

## **APPENDIX A**

### **SEPA Responsiveness Summary**

**SEPA Responsiveness Summary – Final  
Icicle Strategy SEPA PEIS Scoping**

No.	Commenter	Comment Summary	Response
1	Guy Moura, Project Manager Tribal Historic Preservation Officer Confederated Tribes of the Colville Reservation	<ol style="list-style-type: none"> <li>1) Concern regarding protection of Tribal Treaty Fishing Rights</li> <li>2) Archaeological, ethnographic, and historical sites of significance within program area</li> </ol>	<p>Compliance with state and federal laws, including Tribal fishing rights, is one of the Guiding Principles.</p> <p>Continue consultation with the Confederated Tribes of the Colville Reservation.</p> <p>The PEIS will include a cultural resource survey of areas potentially impacted by projects proposed to meet the Guiding Principles.</p> <p>Consultation with Washington Department of Archaeology and Historic Preservation.</p>
2	William B. Beyers, President Alpine Lakes Foundation	<ol style="list-style-type: none"> <li>1) Extent of water rights when the Alpine Lakes Wilderness Area was created in 1976</li> <li>2) Full or partial relinquishment of water rights before or after the creation of the Alpine Lakes Wilderness Area</li> <li>3) Relationship between storage and diversion rights, and if storage rights are subject to relinquishment if diversion right is exercised</li> <li>4) Legal ability to build or expand structures on Alpine Lakes</li> <li>5) Legal ability to construct or expand structures or tunnels upstream from the lakes</li> <li>6) Legal ability to construct a tunnel</li> </ol>	<p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>Existing easements, in-holder agreements, and State water rights will be reviewed.</p>

		<p>7) Rights granted by USFS to IPID and authority to grant those rights during a land transaction in 1990</p> <p>8) Legal ability to change the purpose of use of a water right</p> <p>9) To what extent can the IWG process supersede state and federal laws</p> <p>10) Can the Department of Ecology make objective decisions regarding status of IPIDs water rights</p>	
3	Edward Whitesell 816 Plymouth St., SW Olympia, WA 98502	<p>1) Concern regarding infringement upon the wilderness character of the Alpine Lakes Wilderness.</p> <p>2) Concern that water management strategy activities/actions would be at odds with 1964 Wilderness Act.</p>	<p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p>
4	Derek Poon 400 Boylston Ave E, #2 Seattle, WA 98102 206-729-9378 cell, derekpoon@gmail.com 206-602-6565 land line	<p>1) How and when will federal provisions and ESA regulations be incorporated into the Icicle Strategy?</p> <p>2) Are the ESA recovery plan voluntary roadmaps to recovery (delisting) already incorporated into the Icicle Strategy?</p> <p>3) Have designated use (DU) protections been accommodated within the Icicle Strategy? will my DU matrix be used and published (Alpine Lake 2-17-15, attached)?</p>	<p>Compliance with state and federal law is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal law, including the Endangered Species Act and Clean Water Act.</p>

		<p>4) If the Icicle Strategy cannot adequately protect certain DUs, are economic exemptions planned or have already been explored under the CWA Use Attainability Analysis (UAA, also see CWA Watershed Academy, p. 11), ESA God Squad Decision, or Congressional exemptions?</p> <p>Attachments:</p> <ol style="list-style-type: none"> <li>1) ESA Section 4F Recovery Plan criteria, GAO summary.pdf</li> <li>2) Alpine Lake 2-17-15 IWG mtg, with CWA DU MATRIX.pdf</li> <li>3) DP 3-4-15 letter, BNR, 3-10-15 meeting.pdf.</li> </ol>	
5	<p>Natalie Williams  <a href="mailto:natalieseesees@gmail.com">natalieseesees@gmail.com</a></p>	<p>Removal of any resource from a federally-designated wilderness area is a violation of the Wilderness Act and the Alpine Lakes Wilderness Area Management Plan.  The EIS should include Alternatives that:</p> <ol style="list-style-type: none"> <li>1) protects and preserves the Alpine Lakes water resource in compliance with the above Act and Management Plan</li> <li>2) acknowledges the limits of the City of Leavenworth, IPID, and other users of the original purpose and legal agreement of the above Act and Management Plan</li> <li>3) establishes a water rights/volume swap water market in addition to implementing aggressive conservation measures, including</li> </ol>	<p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p>

		raising prices, issuing limits, scheduled watering, etc.	
6	Norm Stoddard 12556 Shore Street, Leavenworth, WA 98826	What will be the impact of water conservation measures on domestic water wells?  Will loss of groundwater dry up wells?	The PEIS will consider impacts to groundwater for projects proposed to meet the Guiding Principles.
7	Steve McKenna 12490 Shore Street, Leavenworth, WA 98826	Commends the IWG for successful collaboration.  Enjoyed the presentation.  Was very pleased with the outreach and involvement of the community in the process.	General support for the project noted. Additional outreach opportunities are forthcoming at the Draft PEIS stage, Final PEIS, and related to any additional project level EIS's.
8	Scot Brower TU Leavenworth Chapter	Concerns regarding manipulation or alteration of the existing Boulder Field:  1) Is upper Icicle Creek suitable habitat for Steelhead?  2) Will Steelhead passage into upper Icicle Creek result in closure of existing rainbow trout fishery (due to ESA status of Steelhead)?	The PEIS will consider potential aquatic habitat, habitat suitability, and recreational impacts of the projects proposed to meet the Guiding Principles. Opportunities for fish passage improvements throughout Icicle Creek will be evaluated.  Compliance with state and federal law is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal law, including the Endangered Species Act.

