

Weilner, Joanne (ECY)

From: Peter A. Fraley [pfraley@omwlaw.com]
Sent: Thursday, November 16, 2006 9:01 AM
To: Sandison; Derek
Cc: Haller, Daniel R. (ECY)
Subject: Comments on the Draft EIS

Derek I. Sandison, Regional Director
 Washington State Department of Ecology

RE: Comments to Draft Environmental Impact Statement in response to
 the Columbia River Water Management Act (Chapter 90.90 RCW).

Our law firm represents a number of cities, towns, water districts, sewer districts, irrigation districts, and other public and private owners of water rights in Central Washington. I am a board member of the Chelan County Water Conservancy Board and have been actively involved in water right related issues since 1993.

These comments are being submitted as a private individual and not on behalf of any of our public or private clients. I was unable to review the entire EIS, and will focus my comments on some of the Alternatives for Program Implementation set forth in Chapter 2 of the Draft EIS.

Section 2.2.1 Selecting Storage Projects. Ecology should aggressively pursue storage options that take advantage of the peak in the hydrograph each spring.

Section 2.2.3 Funding Criteria. With the local success of the watershed planning efforts in the Entiat and Wenatchee River basins, funding should focus on mitigation for permits authorizing out-of-stream beneficial use, with some priority given to municipal uses.

Section 2.2.5 Conditioning Water Rights on Instream Flows. Ecology should waive the instream flow rule for new permits or change applications that shift consumptive demand away from the critical summer months. In other words, a change application seeking to change irrigation to year-round municipal use should be permitted without a condition that makes the municipal water right interruptible during the winter months. The current rule is especially frustrating because Ecology has never implemented the winter time portion of the instream flow rule because the primary concern has been and will continue to be the summer months.

Section 2.2.7 Processing Voluntary Regional Agreements. Ecology should amend the Hillis Rule to permit the processing and conversion of interruptible rights to non-interruptible rights "out of order". This should be the primary focus before any consideration is given to processing new water rights, that would presumably be non-interruptible, out of order, even if the new water right is sought in furtherance of a VRA (unless the new water right otherwise qualifies to be taken out of order under existing rules and regulations).

Section 2.2.8 Defining "No Negative Impact" to Instream Flows. Since a definition of "major reach" is not provided it is difficult to compare the "same pool and downstream" option with the "same major reach" option. The depictions in Figure 6-2 are misleading and give the impression that "same pool and downstream" provides the most flexibility, however that is not necessarily the case (if I understand the proposal correctly). I would encourage Ecology to consider combining these two options so that net water savings can be recognized anywhere upstream in the same major reach, however that is ultimately defined, and anywhere downstream of the net water savings.

Section 2.2.9 Defining the One Mile Zone. Ecology should strongly consider including the backwater areas as described in the draft EIS. Water rights need to be treated as consistently as possible. The possibility that some water right owners that are subject to instream flows (WAC 173-563) would be excluded from the application of the Act would be inconsistent.

Section 2.2.10 Coordinating VRA Mitigation and Processing New Water Rights. Ecology should seek legislative authority to skip pending VRA applications so the applicant is not penalized (by having to start over) if mitigation is not available.

Section 2.2.12 Funding Projects Associated with a VRA. It is my impression that VRA's are going to be pursued by entities that can afford to implement the Agreement, like the Columbia-Snake River Irrigator's Association. While I support the general concept behind the VRA's, conservation project money should not be designated only for those applicants in a VRA. Some water right owners simply are not going to participate in or understand the VRAs (suspicion of DOE runs very high). Thus, I would encourage Ecology to retain the flexibility to spend conservation project money on all projects that provide mitigation.

Section 2.2.13 Inclusion of Exempt Wells in Water Use Inventory.

Whether or not exempt wells are included in the analysis is simply not as critical as the other matters identified above. However, in order to support investment backed expectations, including lenders, realtors, and builders, exempt wells within one mile of the mainstem that have been installed since WAC 173-563 should not be subject to interruption. If the trade-off is to consider prohibiting future exempt wells unless they participate in mitigation (a one-time fee would be best and easiest to manage), then that seems like a logical trade-off (but perhaps beyond the scope of this EIS).

Thank you for the opportunity to comment.

