



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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March 14, 2000

Mr. Lonnie Mettler  
Department of the Army  
201 North Third Avenue  
Walla Walla, WA 99362-1876

Dear Mr. Mettler:

Thank you for the opportunity to comment on the Draft Lower Snake River Juvenile Salmon Migration Feasibility Report/Environmental Impact Statement (DEIS). We recognize the importance of these decisions to the regional environment and economy. We offer these suggestions to ensure that these difficult decisions receive careful and complete consideration.

Four principles have guided our comments.

1. We must all work together to recover threatened and endangered species and to restore and enhance the integrity of the Columbia Snake eco-system at the lowest overall cost.
2. Species recovery and ecosystem restoration costs should be distributed equitably across the region.
3. We advocate taking early actions using the best available information, not waiting for perfect information.
4. Early actions should be subsidized with avoided costs from delayed actions. For example, if dams are to remain in place, revenues from continued power generation should contribute to habitat enhancement in other areas of the Columbia/Snake watershed.

We believe the All-H Paper provides a good starting point for applying these principles to significant actions of all jurisdictions in the region. This includes the United States Army Corps of Engineers' (USCOE) pending decisions relating to operation, modification or removal of Snake River Dams.

We are disappointed that the document falls short of providing the information required for these significant decisions. The DEIS should fully identify and evaluate impacts to

the environment and describe mitigation options for all reasonable alternatives. It should also identify and evaluate all costs for each alternative and associated mitigation.

Our review of the document identified the following areas of concern. We will make detailed comments on a later draft of the EIS when these concerns have been addressed.

#### **Statutory Requirements**

The pending decisions must more fully consider the requirements of all relevant laws and regulations. Major gaps include:

- The Clean Water Act (CWA) and Washington State's water quality standards apply to the Snake River. Washington State regulates projects that exceed or have the potential to exceed water quality standards. The EIS must fully address the CWA including compliance costs.
- The DEIS understates the legal standard of review under the Coastal Zone Management Act (CZMA) and erroneously concludes that all alternatives are in compliance with the Act. The CZMA requires that *"Each Federal agency activity within or outside of the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practical with the enforceable policies of the approved State management programs"* (CZMA Section 307(c)(1)(A)). Salmon and steelhead are clearly natural resources of the coastal zone that will be affected differently by the various alternatives. Applicable enforceable policies of the Washington Coastal Program include the State's clean water statutes (Ch. 90.48 RCW) and Shoreline Management Act (Ch. 90.58 RCW).
- Some alternatives will result in reduced reservoir surface area and therefore reduced evaporative loss of water. If an alternative selected by the USCOE includes seasonal drawdowns or dam breaching/removal, saved water should be identified and quantified. Washington is responsible for allocation of water within its boundaries (Ch. 90.03 and 90.54 RCW) and will vigorously represent the State and our interests in future uses of any saved water.
- Washington State has been federally delegated to implement the Clean Air Act. State responsibilities include enforcing national and state air quality standards, ensuring human health protection from hazardous and toxic air pollutants, and mitigating effects of windblown dust. In the vicinity of the four Snake River dams, the Department of Ecology regulates windblown dust. Therefore, when construction or demolition commences the USCOE and its contractors must comply with all relevant and appropriate air quality regulations.

### **Adequacy of Alternatives**

A more complete range of alternatives including complete dam removal should be considered so the costs and benefits of all alternatives can be placed in appropriate context.

- The EIS examines three alternatives with very little difference between them; the fourth alternative discusses breaching without examining the different factors involved with only breaching but not completely removing the dams. We recommend that the USCOE evaluate an alternative that includes complete removal of the embankments and powerhouses.
- The EIS states that only breaching of all four dams is considered because that is all that was considered in the NMFS biological opinion. Consideration should be given to other breaching alternatives as well as the alternative of full removal of the dams. For example, would breaching 1, 2, or 3 of the dams provide most of the fish passage benefits while minimizing sediment delivery downstream to the Columbia?
- Detail what measures will be taken in each alternative to meet Washington State water quality standards for 1) supersaturated gas, 2) temperature, 3) turbidity, and 4) dissolved oxygen. This should be done in the form of specific operational and structural modifications to the dams and include specific completion dates and costs.
- Fully describe any available compliance options under the Clean Water Act and Washington State water quality standards if meeting standards is not achievable under each of the alternatives. For instance, Washington State water quality standards apply only in cases of human-caused pollution, not natural conditions. Also, the State of Washington may allow for short-term exceedance of water quality standards if the longer-term objective will enhance beneficial uses. This option has been used to spill water for fish and might be used in alternatives where higher sediment load would temporarily exceed the water quality standard for turbidity.
- Describe the adverse effects and the mitigation options for temperature, turbidity, supersaturation, and low dissolved oxygen in more detail.
- We recognize the Department of Transportation will comment on transportation issues but we also recognize there may be an increased risk of spills as a result of changes in patterns of moving fuel. The DEIS must adequately evaluate the potential for increased spills under each alternative.

Mr. Lonnie Mettler  
March 14, 2000  
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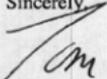
### Impacts and Costs

Owing to the magnitude of this decision on the regional economy, a better attempt to internalize the financial consequences (cost and benefits) of maintaining, modifying, breaching, or removing the dams is warranted. This is critical to understand and equitably distribute costs across the region.