9	<p>Nete Olsen 836 NW 61st St Seattle, WA 98107</p>	<ol style="list-style-type: none"> <li>1) A Water Balance Chart should be prepared for the Icicle Creek system: <ol style="list-style-type: none"> <li>a) baseline flows expected for Icicle Creek and the lakes during “normal” and “drought” years, and anticipated future flows related to global warming.</li> <li>b) water outputs from Icicle Creek under current operations during “normal” and “drought” years showing the locations of the diversions, maximum rates and volumes of diversion, whether the diversions are firm or interruptible, and the holders of the diversionary rights.</li> <li>c) locations of problem areas in the drainage system that the IWG is trying to address to improve instream flows.</li> </ol> </li> <li>2) The Guiding Principles outlined by the IWG need to be ranked in order to establish the relative importance of each principle. Consider assigning “Required” and “Additional” as categories for the Guiding Principles.</li> <li>3) “Conservation First” should be added as the 10th Guiding Principle.</li> <li>4) Relocating the diversion locations along Icicle Creek must be considered as an alternative to meet the Guiding Principle of Improving Instream Flow.</li> <li>5) Transferability of water rights must be demonstrated in the Eightmile Lake Restoration Project.</li> </ol>	<p>All of the Guiding Principles have equal priority and must be met as a package to effectuate the proposal endorsed by the Icicle Workgroup.</p> <p>Existing documents provide background on baseline flows, diversions, and current conditions in the Icicle Creek Subbasin, (see county website). The PEIS will provide additional detail on streamflow, diversions, out-of-stream use, and a need statement relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p> <p>The PEIS will discuss proposed actions under the Guiding Principles and related projects that are required by state/federal law.</p> <p>The PEIS will discuss water conservation to meet the Guiding Principles.</p>
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		<p>6) Limits of Inundation of Eightmile Lake perimeter should be mapped.</p> <p>7) Alpine Lakes Optimization, Modernization, and Automation operation strategy needs to be defined:</p> <p>a) How much water will be taken from each lake during a “normal” water year?</p> <p>b) Will the ease of water withdrawal increase the “baseline” withdrawal rate that currently gets drawn? For example, will irrigated acreage increase so that the needs for irrigation rise, and every year becomes a “drought” year? Providing a more regular supply may only make for more severe shortages as the impacts of global warming become clearer.</p> <p>c) How will the benefits to Instream Flows (as an interruptible flow) be balanced with the needs of irrigation (as a firm demand)?</p> <p>8) Stage/Storage data and bathymetry needs to be developed for each of the Alpine Lakes within the “optimization” program.</p>	<p>The PEIS will provide detail regarding Alpine Lakes Optimization, Modernization, and Automation including release rates, hydrologic inputs, changes to inundated area, and instream flow benefits.</p>
10	Roy McMurtrey	<p>We need wilderness kept pristine, get the water some other way.</p>	<p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p>

			The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.
11	Ken Hemberry General Manager Peshastin Hi-Up Growers	Orchardists/Growers depend on a reliable source of water for irrigation. It was great to learn that the [Icicle] Work Group was focused on meeting the needs of all stakeholders through a consensus process. We both appreciate and support the Work Group's plans and Guiding Principles.	General support for project noted.  Agricultural reliability is one of the Guiding Principles.
12	Jori Adkins 301 Puyallup Ave. Tacoma, WA 98421 253-365-1459	Concern about the Icicle group's proposal to use the Alpine Lakes as reservoirs. Wilderness areas are a place of rejuvenation and healthy hiking and wildlife watching.	Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.  Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.  The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.
13	Vic Clayson Cashmere, WA	Appreciative of opportunity for public comment.  Very much in favor of increased water storage in the subbasin.  Concerned about where funding will come from.	General support for project noted. Additional outreach opportunities are forthcoming at the Draft PEIS stage, Final PEIS, and related to any additional project level EIS's.  Storage projects will be evaluated as part of reasonable alternatives to meet the Guiding Principles.

			Funding for the proposal is expected to be comprised of local, state, and federal funding sources.
14	Merrie Davis	In favor of additional water storage in the Alpine Lakes area. I hope the proposal is a success.	General support for project noted.  Storage projects will be evaluated as part of reasonable alternatives to meet the Guiding Principles.
15	Cristina Hill Leavenworth, WA	As part of the Conservation initiative of the proposed project, the City of Leavenworth should initiate a water metering program and tiered pricing for residential customers.  In favor of improving passage at Boulder Field.  In favor of upgrading fish screens and new rearing tanks at LNFH.  In favor of piping irrigation diversion/delivery systems.	The PEIS will evaluate reasonable alternatives, including conservation incentives.  The PEIS will consider impacts on fish passage and screening of the projects proposed to meet the Guiding Principles.  General support for project noted.
16	Tim Gartland 9120 Woodworth Avenue Gig Harbor, WA 98332	SEPA Environmental Checklist for the Project may be incomplete. The responses appear to ignore the upstream impacts. Additionally, the manipulated flows meant to provide additional water during the late summer and early fall are by definition unnatural and will have deleterious effects on wildlife, wildlife systems and humans.	The PEIS will assess the potential impacts to wildlife and recreation that might result from the projects proposed to meet the Guiding Principles.  The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.