Sincerely,

Pete Fraley
 Ogden Murphy Wallace, P.L.L.C.
 1 Fifth Street, Suite 200
 PO Box 1606
 Wenatchee WA 98807
 Phone: (509) 662-1954
 Fax: (509) 663-1553

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Comment Letter No. 46 – Fraley, Peter A.

46-1. Ecology has revised the Policy Alternatives and selected Preferred Alternatives for policy implementation. See the revised Section 2.2 and Chapter 6 in the Final EIS.

COMMENT LETTER NO. 47

Jena Gilman
Self
1480 SW 10th Street
North Bend WA 98045 (425) 765-6274
jfgilman@aol.com

47-1

I oppose the construction of reservoirs in the Crab Creek and Foster Creek Drainages. I was born in Yakima and raised in Moses Lake. I am intimately familiar with the areas that the agencies want to drown. And yes I was nurtured by the agriculture and other industries that power and irrigation projects permitted in the Columbia Basin. But ENOUGH IS ENOUGH! Let's learn to live with the status quo. We aren't going to bring back the salmon to the upper Columbia and we aren't going to recharge the Odessa aquifer. Let's begin to be realistic about conservation and sustainability. Are the agencies going to fill every drainage they can find in order to repair the damage of the reservoirs and dams already built? You are proposing to rob Peter to pay Paul. The State is hell-bent on the Black Rock project. But NO MORE!

Thank you

Jena Gilman

10/10/2006 10:24:00 AM

Comment Letter No. 47 – Gilman, Jena

47-1. Comment noted. See the Master Responses regarding Opposition to Dams and Reservoirs and Future Studies for Off-Channel Reservoir Proposals.

Bart Haggin
bartmh4118@msn.com

48-1

I am sending you an article on the harmful effects of water storage to the environment. Global warming can be increased when large areas are flooded for water storage. Putting more water into the underground aquifer may be practical in some areas but it is best to just pay off the people who have water claims and abandon further agricultural programs that require more water.

Your truly
Bart Haggin

Big Hydro's role in global warming - Patrick McCully
Friday November 17 2006

It comes as a surprise to most people but the reservoirs behind the world's dams are likely a major source of global warming pollution. In the case of big reservoirs in the tropics -- where most new dams are proposed -- hydropower can actually emit more greenhouse gases per kilowatt-hour than fossil fuels including dirty coal.

Climate change scientist Philip Fearnside estimates that hydro projects in the Brazilian Amazon emit at least twice as much greenhouse gas as coal plants. The worst example studied Balbina Dam had a climate impact in 1990 equal to an astonishing 54 natural gas plants generating the same amount of power according to Fearnside.

How is this possible? When a big dam is built its reservoir floods vast amounts of carbon in vegetation and soils. This organic matter rots underwater creating carbon dioxide methane and in at least some cases the extremely potent warming gas nitrous oxide. While emissions are particularly high in the first few years after a reservoir is filled they can remain significant for many decades. This is because the river that feeds the reservoir and the plants and plankton that grow in it will continue to provide more organic matter to fuel greenhouse gas production.

Some of the emissions bubble up from the reservoir's surface. The rest occur at the dam: When methane-rich water jets out from turbines and spillways it suddenly releases most of its methane just like the fizz from a newly opened bottle of Coke. While the scientists working in the field agree on the emissions from reservoir surfaces there is a heated dispute between industry-backed and independent researchers on the amount of gases released at dams. Accounting for these "fizz" emissions greatly increases estimates of the global-warming impact of hydropower. It is not surprising that the hydropower industry is alarmed that it would be considered another global-warming culprit. In the coming green economy energy technologies with the lowest greenhouse-gas emissions will dominate. There's a lot of money to be made in this energy

transformation and the Big Hydro lobby is pushing hard to be seen as climate-friendly. Canadian and Brazilian hydro interests dominate funding for reservoir emission science and have tried hard to control the interpretation of the results. In Canada industry giant Hydro-Quebec has cut funding to scientists whose work was leading to conclusions the utility considered inconvenient. Hydro-Quebec also tried unsuccessfully to pressure a scientific journal (Lakes and Reservoirs Management) into not publishing an article by these scientists.

