to develop solutions to the allocation problems. The following sections describe the CRI process and the actions that led to the passage of the Columbia River Water Management Act and development of the Management Program.

1.3.1 Columbia River Initiative

To address the water management issues in the Columbia River, former Governor Gary Locke created the Columbia River Initiative (CRI). The CRI included a framework for issuing new water rights from the Columbia River while improving stream flows for fish. The CRI included four elements—a legislative proposal for consideration in the 2005 legislative session, a proposed budget to secure water and conduct feasibility studies of new off-channel storage projects, draft rule language for implementation of the CRI, and cooperative agreements with federal and local partners.

The proposed rule included:

- Establishing procedures for drought permits for existing water rights currently subject to interruption during low stream flows;
- Setting the cost to be paid annually by new water right holders to obtain water from the state; and
- Defining responsibilities for acquiring, accounting for, and approving the allocation of water from the Columbia River mainstem.

In December 2004, Ecology and the Washington Department of Fish and Wildlife (WDFW) prepared a programmatic Draft EIS on a water management plan for the Columbia River developed under the CRI (Ecology and WDFW 2004). The Draft EIS evaluated potential impacts of the proposed rule. Governor Gregoire halted the CRI process because of legislative opposition to the proposal and created the Columbia Water Partnership (Section 1.3.2). No Final EIS was issued on the proposed CRI rule, and the CRI rule and legislation were not finalized.

As part of the CRI, Ecology undertook several actions to develop a water management plan. These included developing cooperative agreements with Reclamation and the Colville Tribe, and undertaking technical and economic studies of the proposed rule. These actions are described below.

1.3.1.1 MOU with Bureau of Reclamation and Irrigation Districts

As part of the CRI element to establish cooperative agreements with federal and local partners, the state of Washington, Reclamation, and the three Columbia Basin Irrigation Districts (South Columbia Basin, East Columbia Basin, and Quincy-Columbia Basin) entered into an agreement to work together to support projects to optimize existing water management and to explore new storage options to provide additional water for priority uses. This 2004 Memorandum of Understanding (MOU) includes provisions for:

- Development of a mainstem storage program initially involving conducting appraisal and feasibility level studies of off-channel storage sites near the Columbia River mainstem;

- Drawdown of Lake Roosevelt to provide mainstem drought relief, municipal and industrial water supply, and 30,000 acre-feet of water to replace ground water currently being used for irrigation in the Odessa Subarea;
- A study of options for delivering replacement water to the Odessa Subarea in addition to the 30,000 acre-feet described in the previous bullet;
- An alternative route to supply feed water to Potholes Reservoir and evaluation of other potential operational changes for the reservoir; and
- An agreement to seek water from existing Canadian storage facilities.

The MOU has led to the initiation of a number of projects that are currently being funded through the Columbia River Basin Water Supply Development Account including the Columbia River Mainstem Off-Channels Storage Study and Odessa Subarea Special Study described in Section 2.1.2.1 as well as the Lake Roosevelt Drawdown Project and the Supplemental Feed Route Project described in Section 2.6. The MOU can be viewed at:

http://www.ecy.wa.gov/programs/wr/cwp/images/pdf/cri_mou121704.pdf.

1.3.1.2 Agreement in Principle with the Confederated Tribes of the Colville Reservation

Another cooperative agreement developed as part of the CRI was a Government-to-Government Agreement in Principle (AIP) between the state of Washington and the Confederated Tribes of the Colville Reservation regarding management of Lake Roosevelt. In November 2005, the original agreement was extended to September 30, 2006. The AIP can be viewed at: http://www.ecy.wa.gov/programs/wr/cwp/images/pdf/colville_water.pdf. The AIP states that the state of Washington will pursue replacement water for the Lake Roosevelt drawdown and will not seek additional drawdowns as part of the Columbia Water Partnership. The AIP also:

- Provides for investigation of potential impacts of the Lake Roosevelt drawdown and compensation for impacts to the Colville Confederated Tribes;
- Creates an economic development capital fund for the Tribe;
- Creates a fisheries enhancement capital fund and provides for joint work on fisheries management; and
- Provides for tribal participation in investigation of the potential for new off-channel storage in the Columbia River system.