		Increased late-season instream flows will make Icicle Creek unsafe for upstream property owners, camp site users, and other visitors to swim, wade, or bathe themselves.	
17	Ed Burns	<p>Conservation efforts seem to have the lowest priority.</p> <p>The remote control of output from the lakes would seem to be relatively innocuous; the rebuilding of the Eightmile dam less so (interesting that in the reports the “historic” level of the lake is the level after the original dam was built); and the diversion from Upper Klonaqua Lake, outrageous.</p>	<p>All of the Guiding Principles have equal priority and must be met as a package to effectuate the proposal endorsed by the Icicle Workgroup.</p> <p>The PEIS will evaluate reasonable alternatives.</p>
18	Margie Van Cleve 272 Mapleway Road Selah, WA 98942	<ol style="list-style-type: none"> <li>1) Objects to the term “reservoir” to describe the lakes within the Alpine Lakes Wilderness Area and to the purpose of the project (to manage release from the reservoirs that would optimize water supply in the Icicle Creek subbasin and be coordinate among all users).</li> <li>2) Conservation of municipal water should be a higher priority. Conservation initiatives should be addressed as a primary means of increasing instream flows; optimizing, modernizing, and automating reservoir management should come secondary.</li> <li>3) Concerned that IPID’s agricultural water rights associated with the</li> </ol>	<p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p> <p>The PEIS will describe the history of the Alpine Lakes, existing reservoirs, and current operations.</p> <p>All of the Guiding Principles have equal priority and must be met as a package to effectuate the proposal endorsed by the Icicle Workgroup.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will evaluate projects to meet the Guiding Principles, including conservation and reclaimed water, agricultural to domestic water right conversions, and storage.</p>

		<p>Alpine Lakes will be converted to domestic water rights.</p> <p>4) Opportunities for utilizing reclaimed water should be considered as an alternative.</p>	<p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p>
19	<p>Fred Smith PO Box 357 Dryden, WA 98821 509-860-3997</p>	<p>1) The number one priority should be whichever project increases stream flow the greatest during mid to late summer. This should be the rebuilding of the dam at Eightmile Lake to the original height, along with installation of automated valves.</p> <p>2) Regarding the Boulder Field: learn to live with it (i.e., make no change).</p>	<p>All of the Guiding Principles have equal priority and must be met as a package to effectuate the proposal endorsed by the Icicle Workgroup. Project phasing and timelines will be included in the PEIS.</p> <p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives. Opportunities for fish passage improvements throughout Icicle Creek will be evaluated.</p>
20	<p>Lisa Pelly Director, Trout Unlimited- Washington Water Project</p> <p>Mike Wyant President, Icicle Valley Chapter of Trout Unlimited</p> <p>TU Washington Water Project 103 Palouse Street, Suite 14 Wenatchee, WA 98801 509.888.0970</p>	<p>1) TU is concerned that the Project package meeting Icicle Creek demands through 2050 is not substantiated because no assessment has been conducted specifically addressing future water supply and climate scenarios in the subbasin. Recommends procurement of a water supply and climate change analysis from a team of experts (e.g., UW Climate Impacts Group). TU has provided an analysis of stream flow for Icicle Creek.</p>	<p>The PEIS will consider climate change and its impact on proposed projects.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will include a narrative of the current state of water rights in the Icicle Creek Subbasin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p> <p>The PEIS will describe NEPA and other permitting requirements</p>

		<p>2) The IWG should develop a full list of project alternatives, should any of the projects in the proposed package require replacement.</p> <p>3) Lead agency under NEPA should be identified.</p> <p>4) Flow objectives could be monitored at the USGS gauge station above the Snow Creek confluence.</p> <p>5) Concerns about changes to the Alpine Lakes Wilderness area has been expressed by various stakeholders and user groups; these concerns should be taken seriously.</p> <p>6) TU has ongoing restoration projects in the subbasin. These projects will continue to be managed independent of the IWG Strategy process.</p> <p>7) The IWG should articulate benefit/cost information for projects in the proposed package. Preferably, this analysis should be conducted independent of the IWG.</p>	<p>The PEIS will assess flow improvements in Icicle Creek at multiple locations.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will include a narrative of projected costs and benefits of projects proposed to meet the Guiding Principles.</p> <p>The PEIS will describe “Alternatives Not Considered” to meet the Guiding Principles, but could be evaluated in another environmental review.</p>
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21	<p>Rob Newsom Eightmile Creek Leavenworth, WA 98826 Cell 509-670-3166</p>	<p>I am glad for the water use study in the Icicle. Two things of concern:</p> <ol style="list-style-type: none"> <li>1) Every time extra water is released from Colchuck Lake there is a tremendous sediment load suddenly flowing by in Eightmile Creek/ Mountaineer Creek. This is a completely unnatural condition for fish and people in late summer.</li> <li>2) The continued use of helicopter support and further construction of dams in the Alpine Lakes Wilderness Area is blatantly at odds with the spirit of The Wilderness Act.</li> </ol>	<p>General support for project noted.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will discuss potential water quality impacts from projects proposed to meet the Guiding Principles.</p> <p>Using and maintaining the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p>
22	<p>Ruth Dight, AICP (206) 283 9254 2549 11th Ave W Seattle, WA 98119</p>	<ol style="list-style-type: none"> <li>1) The EIS must consider a Wilderness Protection Alternative to promote wilderness values (Wilderness Act of 1964) and would not allow new water infrastructure or diversions inside the Alpine Lakes Wilderness, and would require all new water supply to be obtained outside the Alpine Lakes Wilderness.</li> <li>2) The EIS must consider a Water Conservation Alternative, to use aggressive water conservation measures (inclusive of lawn-water restrictions). This alternative should also assess transfer of water rights from irrigation districts to cities, where agricultural land-use has</li> </ol>	<p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe</p>