In hydropower-dependent Brazil the hydro utilities and government have backed a group of scientists who Fearnside charges have "made a career out of trying to prove me wrong." The industry-backed scientists accuse Fearnside a rigorously independent researcher of being seduced by the "lures" of the fossil fuel and nuclear lobbies.

Fearnside's findings were supported in a recent editorial in the scientific journal Climatic Change written by Danny Cullenward and David Victor from Stanford University. Cullenward and Victor criticize the hydro industry's control of the reservoir emissions research agenda and call for an independent analysis of the data and their interpretation by the U.N.'s Intergovernmental Panel on Climate Change (IPCC). This is an eminently sensible suggestion.

Given the high stakes -- the billions of dollars that will be directed to reducing climate change and the importance that these investments be as effective as possible -- it is vital that decisions on climate policy are not made based on evidence produced by self-interested industry lobby groups. This is why an independent review of reservoir emission science is essential. Only the IPCC has the resources and reputation needed to clear the fog of confusion created by the hydro industry and its control of the reservoir emissions research agenda.

Patrick McCully is the executive director of the International Rivers Network a Berkeley-based nonprofit organization that protects rivers and defends the rights of communities that depend on them. IRN opposes destructive dams and the development model they advance.

Page B -- 11 URL:
<http://sfgate.com/caibin/article.cgi?file=/c/a/2006/11/17/EDG6ELJ3U01.DTL>

11/20/2006 1:30:00 PM

Comment Letter No. 48 – Haggin, Bart

48-1. Comment noted. The article you supply relates to reservoirs in tropical climates with high amounts of biomass that decay and produce greenhouse gasses. A similar result is unlikely in arid eastern Washington with a low biomass.

Jacqueline Halvorson
Jacqui Halvorson
3417 S. Division
Spokane WA 99203
jdih12@hotmail.com

We do not need to build more dams in the Columbia Basin. Can't you people learn anything from past mistakes?

There has been a mammoth discussion for the past ten years or more concerning the removal of Snake River and other dams in this region. I have personally spoken with retired employees of the US Army Corp of Engineers who said many of the dams in this region should have never been built because the costs far outweigh the benefits.

I believe the same thing could be said for these proposed dams - the costs far outweigh the benefits.

I am asking that you do not construct another dam in this region. You need to be studying the removal of some of them instead.

Sincerely,

Jacqui Halvorson

11/20/2006 10:11:00 AM

49-1

Comment Letter No. 49 – Halvorson, Jacqueline

49-1. Comment noted. See the Master Response regarding Opposition to Dams and Reservoirs



Architectural
Utilities
Civil

DWIGHT P. HANSEN
DRAFTSMAN

509-725-5605

COMMENT LETTER NO. 50



Dept. of Ecology
Attn: Derek Sandison
15 W. Yakima Ave.
Yakima, Wash. 98902
Nov. 17, 2006

Dear Mr. Sandison:

This is to continue the dialogue of the of the phone conversation we had on Nov. 2, 2006.

I am requesting written notification of any hearings, meetings or advertisements you or your agency are holding on the Hawk Creek project. I am further asking that these events be staged in the county where the project is being contemplated, rather than Spokane or Chelan counties.

The people in this county have an interest in knowing why your agency wants to inundate an incorporated area, what amount of hydro power you plan to dump into the Northwest Power Pool, how much it would cost this county for road relocation and a myriad of other unanswered questions.

I have no "email", so I anticipate hearing from you by mail.

Thank you.

Sincerely,
Dwight P. Hansen

50-1

Comment Letter No. 50 – Hansen, Dwight

50-1. See the Master Response regarding Future Studies for Off Channel Reservoir Proposals. By commenting on the Draft EIS, your name has been added to Ecology's mailing list and you will be notified of future meetings.

COMMENT LETTER NO. 51

Suzi Hokonsoon
Many but grandchildren
1315 w woodside
Spokane WA 99208 (509) 326-2216
suzihokonson@yahoo.com

51-1

Please allow no more dams on the Columbia Basin Sustainable Agriculture is essential and the best use of land for the most and longest good. Voluntary agreement to rules is not effective and not inforcable.

Thanks

Suzi.

