

Mr. Jon Hale
U.S. Fish and Wildlife Services
510 Desmonds Drive, S.E. #102
Lacey, Wa. 98503-1273

March 11, 2002

RE: Scoping Comments for the Chewuch Basin Council HCP

The Chewuch Basin Council proposed HCP is bad enough even if it were to be funded by private interests. But to add insult to injury, the CBC is asking the public to fund a project that has the possibility of doing harm to another basin in the Methow area without fixing the low flows in the Chewack River. The public has already spent in and around two million dollars on the Skyline, Chewuch, and Fulton ditches which make up the CBC. The HCP proposal would cost from seven to 10 million dollars more on a plan that will use approximately twenty thousand acre feet of water when the crop need is less than three thousand acre feet of water or about seven times more water than needed. What a waste, both logically and legally. This is especially true in light of another alternative that is being ignored in the process.

I obtained what I presume is the preferred alternative from a request for funding(project no. 29002) from the CBC to the Bonneville Power Administration for five plus million dollars for one facet of the HCP. This portion of the HCP is labeled as Conjunctive Use River Enhancement or CURE and was developed by Golder and Associates as a storage project. There would be a well field located above the Weeman Bridge on the upper Methow River to pump ground water in continuity with the river to a lower segment of the river. The area where the pumping will occur is in a reach that is very sensitive to low flows and, in dry years, no flow in the late summer and fall. The pumped water would be released in an area of the Methow downstream of the withdrawals, and would be added to the in-stream flow only until reaching Winthrop. At Winthrop it would be withdrawn again and pumped to Pearrugin Lake for irrigation use by two of the three ditches when target flows in the Chewack are not being met. The reach of river that will benefit from the added water above Winthrop is a prime habitat area that naturally gains from ground water and has good year around flows. Beside the CURE part of the HCP there would be improvements to the lower Fulton and Chewuch canals, further improvements to the Skyline, on farm and canal improvements on the upper Chewack, fish supplementation ponds, upper Chewack irrigation wells and three in stream channel restoration projects. It appears that these other HCP requirements will cost an additional two to five million dollars at public expense.

The preferred HCP may have severe unintended environmental consequences to the Methow River Basin in the area where the ground water pumping takes place. Also, supplementation has many fisheries issues that need to be acknowledged and addressed. The CURE portion of the HCP assumes that there is a " dead storage" portion of the aquifer where pumping can be done without harm to Methow River flows. There is no scientific basis for the concept of dead storage. All studies indicate a high continuity between ground and surface waters in the upper Methow. There are a number of reasons that this concept may injure the riparian area. The consultant assumes that there is a partial confining layer in the deep(1000ft) aquifer at the Mazama Bridge area about 8 miles up stream of the well field. The aquifer at the

well field is to be located at the up-slope of Boesel Fault where the aquifer is around five-hundred feet deep and may or may not have a confining layer. The hydraulics effects of ground water pumping and the timing of these effects may cause premature de-watering of the river when the flows are on the margin of going dry and may also affect ponds that remain in an otherwise dry river bed. CURE assumes that at the timing and placement of impacts on the river system are acceptable. The year around impacts of pumping have been left unexplored. There may also be injury to the in-stream resource at the withdrawal point at Winthrop. The two supplementation projects mentioned in the HCP are part of a group of supplementation projects being reviewed in the Columbia Basin by the Independent Scientific Review Committee and in their words, They “do not add up to a coherent and complete test of the major hypotheses associated with supplementation as a rebuilding and recovery tool. Critical uncertainties may remain unresolved indefinitely.” The habitat portion of the CURE project and the supplementation projects are in the BPA project lists and are in at least two cases being sponsored by different agencies or groups, it seem that CBS is simply coat tailing on other proposals.

History of the Methow Basin shows us what the preferred alternative for a HCP should be. The 1948 flood destroyed most of the surface diversions from Carlton to the Columbia river. Instead of rebuilding with turn of the century technology the most agriculturally productive portion of the Methow Valley used a combination of individual wells, or direct pumping from the river for its irrigation needs. This change was mostly privately funded and was very efficient with very little waste. My understanding of why this is unacceptable to the CBC is that they refuse to allow the state to make even a “tentative” decision on the validity of their water rights. I believe that they are fearful that their water claim does not reflect the true extent of their water right, and will be reduced because of non use and waste. I am confident that all the irrigation needs of the three irrigation ditches for lands with valid water rights can and should be met without any direct surface withdrawals. Using a 75% application efficiency standard I calculate the three ditches have irrigation needs in a range between 3133 ac-ft and 3880 ac-ft., or 8.7cfs to 10.8cfs. The CBC preferred HCP proposal has a use figure of between 18,000 ac-ft and 24,000 ac-ft. If a combination of individual wells, group wells and infiltration galleries were used for irrigation, the effects to Chewack river flows would range between 2.5 and 3.7 cfs and the balance influencing the Methow River. Another benefit to in stream flow would be that the withdrawal points would be in many locations which would tend to buffer impacts.

I have lived and observed irrigation practices in the Methow Valley for the last twenty three years and have a personal knowledge of whether lands in the three irrigation ditches have used water during this time. During this time I have gathered data and observed aerials on land use in the Methow. I have applied this knowledge estimate a range of acres that may have a valid right to irrigation. The range for the three ditches is The Skyline has between 50 and 100 acres, the Fulton has between 270 and 400 acres and the Chewuch has between 855 and 955 acres. The data I have reviewed pegs the price per acre for conversion to wells between 1000 and 1800 dollars per acre. Costing out this proposal gives a range of 1,175,000 to 2,619,000 dollars as compared to 7 to 10 million for the preferred HCP alternative which uses up to 7.5 times more water. In the past it was the responsibility of private irrigators not to waste the state's

water and to pay the costs of improving their efficiency to meet standards. In the case of this HCP the irrigators are being rewarded for their refusal to accept their responsibility for efficient use of public resources by having the taxpayer pick up the tab. I would hope that we could recoup some of the funds that the taxpayer has already spent for the screens and other items by salvaging and reuse in areas of need that don't have cost effective and environmentally sensitive alternative.

The Chewuch River Council chose to exclude the public in the drafting of the HCP and because of the secrecy, the best alternative was not on the table. It will be harder at this point for the Council to listen to a different alternative because of their investment in what they have developed. It is not in the best interest of the fishery resource to approve a "take" permit for a plan that is not even second best in term of fish protection. I am enclosing OWL's Critic of some of the BPA review proposals in the Methow Basin that have a connection to this HCP for the Chewack. Feel free to contact me for more information or clarification.

Sincerely;

Encl.

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