		<p>been replaced by residential land-use. This alternative should also assess agricultural irrigation efficiency (e.g., replacing open gravity canals with pipes and pumps).</p> <p>3) The EIS must consider an Irrigation District Water Right Change Alternative to evaluate moving the IPID water right diversion from Icicle Creek downstream ~3 miles to the Wenatchee River. This measure, which would permanently fix Icicle Creek's low flow problem, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). The Icicle Work Group should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.</p> <p>4) The EIS must consider a Water Right Relinquishment Alternative. Loss of potential water resulting from lower dam at Eightmile Lake should be considered as relinquishment of water rights.</p>	<p>what existing and new permits would be necessary for the project.</p>
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23	W. Thomas Soeldner Valleyford, Washington	<ol style="list-style-type: none"> <li>1) The EIS must consider a Wilderness Protection Alternative that would promote the wilderness values set forth in the Wilderness Act of 1964.</li> <li>2) The EIS must consider a Water Conservation Alternative.</li> <li>3) The EIS must consider an Irrigation District Water Right Change Alternative, which would involve evaluating a move of the IPID water right diversion to the Wenatchee River Downstream, converting the diversion from gravity flow to pumping. Renewable energy options should be able to supply such power.</li> <li>4) The EIS should consider a Water Right Relinquishment Alternative, since the dam at Eightmile Lake collapsed decades ago.</li> </ol>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will include a narrative of the current state of water rights in the Icicle Creek Subbasin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p>
24	John de Yonge President Wise Use Movement PO Box 17804 Seattle, WA 98127	<p>Unacceptable for work group to include agency conveners.</p> <p>IWG must comply with Federal Advisory Committee Act.</p> <p>Programmatic EIS should not preclude project level environmental review.</p> <p>NEPA is required</p> <p>The PEIS should identify existing and historic hydrologic conditions in Icicle Creek.</p>	<p>General objection to the project noted.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will describe NEPA and other permitting requirements</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>Objection to SEPA checklist noted. The checklist was an optional process the IWG elected to do in order to</p>

		<p>Comments on completeness of SEPA Checklist</p> <p>Request for the PEIS to describe potential affected environment and identify potential impacts of program and proposed projects.</p> <p>Request for the PEIS to include mitigation measures for potential impacts.</p> <p>The PEIS should address the relationship between the LNFH and Icicle Creek, including purpose and need, fish production, and water withdrawals.</p> <p>The PEIS should address tribal and non-tribal harvest of wild and hatchery fish in Icicle Creek.</p> <p>The PEIS should provide background and need for domestic water supply in the Icicle Creek Subbasin.</p> <p>The PEIS should provide a Wilderness Alternative.</p> <p>The PEIS should identify existing fish passage barriers and projects which would improve fish passage.</p> <p>The PEIS should comply with all local, state, and federal laws.</p> <p>Projects proposed to meet the Guiding Principles should evaluate the potential</p>	<p>provide transparency. A Determination of Significance was issued.</p> <p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>PEIS will include a narrative of the current state of water rights in the Icicle Creek Subbasin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p> <p>The PEIS will include background information related to the development of the Guiding Principles, current condition in the Icicle Subbasin, and a need statement. This background information will include background on information on LNFH and domestic water supply.</p> <p>The PEIS will identify targets for instream flows to support spawning, rearing, and migration of ESA-listed salmon, steelhead, and bull trout in Icicle Creek.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation, that might result from the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will consider potential aquatic habitat, habitat suitability, and recreational impacts of the projects proposed to meet the Guiding Principles. Opportunities for fish passage improvements throughout Icicle Creek will be evaluated.</p>
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		<p>for increased irrigation efficiencies and conservation practices, water markets, operational improvements to the LNFH, and improvements to fish screening.</p> <p>The PEIS should identify the locations of all proposed projects.</p>	
25	<p>Thomas H. Walker 3815 Bagley Ave N Seattle, WA 98103</p>	<ol style="list-style-type: none"> <li>1) The Alpine Lakes Wilderness is a shared natural resource that must be respected and protected.</li> <li>2) The EIS should include a "Wilderness Protection" alternative, which should include an alternation of public purchase (buy-back) of private water rights in the Alpine Lakes.</li> <li>3) The EIS should include a "Water Right Relinquishment" alternative.</li> <li>4) The EIS should include an alternative that recognizes Icicle Working Group members' water rights are limited to the purposes for which they were initially granted, and cannot be redirected to other purposes.</li> <li>5) The EIS should include a "Water Conservation" alternative that emphasizes aggressive water conservation measures by the local water users.</li> <li>6) The EIS should include a "Water Right Change" alternative.</li> </ol>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will include a narrative of the current state of water rights in the Icicle Creek Subbasin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down from proposed projects</p> <p>The PEIS will identify targets for instream flows to support spawning, rearing, and migration of ESA-listed salmon, steelhead, and bull trout in Icicle Creek.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p>