11/18/2006 1:33:00 PM

Comment Letter No. 51 – Hokonsoon, Suzi

51-1. See the Master Response regarding Opposition to Dams and Reservoirs. See the response to Comment 23-3 regarding sustainable agriculture. Your comment regarding Voluntary Regional Agreements is noted.

James Hollingsworth
self
2508 So. Adams Rd.
Veradale WA 99037 (509) 999-7307
JLHOLLY@mac.com

52-1

I object to spending \$200 million dollars on a speculation when there are many existing environmental projects that go unfunded. If we can spend \$200 million on studies why can't we spend \$1 million dollars a year to gain proper representation on the Basin Environmental Improvement Commission and protect the source of the Spokane River and Spokane's sole source aquifer? This is a political boondoggle pandering to a powerful agricultural industry.

52-2

This study is intended to find storage for water to meet demands of over-allocated water rights. If a grand scheme of storage facilities were built there would still be a water shortage because the water would all be spoken for.

There is no such thing a "new" water. Conservation and the efficient use of what we have is the only way to meet demand. Every method of waste prevention should be implemented before public money is spent on storage facilities.

If you make more of the existing water available to agriculture and industry they will simply expand to absorb the supply.

In regard to Hawk Creek the size and expense of the contemplated impoundment dam is outrageous. The public should not be insulted with such a wasteful allocation of tax dollars.

52-3

Perhaps this study should include the cost of the subsidy we are now providing to the farmers in the basin. This study should examine the real cost of water in the basin and recommend new rates that share the cost appropriately. Why are we using expensive water to grow crops that are over-produced and uneconomical?

11/15/2006 10:08:00 AM

Comment Letter No. 52 – Hollingsworth, James

- 52-1. Comments noted. The Basin Environmental Improvement Commission and the Spokane aquifer are outside the scope of the Management Program.
- 52-2. See the response to Comment 25-5 regarding “new” water. Hawk Creek will be evaluated in future environmental review. See the Master Response regarding Future Studies for Off-channel Reservoir Proposals.
- 52-3. Text has been added to section 3.2.1.3 Distribution of Costs and Benefits to describe subsidies to irrigated agriculture. Section 3.2.2 Columbia Basin Specific discusses the issue of water costs. A more detailed analysis will be undertaken on a project-by-project basis.

Mary Jokela
35417 N. Dalton Road
Deer Park, WA 99006



November 15, 2006

Mr. Derek I. Sandison
Regional Director
Columbia River Draft EIS Comments
Washington State Department of Ecology
15 W. Yakima Ave., Ste. 200
Yakima, WA 98902

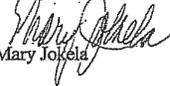
Re: Columbia River Draft EIS Comments

Dear Mr. Sandison:

- 53-1 [Additional dams in the Columbia River Basin would inundate thousand of acres of prime wetlands and shrub-steppe habitat critical for several endangered species.
- 53-2 [Furthermore, the mere one-third of impounded waters intended to augment river flows for migrating salmon would flush excessively warm water resulting from shallow impoundment—no assistance, rather, exacerbated and additional hazards for these cold-water fish.
- 53-3 [Rather than resources for private agriculture, I urge focus on conversion from irrigation to dryland farming operation, from flood to drip irrigation. And let us have NO additional canals in Washington.
- 53-4 [Rather than additional drawdowns for Lake Roosevelt which would expose heavy metal laden sediment to lake users and wind erosion as well as expose cultural relics previously inundated to looters, let's work together for sustainable economy that doesn't rely upon the Columbia River for all our water demands.

Additional water withdrawals from the Columbia River can not continue; this water is already over allocated.

Very truly yours,


Mary Jokela

Comment Letter No. 53 – Jokela, Mary

53-1. See the response to Comment 1-84 regarding shrub steppe habitat.

53-2. The one-third allocation to instream flows was established by the legislation. The water quality of water released for stream flow augmentation will be evaluated during future project specific review (See Section S.4 of the Final EIS).

53-3. Comment noted.

53-4. Comment noted. Ecology has determined that additional review of the Lake Roosevelt drawdowns is required and will be preparing a Supplemental EIS.

The exposure of archaeological sites along the shore of Lake Roosevelt is addressed in Section 5.1.1.9.

Carol Kriesel
WFOR
c1ricket@yahoo.com

Please take into account the following information regarding the proposed LNG regasification plant for Bradwood OR.

