



May 26, 2010

Mr. Derek Sandison, Director
Washington State Department of Ecology
Office of Columbia River
303 Mission St. #212
Wenatchee WA 98801

Ms. Dawn Wiedmeier
Ms. Wendy Christensen
Bureau of Reclamation
1917 Marsh Road
Yakima WA 98901

Re: Final Report, Preliminary Integrated Water Resource Management Plan for the Yakima River Basin, YRBWEP Work Group

On December 22, 2009, we wrote you providing support for the Work Group's "consensus recommendation" entitled "Recommendation to Advance a Preliminary Yakima Basin Integrated Water Resource Management Plan for Further Analysis and Evaluation" (now set forth at pages 5 and 6 of the above-referenced Final Report) and the Draft of the same report (IWRMP) available at the December 17 meeting of the Work Group. In short, we supported the "consensus recommendation" but reserved our support for the Draft and Final reports.

We now write to provide our common comments on the Final Report and our assessment of the direction of the study now underway, derived from attendance at the first IWRMP Work Group meeting (April 28, 2010) since publication of the Final Report.

We continue to support the "consensus recommendation," as set forth in both the Draft and Final Report. However, it became apparent in reviewing the Final Report and attending the Yakima Work Group meeting on April 28, 2010, that the Work Group does not have a common understanding of the components of the "consensus recommendation". Nor does the Work Group have a common understanding of the relationship between the "consensus recommendation," the role of "phasing," the project descriptions in the Final Report, or the process for modifying project descriptions, project sequencing or project priority. This absence of common understanding is especially evident with respect to the integration of the Columbia River resource.

Neither the Draft nor Final Report is consensus products of the Work Group. They were developed by Ecology and BOR and do not reflect consensus of the Work Group. The "consensus recommendation" in both the Draft and Final Reports listed "elements and actions" which the YRBWEP 2009 Workgroup found to "merit further analysis and evaluation as the

Workgroup continues its work to identify a package of actions for a Final IWRMP.” It contained no reference to any “phasing.” Those “elements and actions” included:

Additional water supply through a suite of at least some of the following actions: Wymer Dam, Cle Elum Dam (Pool Raise), Kachess Reservoir (Inactive Storage), enlarged Bumping Reservoir, and direct pumping from the Columbia River with storage. Explore possibilities for additional power generation opportunities. Provide additional analysis of a tributary enhancement project such as the Ahtanum Creek Watershed Restoration Program, including a Pine Hollow Reservoir Project. Final Report, p. 5 (Emphasis supplied.)

We concurred last December with the understanding that the evaluative process in which we are now engaged would explore the merits of the above listed water supply alternatives. Notwithstanding the clear language of the “consensus recommendation,” the information presented on April 28th indicated that evaluation of a Columbia River alternative would only include exploration of the cost of doing a study of availability, costs and benefits in delivering main-stem Columbia River water into the Yakima tributary basin. Conduct of the work activities in the plan of study would not be undertaken until sometime during the period of 2011-2020 while Phase I of the Integrated Plan is being implemented. Under this approach, decisions being made in 2010 on the water supply projects for inclusion in the Integrated Plan are without the benefit of all water supply alternatives including the Columbia River alternative which is being relegated to a Phase II consideration sometime after 2021.

Our collective view is that the availability, costs, and benefits of delivering main-stem Columbia River water into the Yakima tributary basin must be analyzed, together with the analysis of other components of the Integrated Plan. This approach provides the opportunity to consider all water supply projects simultaneously for potential inclusion in an Integrated Plan. It also allows for a full review of their adaptability and flexibility to accommodate potential changes in future water supplies and demands and the “phasing concept of implementation” being advocated by Ecology and BOR.

The Final Report on the Preliminary IWRMP identified “specific projects and actions for further consideration and evaluation in 2010.” Final Report, p. 11. One project listed for evaluation was “feeding the Roza canal through an alternative diversion and replacement supply (e.g., Wymer Reservoir and/or Columbia River Pumping and Storage), and associated dam removal.” Final Report, p. 11 (Emphasis supplied.). This is consistent, in our opinion, with the “consensus recommendation.”

We are acutely aware of the timeline and funding for preparation of a Final Integrated Plan. We are most receptive to working with Ecology, BOR, and the Executive Committee, Work Group, and Consultants in scoping how the analysis of Columbia River alternatives might be completed in 2010 to reach the objectives describe above.