		<p>7) The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.</p> <p>8) The EIS should discuss the hydrological and biological impacts of the current drawdown of the lakes, and any proposed changes.</p> <p>9) The EIS should provide a detailed operations, maintenance, and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use.</p> <p>10) The EIS should fully explain the purpose and need for the water these projects would provide.</p> <p>11) The EIS should fully explain what human activities caused the degraded conditions that the projects seek to improve.</p> <p>12) The EIS should analyze adequacy of proposed in-stream flows to support spawning, rearing, and migration of steelhead and bull trout.</p>	<p>Existing documents provide background on baseline flows, diversions, and current conditions in the Icicle Creek Subbasin, (see county website). The PEIS will provide additional detail on streamflow, diversions, out-of-stream use, and a need statement relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p> <p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p>
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26	<p>Michael Wyant 12125 Emig Drive Leavenworth, WA 98826 (509) 548 7747</p>	<p>I am concerned that the projections for water savings to reach flow targets are overly optimistic:</p> <ul style="list-style-type: none"> <li>• The projections rely on all of the proposed projects being completed. The suite of proposals should include additional options so that meeting the target for flows does not rely on completing all of the projects.</li> <li>• The proposed positive effects of identified water management strategies are overly optimistic given many of the climate change projections for the next 50 years.</li> </ul> <p>Though I consider myself a staunch supporter of wilderness, I am in favor of the proposed changes at the lakes in the Alpine Lakes Wilderness that are managed as water storage reservoirs.</p> <ul style="list-style-type: none"> <li>• I support those changes because maintaining the existence of the reservoirs was grandfathered in when the wilderness was established.</li> <li>• It makes sense to use the water in those reservoirs as efficiently as possible, even though doing so intrudes and will continue to intrude on the wilderness experience.</li> <li>• I support the reconstruction of Eightmile Lake dam to its original height even though doing so will inundate land that</li> </ul>	<p>General support for project noted.</p> <p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p> <p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p>
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		<p>has been above lake level for many years.</p> <ul style="list-style-type: none"> <li>I oppose raising the height of the original reservoir because that would represent a change to the agreement to keep the existing reservoirs when the wilderness was established.</li> </ul> <p>I would like to be assured that sufficient scientific study is in place to make it relatively certain that the project will have the positive effects that are proposed and that the possibility that the project will have unintended negative consequences has been thoroughly considered. I would also like to know that each project that has the potential to impact the icicle ecosystem includes a plan and the resources necessary to study the post-project impacts.</p> <ul style="list-style-type: none"> <li>Too often projects are completed with the idea that they will improve an ecosystem when there is no post-project evidence that they actually had the intended effects and that they are not, in fact, having a negative or unintended effect.</li> </ul>	
27	Winnie Becker	<ol style="list-style-type: none"> <li>Please preserve the Alpine Lakes Wilderness. To build dams and change water rights would not be in keeping with the wilderness.</li> <li>The EIS should include a "Wilderness Protection" alternative. The increase of water removal from</li> </ol>	<p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives.</p>

		<p>the Alpine Lakes Wilderness is not in keeping with protecting the wilderness which is so very important for generations to come. Water should be obtained from sources outside the Wilderness. The Wilderness Protection alternative should comply with all the provisions in the Forest Service's administrative Alpine Lakes Wilderness Management Plan, including: " Except as provided for in Section 4(D)(4) of the Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge.</p> <p>3) The Wilderness Protection alternative should evaluate public purchase (buy-back) of private water rights in the Alpine Lakes, which would allow removal of dams and other structures from the lakes to restore the area to its true natural character.</p> <p>4) The EIS should include "Water Right Relinquishment" alternative. The alternative should analyze existing water rights to the Alpine Lakes and acknowledge those rights that have been relinquished or abandoned.</p> <p>5) The EIS should include an alternative that recognizes IWG members" water rights are limited to the purposes for which they were initially granted (irrigation is an</p>	<p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down from proposed projects.</p> <p>The PEIS will identify targets for instream flows to support spawning, rearing, and migration of ESA-listed salmon, steelhead, and bull trout in Icicle Creek.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p> <p>Existing documents provide background on baseline flows, diversions, and current conditions in the Icicle Creek Subbasin, (see county website). The PEIS will provide additional detail on streamflow, diversions, out-of-stream use, and a need statement relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles</p> <p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe</p>
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		<p>example) and cannot be redirected to other purposes (such as suburban development).</p> <p>6) The EIS should include a "Water Conservation" alternative that emphasizes aggressive water conservation measures by the city of Leavenworth, Icicle-Peshastin Irrigation District, the Leavenworth fish Hatchery and other water users. This alternative should evaluate water markets that facilitate selling and trading of water rights.</p> <p>7) The Water Conservation alternative should evaluate a transfer of water rights from IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties. This alternative should analyze how appropriate reductions in water usage (that is, not using agricultural water quantities for lawn irrigation) would save that would then be available for other Leavenworth needs.</p> <p>8) The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals. The alternative should evaluate how this 19th century irrigation practice could be replaced with modern pumping and piping technologies. The EIS should work to reduce water</p>	<p>what existing and new permits would be necessary for the project.</p>
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		<p>demand as an alternative to water supply.</p> <p>9) The EIS should include a "Water Right Change" alternative. This alternative would evaluate improving Icicle Creek flows by moving IPID's point of diversion downstream (to the Wenatchee River). This measure, which would add 100 cfs of water to Icicle Creek every year, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). This alternative should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.</p> <p>10) The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and any proposed changes. The analysis should include a review of scientific literature on the impacts of water removals upon wildlife, vegetation, soil and wilderness values</p> <p>11) The EIS should analyze each proposed action's site-specific impacts, past practices and the restoration, mitigation and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.</p>	
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		<p>12) The EIS should provide a detailed operations, maintenance and environmental monitoring for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions including helicopter use.</p> <p>13) The EIS should fully explain the purpose and need for water these projects would provide.</p> <p>14) The EIS should fully explain what human activities caused the degraded conditions (such as low instream flows in Icicle Creek) that the projects seek to improve.</p> <p>15) The EIS should analyze adequacy of proposed instream flows to support spawning, rearing and migration of steelhead and bull trout.</p>	
28	Dean and Martha Effler	<p>Please do not allow any agreement to provide water to commercial or residential users that would impact the hydrology and natural beauty of the Alpine Lakes Wilderness. A wilderness no longer is a wilderness when you drain its natural resource or flood its land. Only allow growth in local cities and counties based on water conservation methods rather than tapping into the waters of a protected wilderness.</p>	<p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p>