Ballast	14 mg/ship (x125)	1750 mg/yr*
Ship Cooling water (18 hrs. dockside)		1800 mg/yr
Vaporizer condensation	160 gpm (x60x24x3)	84 mg/yr
Fire suppression testing	4400 gpm	13.7 mg/yr
Well water useage (during construction)		13.4 mg/yr
Hydrostatic testing of storage tanks		60 mg/yr
Well water for irrigation/personal sanitation		1 mg/yr
Water total of river/well		3 722 101million gallons per year

54-1

This proposed plant of Northern Star is a total negative impact on the Lower Columbia.

10/10/2006 9:37:00 PM

Comment Letter No. 54 – Kriesel, Carol

54-1. See the response to Comment 46-1.

Beatrice Lackaff
citizen
2018 W Bridge Ave
Spokane WA 99201 (509) 327-8303
beala@icehouse.net

Thank you for the opportunity to express my opinion on the Programmatic Environmental Impact Statement for the proposed new dams in the Columbia River Water Management Program.

I think building huge vastly expensive new dams on these side canyons of the Columbia River is a terrible idea. I think the PEIS is inadequate to actually consider basin wide impacts compared to questionable at best benefits and does not truthfully identify the few for whom there is any real benefit at all.

Specifically:

We must not sacrifice these beautiful canyons which have considerable varied native habitat wildlife and recreational value. They should not be destroyed inundated or developed. This habitat is already rare harboring threatened species of plants and animals. These canyons provide a buffer for all of us to enjoy that protects us from turning our land into a faceless development.

Migrating salmon and other fish will have even less cold oxygenated water than they do now. these dams would be another assault on our fisheries and other wildlife which we/they can not afford.

We the taxpayers would pay millions for construction costs higher utility bills with less water over the dams to subsidize the Project farmers and make all the farmers outside the project struggle to get by with less water higher taxes to support the subsidies for Project water users and then try and compete with subsidized Project crops. (See comments of WSU economist Norm Whitley before 1984 State Legislature.)

These dams won't create more water - they will just redistribute it. What about the folks who will lose water to the reservoirs?

Did those who wrote the PEIS read the State Water Inventory for 2005 or 2006 that summarizes there will be LITTLE if any demand for new irrigated cropland in coming decades. This report eliminates the case for these destructive and expensive dams.

This whole project smells of mindless development that would ultimately hurt all of us little guys and especially the family scale farmers to subsidize and benefit developers and industrial agriculture.

Don't sell us out - we don't want more dams on the Columbia.

Thank you.

Bea Lackaff
2018 W Bridge Ave
Spokane WA 99201

11/20/2006 11:51:00 PM

Comment Letter No. 55 – Lackaff, Beatrice

- 55-1. Comment noted. Additional environmental review will be conducted on the off-channel storage facilities, which will include the issues you raise. See the Master Response regarding Future Studies for Off Channel Reservoir Proposals.
- 55-2. Comment noted. Text has been added to section 3.2.1.3 Distribution of Costs and Benefits to describe subsidies to irrigated agriculture.

Sandison, Derek (ECY):

From: langforjc12@juno.com
Sent: Tuesday, October 24, 2006 3:03 PM
To: Sandison, Derek
Subject: Fw: RE: DOE water plans

----- Forwarded Message -----

James,
Why not send that as your comment?

Andrew Sirocchi
Tri-City Herald
509:582.1521

> -----
> From: langforjc12@juno.com
> Sent: Tuesday, October 24, 2006 2:43 PM
> To: asirocchi@tricityherald.com
> Subject: DOE water plans

>
> 10-24: Dear Sir:

> I came to Richland in 1951 and worked to retirement at Hanford. My
> experience with the DOE and now the Dept of Ecol. is not very favorable.
> Your headline that the public can comment on plans is a joke to me. They
> want us to comment as it looks good on the record but they do what they
> want and ignore most comments. My experience is the work of the DOE is
> too late, insincere to the public and will always be that way as they want
> to string out their job. They surely knew that a water shortage would
> come and did almost nothing, hoping it would become a crisis that might
> make it appear their job was important. Meanwhile, as usual, the public
> will suffer for their shortcomings. They talk of decisions about the
> water problem and water management as if they are experts. I don't see it
> that way. Just knowing of the problems and doing nothing is not exactly
> expert to me. They talk about aggressively pursuing the problems--sounds
> more like a Congressman pursuing a page or something. Public is ignored.
> That is why I finally quit commenting. No use.

