

Mark Fritsch
Northwest Power Planning Council
Fish and Wildlife
Portland, Oregon

February 28, 2002

RE: Project Critic Columbia Cascade Province(Methow Basin)

Dear Mr. Fritsch

My name is Lee Bernheisel and I represent the Okanogan Wilderness League(OWL) an environmental group based in the Methow Valley. As we discussed over the phone, I wanted to get some front end comments on some of the projects proposed for the Methow Basin. In looking through the various web pages for CBFWS and the PPC I couldn't locate any provisions for these early comments hence I am directing them to you. The schedule expects the Independent Review Committee to make preliminary recommendations by March 1st with preliminary review comments by the public due by March 15th. I have found that public comments later in the process don't allow enough time to flesh out possible problems and make changes to a particular project. I am asking you to forward the following critics to people that may have an interest.

PROJECT

29010 Relying on the continued operation of MVID surface diversion to deliver water to valid irrigated acres on lower Beaver Creek is not an option. MVID can't supply its own obligations because of numerous problems(see project 29031) let alone add new obligations that will make a terrible situation worse. A possible alternative would be to tap the Methow aquifer in and around Beaver Creeks confluence which will be in hydraulic continuity with the Methow. The lining of the leaky open canals needs to be looked at in conjunction with exploring the feasibility of discontinuing the use of the open canals in favor of using irrigation wells in connection with Beaver Creek. These alternatives would do much more in improving in-stream flow in all of Beaver Creek.

29002 It is my understanding that this project is designed to some how mitigate the effects of surface water diversions on the Chewack River. This would be done by pumping groundwater in continuity with the Methow River to a downstream section of the Methow. The section that would be pumped has serious in-stream flow problems and the section that will be receiving the water has wonderful habitat with year around flows. There are three main surface diversions of the Chewack River that all contribute to dewatering the river when in operation. The Skyline ditch has between fifty and one-hundred acres of lands that have a valid water right for irrigation in the Chewack Basin. The Chewack ditch has one-hundred plus acres in the Chewack Basin that have valid water rights with the balance of its acres in the Methow River Basin. The Fulton is the third ditch and almost all its irrigated acres are in the Method Basin. The majority of the lands under the Chewack and Fulton ditches are downstream of Winthrop and could

change their points of diversions(POD) to ground water in continuity with the Methow River for their irrigation. For the valid irrigated lands in the Chewack Basin a combination of options, which would not require ditch delivery, could be used including individual and group wells that have continuity and infiltration galleries where ground water would not be feasible. Increasing flows in the upper reach of the Methow River is better accomplished with a project such as the Rockview ditch replacement(29012) rather than this project which has tremendous unknowns. Further investigations such as project no. 29030 and 29034 could help to find out fishery needs in the area on a year around basis. The risk and cost involved in this project are not worth it.

- 29031** A classic example of rewarding the abuser for current and past misdeeds. In the past twenty years the MVID has received millions of dollars of public money with little or no benefit to the public. Part of the reward to the public with this proposal is to remove the MVID's surface water diversion from the Twisp River and install a pumping station on the Methow River. At the February 2002 MVID Board meeting the board by resolution rejected this proposal along with a twenty-five year offer to cover Operation and Maintenance by BPA. These proposals alone would cost the public million and millions but the MVID wants the public to fund its abuses into perpetuity. The amount of water left to MVID after the deduction of its current obligations is in a range of between 877 ac-ft to 2429 ac-ft(WDOE numbers) or converted to cfs 2.2 to 6.2 for both the Methow and the Twisp diversions. The current proposals give the MVID between 50 to 60 cfs for both diversions. This is certainly not in the public interest especially in light of the fact that there is an alternative that would supply the water needs to valid water right holders for less than a million dollars which would use at the most 2.2 cfs of ground water in continuity with surface water. This would be accomplished by using individual wells in most areas or using a group well where supply problems may exist. It is time to stop this fleecing of the public and hold MVID responsible for its abuses of a public resource and cut our considerable loses.
- 29038** Using the experience of the Douglas PUD's supplementation ponds may be helpful in viewing this proposal. Part of the FERC licence for the PUD for its operation of Wells Dam is to use supplementation ponds in the Methow Basin to increase the viability of Spring Chinook in the Basin. This project has been in operation since the early 90's and to date wild fish returns for spawn has been no more effective than the return of the wild fish for a in river spawn. Just letting the fish do their own thing in good habitat may be better for the Methow's contribution to recovery of the species than human intervention in the spawning process. The proponent of this project was granted a supplementation project on the Twisp River last year by the Council and results should be gathered before two more ponds are funded on questionable projects. This project on 8-mile Creek would decrease flows in the creek in a reach that has good fishery habitat with this bypass of the main channel. The water right for this diversion is conditioned and should not be used if there would be impacts to in-stream flow.
- 29006** The Okanogan Wilderness League has a settlement agreement addressing water rights issues in the area on Early Winters Creek where this supplementation pond is to be

located. We are unaware of any water rights available for this type of project. I bring this up because the proponent stated at the Wenatchee meeting that all the water rights for the project had been secured. The above discussion on project 29038 should also be considered on this project.

In general agency's prefer to solve resource problems by negotiating with the person or entity that are causing the problem. This mode of operation sometimes ignores enforcement responsibilities that are in place to protect the resource. If some of project moneys was granted for enforcement, many of the above projects would be unnecessary. As an example if the laws against wasting water and the use it or lose it principle were enforced we would increase in-stream flow throughout the west. Sadly without money to adjudicate basins in Washington we are in the dark on how much water can be made available for fish and humans. I'm sure that if moneys were made available to the state we could all benefit with a clearer picture of water. I have kept this critic short but certainly would share more information on the specifics if you like.

Sincerely;

Lee Bernheisel
Okanogan Wilderness League
90 TCR
Carlton, Wa. 98814
(509) 997 3794