

November 25, 2014

Submitted via email to cepr@usbr.gov

Ms. Candace McKinley
Environmental Program Manager
Bureau of Reclamation / Columbia-Cascades Area Office
1917 March Road
Yakima, WA
98901-2058

RE: **Cle Elum Pool Raise Project DEIS**

Dear Ms. McKinley:

Sierra Club submits these comments on the Cle Elum Pool Raise Project Draft Environmental Impact Statement (DEIS), dated September 23, 2014. These comments are submitted under both NEPA and SEPA.

The project needs to provide mitigation for the loss of the acres of wildlife habitat that would be inundated by the pool raise. Most of the acreage proposed to be flooded is healthy riparian habitat on National Forest lands. Under DEIS Alternatives 2 through 5, the three-foot rise in the lake level “would inundate approximately 30 acres of coniferous forest, 11 acre of deciduous tree and shrub, and 0.1 acres of herbaceous vegetation between 2,240 feet and 2,243 feet,” (pp. 4-49 and 4-50) and includes “2 acres of palustrine wetlands in the area that the higher reservoir level would inundate,” (p. 3-36). There needs to be acquisition of equivalent or better acreage and quality of habitat elsewhere.

The DEIS states that the proposed project is an integral part of the Yakima Plan. The Yakima Plan’s March 2012 Final Programmatic EIS (FPEIS) did not evaluate cumulative impacts at the project level. Consequently, now that we are at the project level, the Cle Elum Pool Raise DEIS must evaluate the cumulative impacts of the proposed project in combination with the other elements of the Yakima Plan. This includes, but is not limited to, water demand and water conservation alternatives. Please provide a cost-per-acre-foot comparison between the proposed pool raise and water conservation. In addition, aquifer storage, water marketing, alternative agriculture and cropping, are reasonable alternatives that must be analyzed in detail as part of this DEIS.

The DEIS discusses tiering to the Yakima Plan FPEIS and documents adopted under SEPA (DEIS sections 1.6.1 and 1.6.2; pp. 1-9 to 1-10). However, the Yakima Plan FPEIS included only two alternatives (the Yakima Workgroup’s Yakima Plan and a no-action alternative), when both NEPA and SEPA require an analysis of reasonable alternatives. Neither BuRec nor Ecology should adopt or incorporate by reference the Yakima Plan FPEIS because of the lack of reasonable alternatives presented for analysis in the Yakima Plan FPEIS.

BuRec should comply with the Fish and Wildlife Coordination Act and consult with the U.S. Fish and Wildlife Service on the Cle Elum Pool Raise Project.

As discussed in DEIS section 2.6.2. (p. 2-35), a 1945 federal court Consent Decree defined the Total Water Supply Available (TWSA) as follows:

That amount of water available in any year from natural flow of the Yakima River, and its tributaries, from storage in the various Government reservoirs on the Yakima watershed and from other sources, to supply the contract obligations of the United States to deliver water and to supply claimed rights to the use of water on the Yakima River and its tributaries, heretofore recognized by the United States.

The TWSA is made available to irrigation districts with non-proratable water rights, and any remainder during a drought year to proratable irrigation districts, while providing in-stream flow targets for fish. Under P.L.103-434, Sec. 1205(b) (see DEIS p. 1-2), in 1994 Congress allocated the Cle Elum Pool Raise Project water to in-stream flows, not irrigation. However, DEIS Alternatives 4 and 5 erroneously allocate additional storage water to irrigation, while failing to explain how the additional storage water can be legally allocated that way. Do BuRec and Ecology intend to seek Congressional action and/or amend the Consent Decree to allow any additional storage at the Cle Elum reservoir to be allocated to irrigation rather than in-stream flows?

Sierra Club supports the proposed Wild & Scenic River designations for the Cle Elum River and the Waptus River.

Sierra Club supports the proposed use of logjams and side channels in the Cle Elum River to enhance fish habitat quality.

Sierra Club supports providing resources to the US Forest Service to monitor the area for sockeye poaching, and to provide education to the surrounding community.

Sierra Club supports funding for acquisition of water rights from users downstream of the Cle Elum dam.

In addition to this Cle Elum project, the Bureau of Reclamation and Department of Ecology are also preparing environmental impact statements and State Legislation-mandated cost-benefit analyses on related projects for Lake Kachess inactive storage, and the Keechelus-to-Kachess Pipeline.

Sierra Club does support funding for fish passage to help restore salmon to the Yakima River Basin. However, we do not support the overall Yakima Plan as proposed, and we remain opposed to funding the expansion of Bumping Lake and Wymer dams. The public is awaiting results of a cost-benefit study of these two storage projects, mandated by 2013 state legislation. The public and decision-makers deserve to know the full economic and environmental consequences of funding all of these storage projects. The Washington State Water Research Center's cost-benefit analysis should be appended to the DEIS.

Because both the NEPA and SEPA process must be followed, we request that the BuRec and Ecology each provide separate responses to the above comments.

In summary, while we support elements of the Cle Elum Pool Raise Project DEIS, this DEIS is inadequate because it is based on the Yakima Plan Final Programmatic EIS that failed to provide reasonable alternatives, and added environmental damaging elements (NRAs promoting off-road vehicle use) after the close of comments on the Draft Programmatic EIS.

Please send us a copy any Final EIS and Record of Decision that is released.

Thank you for considering these comments.

Sincerely,



Margie Van Cleve
Washington State Chapter Chair
Sierra Club