29	Jena F. Gilman, P.E. (WA 23673) 1480 SW 10th Street North Bend, WA 98045	<ol style="list-style-type: none"> <li>1) The EIS should fully explain the purpose and need for each of the water projects outlined in the “Icicle Strategy”.</li> <li>2) The EIS should analyze each of the proposed action’s site-specific impacts, past practices, and the restoration, mitigation and funding needed in the future. At each site, proposed construction activities need to be explained and illustrated in detail as well as how wilderness and habitat values will be maintained throughout the period of construction for Wilderness users and the complete array of fauna and flora that inhabit these areas.</li> <li>3) The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes within the Wilderness and the incremental impacts of any proposed changes. The analysis should include the impacts of water removals upon all wildlife, vegetation, soil and wilderness values.</li> </ol>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down.</p> <p>The PEIS will identify targets for instream flows to support spawning, rearing, and migration of ESA-listed salmon, steelhead, and bull trout in Icicle Creek.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p> <p>The PEIS will include background information related to the development of the Guiding Principles, current condition in the Icicle Creek Subbasin, and a need statement.</p>

		<p>4) The EIS should provide detailed operations and maintenance plans for proposed infrastructure and an analysis of the impacts on the wilderness experience of specific maintenance actions, including helicopter operations.</p> <p>5) The EIS should consider a Wilderness Protection Alternative. This alternative would promote wilderness values as set forth in the Wilderness Act of 1964, would not allow new water infrastructure or diversions inside the Alpine Lakes Wilderness, and would require all new water supply to be obtained outside the Alpine Lakes Wilderness.</p> <p>6) The EIS should consider a serious Water Conservation Alternative. This alternative would assess using aggressive water conservation measures by area cities, including restrictions on lawn watering and provision for landscaping that is suited to the climate without irrigation for any new development. This alternative should also assess transfer of water rights from irrigation districts to cities, where orchards have already been torn out and replaced with residential subdivisions. This alternative should also assess agricultural irrigation efficiency, such as replacing open gravity canals with pipes and pumps. This</p>	<p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p>
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		<p>Alternative should also consider water re-use technologies.</p> <p>7) The EIS should consider an Irrigation District Water Right Change Alternative, which would fix Icicle Creek's low flow problem. This alternative would evaluate moving the Icicle-Peshastin Irrigation District's water right diversion, which presently takes 100 cubic feet per second out of Icicle Creek, to the Wenatchee River downstream.</p> <p>8) The EIS should consider a Water Right Relinquishment Alternative. Removal of water from the Alpine Lakes Wilderness is an issue only because the Icicle-Peshastin Irrigation District holds water rights that were grandfathered when the Wilderness was created. When the dam at Eightmile Lake failed the Irrigation District did not fix it because they did not need the water. When a party doesn't use their rights, they lose them. The "Use It or Lose It" doctrine should govern. The EIS needs to acknowledge this issue.</p>	
30	<p>Carmen Andonaegui WDFW, Region 2 Habitat Program Manager 1550 Alder St NW Ephrata, WA 98823 (509) 754-4624</p>	<p>1) It is essential the PEIS describes the sequencing and timing of permittable projects and identifies the beneficiaries of in-stream and out-of-stream flow improvements. WDFW is concerned that water will be allocated for out-of-stream uses before an adequate amount of flow</p>	<p>Continue consultation with WDFW.</p> <p>Appropriate habitat and wildlife surveys will be conducted on affected environment for each of the proposed projects.</p> <p>The PEIS will provide detailed streamflow, diversions, instream and out-of-stream use information</p>