1.3.1.3 National Research Council Report

Ecology requested that the National Research Council (NRC) (a division of the National Academy of Sciences) conduct a review of the scientific issues related to water withdrawals from the Columbia River mainstem and review water management scenarios developed by Ecology. The National Research Council report, *Managing the Columbia River: Instream Flows, Water Withdrawals, and Salmon Survival*, was released in March 2004. Regional scientists contributed information and expertise to the review.

The National Research Council reviewed the existing scientific data on the Columbia River fish species listed under the Endangered Species Act and reviewed and evaluated environmental parameters critical to the survival and recovery of listed fish species. The National Research Council also evaluated the effect of potential future water withdrawals on fish survival, using a range of annual withdrawals from 250,000 acre-feet to 1,300,000 acre-feet. Those values represented the range of the volume of water rights applications that had been submitted to Ecology.

The major theme of the conclusions drawn in the report is that there is scientific uncertainty in the importance of environmental variables on the survival of fish, and the allocation of existing water withdrawals is a policy decision. The six major findings of the report are summarized here (National Research Council 2004).

- Within the body of scientific literature reviewed as part of this study, the relative importance of various environmental variables on smolt survival is not clearly established. When river flows become critically low or water temperatures excessively high, however, pronounced changes in salmon migratory behavior and lower survival rates are expected.
- The state of Washington and other Columbia River Basin entities should continue to explore prospects for water transfers and other market-based programs as alternatives to additional withdrawals.
- The conversion of water rights to noninterruptible status will decrease flexibility of the system during critical periods of low flows and comparatively high water temperatures. Conversions to noninterruptible rights during these critical periods are not recommended.
- Sound, comprehensive Columbia River salmon management strategies will depend not only on science, but also on a willingness of elected and duly appointed leaders and managers to take actions in the face of uncertainties.
- Decisions regarding the issue of additional water withdrawal permits are matters of public policy, but if additional permits are issued, they should include specific conditions that allow withdrawals to be discontinued during critical periods. Allowing for additional withdrawals during the critical periods of high demand, low flows, and comparatively high water temperatures identified in this report would increase risks of survivability to listed salmon stocks and would reduce management flexibility during these periods.
- The state of Washington and other basin jurisdictions should convene a joint forum for documenting and discussing the environmental and other consequences of proposed diversions that exceed a specified threshold.

Ecology reviewed the National Research Council report and used its recommendations, along with the economic review described below, as part of the water management proposal in the CRI.

1.3.1.4 Economic Review

In addition to the scientific review of the Columbia River water withdrawals, Ecology conducted economic studies as part of the rule-making for the CRI. Ecology commissioned an economic study of the effects of increased water use from the Columbia River by the University of

Washington (Huppert et al. 2004). The economics report analyzed effects of the proposed rule on agricultural production, municipal and industrial water supplies, hydropower generation, flood control, river navigation, commercial and recreational fishing, regional impacts, and passive use values. The study focused on five water management scenarios for issuing new water rights. The report also evaluated issues related to water markets and water exchange transactions. The major conclusions of the report were that increased diversions:

- Are unlikely to have significant impacts on flood control or river navigation;
- Will have moderately large negative impacts on hydropower production;
- Will have very large positive impacts on the agricultural economy and the state's regional economy; and
- Might have some negative effects on fisheries and passive use values tied to salmon and steelhead runs.

Ecology prepared a Small Business Economic Impact Statement (SBEIS) (Ecology 2004b) and a preliminary Cost/Benefit Analysis (CBA) (Ecology 2004a) using the University of Washington study as the basis. The CBA concluded that the probable benefit of the proposed rule would be greater than the probable cost. The SBEIS was conducted under the guidance of RCW 19.85, which requires Ecology to review the business costs associated with the proposed rule and to determine if costs would be disproportionately higher for small businesses in comparison to large businesses. The SBEIS concluded that if the proposal imposed a net cost on a few businesses, the impact would likely be disproportionately greater for small businesses than for large businesses when measured on a cost per employee basis. However, the proposal itself could be interpreted as a cost reducing method under RCW 19.85.030(3)(f).

Some interest groups thought the economic studies overestimated the economic benefits of the CRI. One environmental organization, American Rivers, commissioned a peer review of the reports (Griffin 2005). The peer review concluded that the University of Washington (Huppert et al. 2004) and the CBA (Ecology 2004b) had overestimated the agricultural benefits of the CRI by not accounting for the increases in crop values that would occur without the CRI, and by omitting many of the costs that would be required to develop new water rights issued under the CRI.

