



CLEAN, FLOWING WATERS FOR WASHINGTON

The Center for
Environmental Law & Policy

January 21, 2008

Derek Sandison
Department of Ecology
Central Regional Office
15 West Yakima, Suite 200
Yakima, WA 98902-3452

Via E-mail to: lakeroosevelt@ecy.wa.gov

Re: Scoping comments on Lake Roosevelt "drawdown" proposal

Dear Mr. Sandison,

Thank you for the opportunity to provide comments on scoping a supplemental environmental impact statement for the Lake Roosevelt "drawdown" proposal. These comments are submitted on behalf of the Center for Environmental Law & Policy, a public interest, membership organization dedicated to the protection and restoration of freshwater resources of the Pacific Northwest.

1. Stop piecemealing the Columbia water supply development program

The incremental evaluation of various interconnected projects that are designed to take water out of the Columbia River violates the letter and spirit of SEPA. This project is related to:

- o Potholes Supplemental Feedroute (federal Environmental Assessment and FONSI dated 8-07 and state Mitigated Determination of Non-Significance, dated 1-17-08),
- o Odessa Subarea Special Study (appraisal investigation dated 9-29-06, as updated 10-07 and 11-07),
- o Columbia Mainstem Off-Channel Study (appraisal evaluation dated May 2007),
- o Yakima Storage Study (draft EIS due out 1-29-08),
- o Walla Walla storage and pump exchange studies (U.S. ACE reconnaissance report dated 10-30-97, no information re state funding and role released to public),
- o Shankers Bend storage project (Okanogan PUD FERC application dated 5-17-07, no information re state funding and role released to public)
- o Odessa Subarea stratigraphic study (Columbia Groundwater Management Area, ongoing, no information re state funding and role released to public).

BOARD OF DIRECTORS: Karen Allston - Anne Johnson – John Osborn MD – Rachael Paschal Osborn
HONORARY BOARD: Billy Frank Jr. – Prof. Estella Leopold – Gov. Mike Lowry – Prof. Charles Wilkinson

Spokane: 509.209.2899 Seattle: 206.547.5047 Olympia 360.754.1520
www.celp.org

The above-described studies are incorporated into these scoping comments by reference. CELP will provide copies of each to you upon request.

The Programmatic Environmental Impact Statement to which the supplement EIS is supposed to tier does not provide adequate description or information of the above program. Please describe the relationship among programs and how the state of Washington plans to allocate water among the various demands represented by the above-referenced studies.

2. Consider Alternatives

Consider aggressive, mandatory and retroactive water conservation and water efficiency programs as an alternative to removing additional water out of the Columbia River at any point.

Consider imposition of water fees on state water rights (including to offset water subsidies to state water right holders awarded via federal water projects) as a mechanism to control water demand from the Columbia River.

3. Global Warming Impacts

Consider the existing and cumulative impacts relating to release of greenhouse gases associated with expanded delivery of water to eastern Washington interests.

In the agricultural sector, these impacts include use of petroleum products for crop fertilization and pest control, food processing, energy usage to pump and store water supplies, and crop/agricultural product transportation costs.

In the municipal sector, these impacts include promoting sprawl through subsidized water that leads to increased automobile usage, increased use of energy for air-conditioning and heating, and increased development of impervious surfaces.

4. Basin-Wide Impacts

Consider the impacts of committing additional out-of-stream water supply to treaty and contract-based management of Columbia River waters, including effects on management of upper basin fish stocks in the Columbia, Spokane, Kootenai Rivers, including Canadian reservoirs.

Consider the effect of future changes in the Columbia River Treaty that may lead to less water available in Lake Roosevelt and the necessity of curtailing, temporarily and permanently, the deliver of water to irrigators and municipalities.

5. National Academies of Science Study.

CELP incorporates by reference the NAS study "Managing the Columbia River: Instream Flows, Water Withdrawals and Salmon Survival" (2004). Please analyze why the state of Washington has rejected NAS recommendations that there be:

- o no further issuance of non-interruptible water rights from the Columbia River in order to maintain flexibility for managing flows for fisheries survival,

- o development of a program of water transfers and other market mechanisms for water rights in the Columbia River

6. CELP-Quad Cities Settlement Agreement

CELP is party to a binding agreement with the state of Washington and the Quad Cities (Kennewick, Pasco, Richland and West Richland) that requires mitigation for new water rights granted to the cities, along with specific water conservation requirements. That agreement is incorporated herein by reference. Please analyze the relationship of this proposal to those requirements, including the impacts on water conservation and future supply options associated with providing water subsidies to the Quad Cities. Analyze the potential for future litigation over this settlement agreement.

7. Columbia River Dam Operations

Explain how water released from storage in Lake Roosevelt travels downstream and may be used to offset or mitigate for new out-of-stream water rights, including the level of certainty the state of Washington has over such mitigation through its control over Columbia River dam operations.

8. Habitat Losses on the Columbia Plateau

Describe the losses of shrub steppe and other natural habitats and dependent wildlife on the Columbia Plateau that will result from increased agricultural production and municipal sprawl.

9. Taxpayer costs

Analyze the cost of the Lake Roosevelt "drawdown" proposal to Washington and federal taxpayers.

Thank you for the opportunity to provide these scoping comments on the Lake Roosevelt "drawdown" proposal. Again, CELP will provide copies of all referenced documents upon request.

Sincerely,



Rachael Paschal Osborn
Executive Director

Center for Environmental Law & Policy
25 West Main, Suite 234
Spokane, WA 99201
509.209.2899
www.celp.org