>
> Sincerely James C. Langford 1338 Sacramento Richland, Wa 99354 946-5893

>
> -----
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11/25/2006

56-1

Comment Letter No. 56 – Langford, James

56-1. Comment noted.

Sandison, Derek (ECY)

From: Susan Droz [sdroz@verizon.net]
Date: Thursday, October 12, 2006 10:49 AM
To: Sandison, Derek
Cc: Paul F. Marker
Subject: Columbia Water Plan

October 12, 2006

To: The Department of Ecology
Attn: Derek Sandison

In regards to the Columbia River water management shed, I would like to express my disappointment in eliminating the Palisades Moses Coulee area for a reservoir.

The terrain seems so appropriate to accommodate a massive water supply that would have the potential to benefit the entire state in many ways, such as:

- * a water supply for increased farm land
- * the potential for a magnificent recreational area, which we need more of, due to the increased population growth. Our existing recreational areas are beginning to become overcrowded
- * a contribution to salmon recovery with the possibility of restoring salmon behind Grand Coulee Dam into Lake Roosevelt
- * creating good paying jobs that would come with the construction and maintenance of the project

Yes, it would be very expensive but when you look at all of the benefits it would serve, it would be worth it. With global warming a reality, we need to conserve our natural resources as much as possible at any expense.

Why specifically, was the Palisades Moses Coulee area eliminated from consideration?

Thank you for your consideration of my views on this matter.

Sincerely,

Paul Marker
711-14th NE
East Wenatchee, WA 98802
509-834-6763

You may reply to this e-mail sent on my behalf by sdroz@verizon.net

11/25/2006

57-1

Comment Letter No. 57 – Marker, Paul

57-1. See response to Comment 42-1.

SADDLE MOUNTAIN RANCHES, INC.

LAND • CATTLE • HAY • HUNTING

26516 W. HWY 26 • OTHELLO, WA • 99344
PHONE: 509 488-9819 • FAX: 509 488-0252

October 26, 2006

Derek Sandison
Washington Department of Ecology
15 W. Yakima Ave. Suite 200
Yakima, WA 98902-3452
dsan461@ecy.wa.govBill Gray
U.S. Bureau of Reclamation
Ephrata Washington
wwgray@pn.usbr.gov

RE: COMMENTS ON DRAFT EIS FOR COLUMBIA RIVER MANAGEMENT PROGRAM

Dear Derek and Bill,

As the President of Saddle Mountain Ranches, Inc. I am writing to address some concerns we have regarding the proposed Lower Crab Creek Dam project. My family has farmed and ranched along Lower Crab Creek for five generations; and it appears from the draft plan that the land we farm and raise cattle on would be rendered useless for these purposes if the proposed project is constructed.

The following are some of the questions that we believe must be considered and answered in a competent and credible EIS for any proposed projects effecting Lower Crab Creek below Potholes Reservoir to the Columbia River.

QUESTIONS RE TIMELINE & OBJECTIVE STUDIES:

- 58-1 [
- What is the time line for making a final decision of which sites will be chosen for storage?
- 58-2 [
- What impartial studies will be done on the economic impacts to the inundated landowners?
 - Will any studies be commissioned on the economic impacts to the landowners inundated by the proposed storage sites before acquisition?
 - We request that a study be done prior to any final decisions on storage projects so

- 58-2 [that a complete net economic benefit can be calculated for the Columbia River water management program. This should include the economic impacts to the farming and ranching operations inundated by the proposed storage sites.

QUESTIONS RE EFFECT TO LANDOWNERS:

- 58-3 [
- Has the agencies considered the economic impact to the farmers and ranches involved by a proposed reservoir and what does those agencies figure in economic terms those will be to the effected farms and ranches inundated by the proposed dam and reservoir?
 - How will the project affect the active farming and ranching operations' businesses and efficiencies if they lose their land that is in a consolidated economic unit?
- 58-4 [• What environmental mitigation will be done to private lands?
- 58-5 [• What rights would the agencies involved intend to take from the existing private landowners in the inundated area of Crab Creek Dam, Reservoir and associated right of ways or easements needed?
- 58-6 [• What will the proposed projects do to the inundated farms and ranches' "Economies of Scale"? How will the agencies calculate these costs and damages?