1.3.2 Columbia Water Partnership

The Columbia Water Partnership was created by Governor Gregoire to develop a long-term approach to water allocation from the Columbia River mainstem. The partnership included tribal, federal, state and local governments; farmers; environmental groups; municipalities and other stakeholders.

A joint executive/legislative policy group, the Columbia River Task Force (Task Force), was formed to help resolve the issues that led to the abandonment of the CRI. The Task Force was composed of the governor, Director of Ecology, and two representatives each from the Democratic and Republican House and Senate Caucuses. The goal of the Task Force was to adopt a new water management program for the Columbia River, recognizing that adequate water is needed to achieve economic growth in eastern Washington and sustain endangered fish species in the river.

The Task Force met from June 2005 through the beginning of the 2006 legislative session. The Task Force met with governmental managers of the Columbia Basin, scientists, and stakeholders. Outreach included tribal governments, county commissioners, public utility and irrigation districts, and the environmental community. The Task Force developed an outline of a water management program for the 2006 legislative session. The Task Force outline formed the basis for the Columbia River Water Management Act.

1.4 Purpose of the Programmatic EIS

The purpose of this programmatic EIS is to assist Ecology, federal, state, and local governments and agencies, tribal governments, and stakeholders in formal development and implementation of the Management Program as directed by the Columbia River Water Management Act. It is also intended to allow for public input into the development and implementation process. In accordance with WAC 197-11-704, this EIS evaluates nonproject actions such as policies, plans, and programs at a programmatic level, and will serve as the basis for future project decisions.

Additional SEPA review will likely be required for some components of the Management Program. Specific projects developed under the Management Program that have not yet been identified may include actions, such as development of reservoirs and impoundment facilities, conveyance lines, and conservation projects, that will require additional SEPA review. In addition, components of the Management Program that involve federal permits or funding would require evaluation under NEPA. A programmatic Draft EIS was prepared in 2004 for the proposed CRI rule and legislation (Section 1.3.1), but no Final EIS was issued. Since both the CRI rule and the legislation were abandoned, the SEPA Responsible Official determined that a new, stand-alone EIS specific to the provisions of the 2006 Columbia River Water Management Act was a more appropriate course of action than to attempt to supplement the 2004 document. However, portions of the programmatic Draft EIS on the CRI proposal (Ecology and WDFW 2004) are incorporated by reference into this EIS as described in Section 1.7.

1.5 Scoping Process

In accordance with SEPA, a scoping period for the programmatic EIS on the Management Program was conducted from May 5, 2006 to June 5, 2006. Four public scoping meetings were held in May 2006 to receive public testimony. The meetings were held on May 17 in Wenatchee, May 18 in Colville, May 22 in Moses Lake, and May 23 in Kennewick. At the meetings, staff discussed comments and questions with attendees, and attendees were invited to write or provide formal oral comments that were included in the record of the meetings. Oral comments were recorded and transcribed by a court reporter. Seven people provided oral testimony at the public scoping meetings. Comment forms were provided for written comments. No comment forms were submitted during the meetings. A total of 27 written comment forms, letters, or emails were received during the scoping period.

Written comments were received from the Confederated Tribes of the Umatilla Indian Reservation, Yakama Indian Nation Department of Natural Resources, Spokane Tribal Cultural Compliance Program, WDFW, Benton County Board of Commissioners, a Stevens County Commissioner, Chelan County Natural Resource Department, Water Resource Inventory Area

(WRIA) 43 Planning Unit, seven agricultural and business associations, four environmental advocacy groups, an assistant to a state representative, and five private citizens.

The comments received covered a number of subjects and represented a range of viewpoints. The major areas of concern were:

- The appropriate level of SEPA analysis for the Management Program;
- The alternatives that should be considered in the EIS;
- Suggestions for specific storage and conservation projects or programs that should be considered for the management program;
- Questions about how Voluntary Regional Agreements would be implemented;
- Impacts of the Management Program on:
 - Surface water and instream flows,
 - Water rights and how water rights applications are processed,
 - Fish and wildlife in the project area,
 - Economics of the project area and state,
 - Cultural resources; and
- Recommendations for evaluating economic impacts of the Management Program.