		<p>improvements are made in Icicle Creek.</p> <p>2) At the public scoping meeting held in Leavenworth it was stated by Aspect Consulting that the timeframe associated with implementing projects ranged from 5-20 years. In order to “track” flow improvements that may occur over the next 5-20 years, a project implementation schedule should be included in the PEIS so readers can adequately provide comments, mitigation recommendations, and resource protection expectations within the context of “real water” in “real time”.</p> <p>3) Please describe the “Alternative Projects” being contemplated for replacing projects that may not be feasible. WDFW expectations are that alternative projects would be identified through a collaborative process to replace those benefits and functions intended by the project determined to be infeasible.</p> <p>4) As fisheries co-managers for the state of Washington, WDFW does not support waiting 5-20 years to upgrade the Leavenworth Hatchery. We respect Ecology and CCNRD’s efforts to find non-litigious solutions to upgrading the hatchery to meet state and federal laws. However, we also want to be clear that though our agency is an active member of the IWG, we are in no way</p>	<p>relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>All of the Guiding Principles have equal priority and must be met as a package to effectuate the proposal endorsed by the Icicle Workgroup. Project phasing and timelines will be included in the PEIS.</p> <p>The PEIS will include a narrative of projected costs and benefits of projects proposed to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will discuss proposed actions under the Guiding Principles and related projects that are required by state/federal law.</p> <p>The PEIS will consider climate change and its impact on proposed projects.</p> <p>The PEIS will identify and discuss early implementation items.</p> <p>The PEIS will describe NEPA and other permitting requirements</p> <p>The PEIS will describe “Alternatives Not Considered” to meet the Guiding Principles, but could be evaluated in another environmental review.</p> <p>The Guiding Principles include robust instream flow improvement. Construction of projects designed to provide this instream flow improvement may have some terrestrial impacts, which will be evaluated in the PEIS. The adequacy of lands proposed for acquisitions under</p>
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		<p>advocating delaying compliance-related upgrades at the hatchery as a result of being a project element of the PEIS. We suggest providing details within the PEIS that “cross-walks” your efforts to solve hatchery issues with the U.S. Bureau of Reclamation and U.S. Fish and Wildlife Service’s efforts.</p> <p>5) It is essential that long-term climate change scenarios serve as the “backbone” to developing the PEIS. Refill scenarios for the Alpine Lakes remain uncertain, as do in-stream flows influenced from timing and quantity of annual precipitation. WDFW urges Ecology not to over-commit water for out-of-stream uses made “available” as a result of implementing any of the projects. We would not be doing our job as a resource agency if we did not safeguard stream flows to protect fish and their habitat throughout this PEIS process. We assume the same level of safeguarding will occur from Ecology to protect senior water right holders from harm or avoid project actions that may cause adverse impacts to stream flows or water quality. WDFW expects to see a robust section in the PEIS that evaluates climate change effects on project operational scenarios (e.g. new water management of the Alpine Lakes) and then illustrates how stream flow improvements will be</p>	<p>the guidance of the Upper Wenatchee Community Lands Plan will be scaled appropriately.</p> <p>Fish life stages will be described in the PEIS, as well as impacts to various species based on different instream flow quantities.</p>
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		<p>achieved while simultaneously providing additional water for out-of-stream uses (i.e. show the math).</p> <p>6) Ecology and CCNRD have indicated that some of the projects listed above may be described with a higher level of detail within the PEIS than the broader ICWRMS projects, making some projects ready for early implementation. Evaluation of projects considered for early implementation should include an assessment of natural resource costs and benefits as a function of project sequencing/early implementation within a subsequent project-level EIS, as necessary.</p> <p>7) As you are aware, WDFW is actively working on several fish screen and diversion replacement projects in Icicle and Peshastin Creeks to protect fish life; these projects are slated to occur in the near future. WDFW staff will continue to manage these projects and our own environmental compliance process, associated grant awards, and partnerships independent of the Icicle Strategy. However, our WDFW team is always available to assist with project planning and/or provide expertise to support PEIS development.</p> <p>8) Please provide a hardy, water conservation and reduction section in the PEIS. For example, what are</p>	
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		<p>some ways CCNRD and Ecology will reduce the current gallon per capita per day as a tool to provide water for future growth and respond to drought effects? How will those endeavors be coordinated with investigating new water supply in the Alpine Lakes? WDFW recommends including a plan in the PEIS by which (1) CCNRD and Ecology will partner with utility providers to offer rebates for using less water, (2) to update local regulations and/or develop ordinances to promote and/or require water savings wherever possible, and (3) to develop water conservation and reduction incentive programs.</p> <p>9) WDFW still isn't clear how the Upper Wenatchee Community Lands Plan is linked to the ICWMRS. WDFW habitat and wildlife staff have communicated with CCNRD that parcels identified in the Upper Wenatchee Community Lands Plan for acquisition may modestly add habitat value for wildlife or watershed protection in of itself. WDFW doubts these lands will be sufficient to provide "commensurate compensation for impacts to fish and wildlife resources" in the Icicle Creek basin. In addition to low habitat value, the scope of the Upper Wenatchee Community Plan includes Cashmere to Stevens Pass, with</p>	
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		<p>three sub-areas not located in the Icicle Creek Basin including: 1) Blewett Pass/Peshastin, 2) Chumstick Valley, and 3) Nason &amp; Coulter Creek. The Wenatchee Community Lands Plan webpage makes no clear reference to how these “out-of-basin lands” are linked to the ICWRMS. WDFW recommends Ecology and CCNRD work with resource experts to assess lands for acquisition and/or enhancement within the Icicle Creek basin that can provide valuable fish and wildlife habitat. As you are aware, mitigation should be similar to the resource values lost through project development; out-of-place and/or out-of-kind mitigation is only appropriate when all other in-place mitigation opportunities have been exhausted.</p> <p>10) WDFW encourages Ecology and CCNRD to identify a lead federal agency to undertake the NEPA process as soon as possible. WDFW is unclear if federal participation on the IWG and dedication of time and personnel constitutes a “major federal action” within the meaning of NEPA. WDFW suggests delineating projects in the PEIS that cannot proceed until NEPA has been fulfilled. This will ensure local, state, and federal agencies, tribes, and other stakeholder groups have a clear understanding of project</p>	
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		<p>implementation timelines and associated in-stream flow benefits for each project (i.e. when will the water be in Icicle Creek and how much).</p> <p><b>Wildlife</b></p> <ul style="list-style-type: none"> <li>• The WDFW Priority Habitat and Species (PHS) data layers are a tool for planning purposes. These data sources cannot be assumed complete or exhaustive in expanses of wilderness considered in the PEIS. Lack of information for any species does not indicate a lack of presence. If the U.S. Forest Service (USFS) does not have species presence/absence surveys, WDFW recommends terrestrial surveys be completed for species likely to occur within the project footprint.</li> <li>• Project activities requiring the use of helicopters pose a significant disturbance threat to mountain goats in the Alpine Lakes Wilderness - flying over mountain goats is considered to be a direct disturbance. WDFW recommends conducting surveys for concentrations of mountain goats for PEIS development. Specific consideration should be made for the timing of helicopter use to avoid the period when females are giving birth and following weeks when raising young.</li> <li>• Golden eagles, peregrine falcons, northern goshawks, and northern</li> </ul>	
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		<p>spotted owls all occupy, nest, and rear young in associated habitats in the wilderness and may be located within the project footprint. WDFW recommends conducting surveys within the project footprint so a plan can be developed to avoid disturbing nest sites, particularly until young have fledged. The high elevation and colder conditions of the wilderness will extend fledging dates into the summer later than warmer low elevation habitats.</p> <ul style="list-style-type: none"> <li>• WDFW recommends conducting surveys for pika within the project footprint and to work closely with WDFW and the USFS to avoid impacts to this species at the project planning stage.</li> <li>• Any open water habitat included within the project footprint should be surveyed for common loon nesting. The potential for direct impacts to loon nests is high for any project activities that would result in a rise of water elevation on any lakes.</li> <li>• The USFS and WDFW are coordinating in summer of 2016 to conduct amphibian and reptile surveys at wetlands, lakes, ponds or streams located within and whereas water-levels or flows are impacted by the package of projects in the PEIS. Data collected and information in the final report should be used to</li> </ul>	
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		<p>develop the Final PEIS and for future, subsequent EISs.</p> <p><b>Habitat</b></p> <ul style="list-style-type: none"> <li>• Installation of a flow meter, with access to the data should be made publicly available to confirm proposed minimum instream flows designated for the Historic Channel in Icicle Creek are being met.</li> <li>• WDFW support CCNRDs efforts to fund and install meters on all diversions.</li> <li>• The water market being developed for Icicle Creek will need to be coordinated annually with fisheries co-managers to avoid seasonal harm to instream flows, including winter flows to protect fish life.</li> </ul> <p><b>Fish</b></p> <ul style="list-style-type: none"> <li>• Fish passage improvements should include flow as an important component to ensure riffles are passable to upstream migrating salmonids.</li> <li>• WDFW can provide fish stocking data for the Alpine Lakes if requested. Our agency has a vested interest in ensuring changes in operations at the lakes do not adversely impact fish</li> <li>• Modeling flow scenarios out of each and/or all of the Alpine Lakes being contemplated in the PEIS will help prioritize flows scenarios that maximize benefits to fish at each relevant life stage. Focal</li> </ul>	
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		<p>species and relevant life stages include Steelhead (adult, rearing), Rainbow trout (adult, rearing), Bull Trout (adult/sub-adult, rearing), Cutthroat Trout (adult, rearing), and Lamprey (adult).</p> <ul style="list-style-type: none"> <li>• Bringing fish screening associated with diversions into compliance with state and federal requirements should be a nondiscretionary “early action” item of the PEIS; this action should be funded and pursued in the immediate future as a priority of the ICWRMS.</li> </ul>	
31	<p>Doug Scott Wilderness Consulting 1723 18th Avenue, Suite 25 Seattle, WA 98122</p>	<p>The Alpine Lakes Wilderness Area is a beloved part of America's National Wilderness Preservation System:</p> <p>The Wilderness Area--every acre of it -- is protected with the full strength of the 1964 Wilderness Act.</p> <p>The building of new dams or water diversions, however “minor” you may think they would be, is illegal.</p> <p>Were your proposal to succeed, it would constitute a very serious and unacceptable precedent.</p>	<p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p>