- The schedule and milestones as well as the cost of actions to meet all regulatory requirements need to be fully described.
- Washington supports some fish spill to pass juvenile salmon downstream even though it generates high levels of dissolved gas. Our dissolved gas standard has been adjusted upward so fish can be passed over the dams instead of through the turbines. However, spilling water in an "uncontrolled" manner (spills not related to fish passage) is a violation of water quality standards. We expect early actions to reduce uncontrolled spill that will improve water quality and make better use of the water resource.
- Alternatives should be evaluated not only for their effects on anadromous fish but, through water quality impacts, how they affect resident fish, benthic organisms, and other aquatic life in the river.
- The EIS emphasizes the losses of wetland and riparian areas associated with breaching but does not adequately identify and evaluate the potential wetland and riparian values associated with a free flowing river.
- The EIS describes losses in recreational and other human use opportunities associated with breaching of the dams but not does provide adequate consideration of recreational and other human use values associated with a free flowing river system.

Thank you again for the opportunity to review this Draft EIS. We hope you find our comments useful and look forward to your consideration and response to our comments. We would be happy to provide additional information at your request.

Sincerely,



Tom Fitzsimmons  
Director



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March 14, 2000

Federal Caucus Comment Record  
C/O BPA-PL  
707 Main Street Suite 500  
Spokane, WA 99201

Dear Sir or Madam:

Thank you for the opportunity to comment on the All-H Paper. We recognize the importance of these decisions to the regional environment and economy. We offer these suggestions to ensure that these difficult decisions receive careful and complete consideration.

Four principles have guided our comments.

1. We must all work together to recover threatened and endangered species and to restore and enhance the integrity of the Columbia/Snake eco-system at the lowest overall cost.
2. Species recovery and ecosystem restoration costs should be distributed equitably across the region.
3. We advocate taking early actions using the best available information, not waiting for perfect information.
4. Early actions should be subsidized with avoided costs from delayed actions. For example, if dams are to remain in place, revenues from continued power generation should contribute to habitat enhancement in other areas of the Columbia/Snake watershed.

While we believe the All-H Paper provides a good starting point for applying these principles to significant actions of all jurisdictions in the region, the All-H paper could be strengthened.

#### Statutory Requirements

The pending decisions must fully consider the requirements of all relevant laws and regulations. These include:



- The Clean Water Act (CWA) and Washington State's water quality standards apply to the Columbia and Snake River system.
- The Coastal Zone Management Act (CZMA) requires that *"Each Federal agency activity within or outside of the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practical with the enforceable policies of the approved State management programs"* (CZMA Section 307(c)(1)(A)). Salmon and steelhead are clearly natural resources of the coastal zone that will be affected differently by the various alternatives. Applicable enforceable policies of the Washington Coastal Program include the State's clean water statutes (Ch. 90.48 RCW) and Shoreline Management Act (Ch. 90.58 RCW).
- Washington is responsible for allocation of water within its boundaries (Ch. 90.03 and 90.54 RCW) and will vigorously represent our interests in future water uses.
- Washington State has been federally delegated to implement the Clean Air Act. State responsibilities include enforcing national and state air quality standards, ensuring human health protection from hazardous and toxic air pollutants, and mitigating effects of windblown dust.

#### Adequacy of Alternatives

The All-H paper presents multiple alternatives that make it difficult to guide decision making. A smaller, more manageable range of alternatives should be considered so the costs and benefits of the alternatives can be placed in appropriate context. Risk assessments for each alternative that quantify the likelihood of successful salmon recovery will be critical for the multiple decisions facing the region.

- Further explain what measures will be taken in each alternative to meet Washington State water quality standards for 1) supersaturated gas, 2) temperature, 3) turbidity, and 4) dissolved oxygen
- More fully describe any available compliance options under the Clean Water Act and Washington State water quality standards if meeting standards is not achievable under each of the alternatives

#### Impacts and Costs

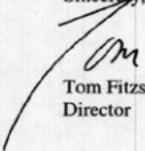
Owing to the magnitude of these decisions on the regional economy, a careful evaluation to internalize the financial consequences (cost and benefits) of decisions within and across each "H" is warranted. This is critical to understand and equitably distribute costs across the region.

- The schedule and milestones as well as the cost of actions to meet all regulatory requirements need to be fully described.
- Washington supports some fish spill to pass juvenile salmon downstream even though it generates high levels of dissolved gas. Our dissolved gas standard has been adjusted upward so fish can be passed over the dams instead of through the turbines. However, spilling water in an "uncontrolled" manner (spills not related to fish passage) is a violation of water quality standards. We expect early actions to reduce uncontrolled spill that will improve water quality and make better use of the water resource.
- Alternatives should be evaluated not only for their effects on anadromous fish but, through water quality impacts, how they affect resident fish, benthic organisms, and other aquatic life in the river.
- The pending decisions will affect wetland and riparian resources within the Columbia/Snake watershed. The potential wetland and riparian values associated with a free flowing river should be evaluated.

Thank you again for the opportunity to review the All-H Paper. We strongly support and encourage development of a broad outline guiding the difficult decisions facing the region. This approach shows great promise to address the social, economic and environmental health of the region.

Broad participation will be critical to the success of all our efforts. We believe it is essential for the State to be at the table for this effort to succeed. We look forward to active participation in these decisions along with the Federal Caucus members.

Sincerely,



Tom Fitzsimmons  
Director