Unfortunately there is no consistent relationship between the various documents now being produced, and that there is no established process by which the Work Group oversees changes

in actions or their priority as the planning process moves forward. It is our view that the successful planning processes have occurred in the basin with similar YRBWEP participants, such as the Sub-basin and Salmon Recovery Plan, which was extremely transparent in regards to project description and prioritization.

The Roza Alternate Supply project provides an excellent example of our process concerns. Attachment C of the Final Report contains the actual project descriptions, but it does not define the Roza Alternate Supply project well. The project was redefined in the technical contractor's Power Point presentation at the April 28 Work Group meeting, and corrected in the meeting by Ecology. We are therefore now unsure of the actual contents, phasing, prioritization, or scope proposed for this project. By extension, we are unsure of the contents of most other actions contained in the "consensus recommendation." We agree with Mr. Conley's comments in the April 28 meeting regarding the importance of understanding the Consultant Contract and Contract Scope, as the essence of Work Group's success depends upon the specific working choices made by the consultant team.

Presentations on April 28, particularly regarding problem definition, modeling and climate change, raised additional concerns:

- First, the reports of the In-stream and Out-of-Stream Subcommittees indicate a too-narrow definition of the basin-wide mass water balance problem, as they focused on specific "needs" rather than comprehensive water demand and supply. This approach will result in incomplete development of a stronger economic and environmental benefits analysis necessary to support proposals to Congress which are consistent with current federal policy regarding major water resource programs.
- Second, we understand that Work Group member representatives at the March 19, 2010, meeting of the In-stream Flow Subcommittee discussed the need for the development and agreement upon new policies and rules for operation of the Yakima River utilizing the water supply contributions made by the elements of the IWRMP prior to, or iteratively with, modeling. This was not reflected in the meeting notes, nor presented at the April 28 meeting.
- Third, modeling should be done by first establishing the base case against which elements of the integrated plan can be compared and measured. The base case should be the current hydrologic record as amended by a reasonable estimate of the anticipated influence of climate change. The benefits (or shortcomings) of the IWRMP's elements, including the availability of main-stem Columbia River water, can be recognized by comparison against that base case.
- Fourth, the study process currently underway needs to be more transparent in order to be effective and secure broad support. When substantive actions are recommended by the Work Group, or their representatives in subcommittee meetings, they should be tracked in a tracking system so that if they are altered or prioritized by technical support staff a justification can be recorded. Like County processes have used this methodology successfully, to maintain credibility in the public process.

We anticipate that important benefits will be shown if this process is followed. These benefits include a significant enhancement of Yakima tributary fisheries, and thus mid-Columbia River fisheries, a regional and national objective and in concert with the Yakima Sub-basin and Salmon Recovery Plan. These benefits also include protection of senior water rights against the growth of exempt groundwater wells as expressed by Governor Gregoire in her April 6, 2010 letter to Kittitas County Commissioners. Further, these benefits are consistent with congressionally-defined objectives of YRBWEP as identified in the final IWRMP Report.

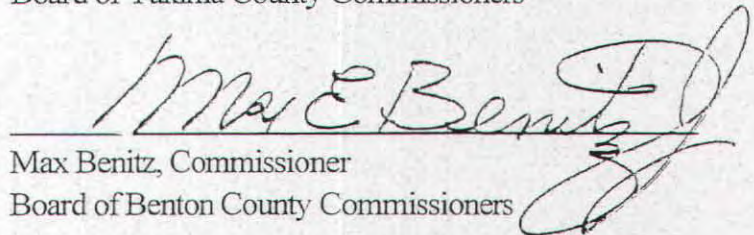
We note also, that both NEPA and SEPA require that all reasonable alternatives to any proposed action be considered in project or programmatic environmental impact statements. Where, as here, the program which has already been adopted is "integrated," we believe that it is necessary and prudent to accumulate comprehensive information on the basin-wide water balance problem.

Yakima, Benton, and Kittitas Counties must restate our position that all aspects of the integrated plan must be consistent. Any deviations from our original support for the Work Group's "consensus recommendation" entitled "Recommendation to Advance a Preliminary Yakima Basin Integrated Water Resource Management Plan for Further Analysis and Evaluation" must be held in reserve.

Sincerely,



Michael D. Leita, Chairman
Board of Yakima County Commissioners



Max Benitz, Commissioner
Board of Benton County Commissioners



Mark McClain, Chairman
Board of Kittitas County Commissioners

cc: Benjamin Floyd, YRBWEP Facilitator