QUESTIONS RE PROPERTY VALUATION:

- 58-7 [
- What is the value of the existing state water rights in Crab Creek per acre foot and per acre?
 - What is the value of the privately held existing state water rights in hydro-electric generating terms per acre and per acre foot on Crab Creek?
 - What is the estimated land and right of way acquisition cost for the proposed reservoir?

QUESTIONS RE COMPENSATION OF LAND OWNERS:

- 58-8 [
- How will the DOE and Bureau of Reclamation compensate landowners along lower Crab Creek for the economic impacts and damages to their farming and ranching operations if Lower Crab Creek Dam and Reservoir is constructed?
 - How will DOE and the Bureau of Reclamation compensate mineral owners for the Natural Gas and other mineral production under Crab Creek Dam and Reservoir?
 - Will the agencies involved replace the land and water rights taken for the proposed dam with land and water rights of equal value and priority which are similarly situated and consolidated?

- 58-8
- What will be the basis for compensation to the landowners whose lands will be taken for the proposed dam, reservoir and associated easements and right of ways?
- 58-9
- Will the agencies consider making the landowners under the proposed reservoirs shareholders in the proceeds from the hydro-electricity generated from the storage of the water on their land?
 - Will the agencies consider paying to the landowners inundated by the proposed storage sites a royalty from the hydro electricity generated in exchange for use of their lands?

Sincerely,

Devon Michel
President, Saddle Mountain Ranches, Inc.

Wellner, Joanne (ECY)

From: Devon Michel [dmichel1@hotmail.com]
Sent: Monday, October 30, 2006 9:21 AM
To: wwgray@pn.usbr.gov; Sandison, Derek
Subject: additional Comments on Draft EIS
Attachments: Commentletter10-26-06.doc

Here are some comments that are in addition to the ones I made on 10-26-06.

- 58-10
- I am also concerned that the DEIS does not adequately address cumulative effects of the proposed project. As you know the cumulative effects are the impact on the environment which results from the incremental impact of the proposed action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or Non Federal) or person undertakes such other actions. For example, the DEIS does not appear to have addressed all of the past, present and reasonably foreseeable actions pertaining to the operation of the Federal Columbia River Hydropower System as it may impact endangered salmonids, even though the very purpose of the project is purported to be additional storage of water to address the impacts of that system.
- 58-11
- Has the draft EIS identified and considered the impact on any historical cultural resources on Lower Crab Creek below Potholes reservoir? What would be done to avoid those areas?
- 58-12
- Has the Draft EIS considered all the economic impacts to area farmers and ranchers? Have the agencies involved calculated a net economic impact to inundated area farmers and ranchers?

Sincerely

Devon Michel

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11/27/2006

Comment Letter No. 58 – Michel, Devon (Saddle Mountain Ranches, Inc.)