The scoping comments were used to determine which elements of the environment would be evaluated in the EIS. The EIS addresses most of the issues identified during scoping in the text. Ecology determined that some of the issues that were raised during scoping merited separate responses, and some of the comments were outside the scope of issues to be evaluated in this programmatic EIS. These comments and responses are attached in Appendix B. The table in this appendix provides a brief response to the comment and where appropriate, indicates where in the EIS the comment is addressed.

1.6 Adopted Documents

Pursuant to provisions of the SEPA Rules (WAC 197-11-630), the *Final Environmental Impact Statement for Watershed Planning under Chapter 90.82 RCW* is adopted as part of this Management Program EIS to meet a portion of Ecology's responsibility under SEPA. The watershed planning EIS addresses water quantity, instream flow, habitat, and water quality related projects that are being planned and implemented in numerous tributaries of the Columbia and Snake Rivers. The Adoption Notice is included as Appendix B.

Final Environmental Impact Statement for Watershed Planning under Chapter 90.82 RCW. Washington State Department of Ecology. Ecology Publication #03-06-013. July 18, 2003. Available on-line at: <http://www.ecy.wa.gov/pubs/0306013.pdf>.

Summary of Document: This Final EIS describes the watershed planning process set forth in the Watershed Planning Act, as well as procedures for rule making that may be undertaken by state agencies to support implementation of watershed plans. It describes the existing framework of federal, state, and local laws, regulations, and programs that affect or are related to management of watersheds. In addition, it evaluates the impacts of and identifies mitigation measures for various types or classes of recommended actions

that may be included in watershed plans including municipal, industrial, and agricultural conservation measures, water banking and transfer mechanisms, water allocation strategies, instream flow requirements, water quality restoration and enhancement measures, and various approaches to fish habitat improvement.

1.7 Documents Incorporated by Reference

Pursuant to provisions of SEPA (WAC 970-11-635), the following documents are incorporated by reference into this Management Program Draft EIS:

Columbia River Mainstem Storage Options, Off-Channel Storage Assessment Pre-Appraisal Report. Prepared for the Washington Department of Ecology and the U.S. Bureau of Reclamation by MWH. December 2005.

Summary of Document: This document evaluates potential off-site locations for additional storage in the Columbia River Basin. The study includes a discussion of the need for additional water in the basin, a review of economic studies, an evaluation of the potential storage capacity of the sites, and a discussion of the general types of impacts that could occur at each site. Available on-line at:

http://www.ecy.wa.gov/programs/wr/cwp/images/pdf/crssr_final_12062005.pdf.

Initial Alternative Development and Evaluation. Odessa Subarea Special Study. Columbia Basin Project, Washington. U.S. Bureau of Reclamation. September 2006.

Summary of Document: Reclamation is studying the continued development of the Columbia Basin Project (CBP) to deliver CBP water to lands currently using ground water in the Odessa Ground Water management Subarea (Odessa Subarea). This document presents the results of the Project Alternatives Solutions Study (PASS) which identified engineering concepts and developed alternative solutions. The alternatives will be further evaluated in an appraisal-level study. Available on-line at:

http://www.usbr.gov/pn/programs/ucao_misc/odessa/report-alternatives.pdf

Managing the Columbia River: Instream Flows, Water Withdrawals, and Salmon Survival. A Report of the National Research Council of the National Academies. The National Academies Press. Washington, D.C. 2004.

Summary of Document: As part of the CRI, Ecology secured a formal and independent review of the existing science related to fish survival and hydrology in the Columbia River. This review was conducted through the National Academy of Sciences, under contract with the state. As part of the national science review, regional scientists were asked to contribute information and expertise. The report provided guidance for framing water management scenarios under the CRI and is summarized in Section 1.3.1.3. The report is available on-line at: <http://www.ecy.wa.gov/programs/wr/cwp/cwpnsr.html>. Hard copies can be obtained from the National Academies Press.

Draft Environmental Impact Statement: Columbia River Mainstem Water Management Program. Washington State Department of Ecology and Washington Department of Fish and Wildlife. December 2004.

Summary of Document: Ecology and WDFW prepared a Draft EIS on the proposed rule and legislation for the CRI (see Section 1.3.1). Since the legislation and rule were abandoned, no Final EIS was issued. The sections of the Draft EIS that are relevant to this document are the Summary and Affected Environment.