- 58-1. Crab Creek has not been selected as a storage location at this time. It is unlikely that any storage facility could be developed before 2020. See the Master Response regarding Future Studies for Off Channel Reservoir Proposals for the anticipated timeline.
- 58-2. Additional site-specific evaluations, including economic evaluations, will be conducted as part of specific project proposals. These studies will be completed prior to decision making. For more information, please refer to the Master Response for Future Studies for Off Channel Reservoir Proposals.
- 58-3. At this time, economic impacts are being considered at a broad, programmatic level. Additional, more detailed evaluation will be conducted as part of site-specific feasibility evaluations for specific proposals. Impacts to the local economy, including impacts to farms and ranches, will be included in these evaluations. For more information, please refer to Master Response for Future Studies for Off Channel Reservoir Proposals.
- 58-4. As noted in response to your Comment 58-1, additional environmental review will be conducted in the future and mitigation and compensation would be determined during that time if Crab Creek is selected as a storage site.
- 58-5. If the Crab Creek location were selected as a storage site, property acquisition, rights-of-way and easements would be negotiated at that time following federal and state regulations.
- 58-6. Economic impacts to existing businesses, farms and ranches, will be evaluated on a project-specific basis using broadly accepted economic tools. For more information, please refer to Master Response for Future Studies for Off Channel Reservoir Proposals.
- 58-7. At this time, the specific value of water rights in the Crab Creek area have not been calculated, nor have the estimated land and right of way acquisition costs. It is speculative to estimate the costs of acquiring land that may or may not be included within a specific project proposal. Such concerns will be addressed when a specific project arises. Please also refer to the Master Response for Off Channel Reservoir Proposals.
- 58-8. It is not possible to estimate the compensation to landowners at this time, prior to identification of specific projects. This information will be developed at the time that a specific project is identified. Any compensation for lands taken will be prepared in accordance with all applicable state and federal regulations regarding acquisition of private property for public uses. For more information, please refer to Master Response for Future Studies for Off Channel Reservoir Proposals.
- 58-9. Any discussions about payments to landowners would be conducted at the time that a specific proposal has been identified.
- 58-10. The cumulative impacts section (4.3) has been revised to be more comprehensive.
- 58-11. Section 3.10.4.2 briefly summarizes the cultural resources in the general Crab Creek region. As discussed in Section 5.1.2.9, further cultural resources investigations would be conducted

and mitigation measures would be identified at the project level if the alternative were selected.

- 58-12. The Programmatic EIS has considered the broad range of impacts associated with implementation of the Management Plan. This includes identifying short term and long term impacts and tradeoffs that could occur on a broad scale. Impacts to the agricultural economic community are included in this broad discussion. Additional economic evaluations will be conducted as part of project-specific investigations. For more information, please refer to Master Response for Future Studies for Off Channel Reservoir Proposals.

ROCKY BUTTE LAND AND CATTLE, LLC

November 25, 2006

Derek Sandison
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 Yakima, WA 98902-3452
 Dsan461@ecy.wa.gov

Bill Gray
 U.S. Bureau of Reclamation
 Ephrata, Washington
 wwgray@pn.usbr.gov

Dear Derek and Bill:

As co-owner of Rocky Butte Land and Cattle, LLC, I am writing to give you some formal comments as requested regarding the proposed Lower Crab Creek Dam project. My family has farmed and ranched along the Lower Crab Creek for five generations and it appears from the draft plan that the land we farm and raise cattle on would be rendered useless for the purposes if the project is constructed.

The following are some of the questions that we believe must be considered and answered in a competent and credible EIS for and proposed projects effecting Lower Crab Creek Below Potholes Reservoir to the Columbia River:

Questions RE TIME LINE & OBJECTIVE STUDIES:

- What is the time line for making a final decision of which sites will be chosen for storage?
- What impartial studies will be done on the economic impacts to each individual land owner and their related businesses and farming and ranching practices.
- Will any studies be commissioned on the economic impacts to the land owners before acquisition?
- We request that a study be done prior to any final decisions on storage projects so that a complete Net economic benefit can be calculated for the Columbia River Water Management program. This should include the economic impacts to the farming and ranching operations inundated by the proposed storage sites.
- Has the agencies considered the economic impact to the farmers and ranchers involved by a proposed reservoir and what does those agencies figure in economic terms those will be to the effected farms and ranches inundated by the proposed dam and reservoir?
- What environmental mitigation will be done to private lands?
- What rights would the agencies involved intend to take from the existing private landowners in the inundated area of Crab Creek Dam, Reservoir and associated right of ways or easements needed?
- What will the proposed projects do to the inundated farms and ranches "Economies of Scale"? How will the agencies calculate these costs and damages?

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- We are concerned that DOE and Bureau of Rec. are creating a large project for one type of endangered or threatened species but at the expense of other threatened or sensitive plants and animals that reside in the areas to be inundated?
- Where will you replace the Wild Life refuge lands that are inundated by the reservoir?
- Were will you replace the wetlands lost to the reservoir? What will that cost?

Sincerely,

Darin Michel
 Owner/Manager

[STREET ADDRESS] • [CITY/STATE] • [ZIP/POSTAL CODE]
 PHONE: [PHONE NUMBER] • FAX: [FAX NUMBER]

Comment Letter No. 59

59-1. See responses to Comment Letter Number 58.