32	<p>Alpine Lakes Protection Society; Alpine Lakes Foundation; Alliance for the Wild Rockies; American Whitewater; Aqua Permanente; Center for Environmental Law &amp; Policy; Conservation Congress; El Sendero; Endangered Species Coalition; Federation of Western Outdoor Clubs; Friends of the Bitterroot; Friends of Bumping Lake; Friends of the Clearwater; Friends of the Enchantments; Friends of Lake Kachess; Friends of Wild Sky; Great Old Broads for Wilderness; Issaquah Alps Trail Club; Kachess Homeowners Association; Kachess Ridge Maintenance Association; Kittitas Audubon Society; Kittitas County Fire District #8; The Mazamas; Middle Fork Recreation Coalition; North Cascades Conservation Council; North Central Washington Audubon Society; Olympic Forest Coalition; River Runners for Wilderness; Save Our Sky Blue Waters; Seattle Audubon Society; Sierra Club; Spokane Mountaineers; Spring Family Trust for Trails; Washington Native Plant Society; Washington Wild; Western Lands Project; Wilderness Watch; Wild Fish Conservancy; Doug Scott Wilderness Consulting; and Rachael Osborn</p>	<ol style="list-style-type: none"> <li>1) We suggest several reasonable alternatives to fully evaluate project opportunities, impacts and needed mitigation. We believe that the alternatives below are reasonable and can feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation:</li> <li>2) The EIS should include a "Wilderness Protection" alternative.</li> <li>3) The EIS should include a "Water Right Relinquishment" alternative.</li> <li>4) The EIS should include a "Water Conservation" alternative</li> <li>5) The EIS should include a "Water Right Change" alternative</li> <li>6) Given the fact that the Wilderness Area is federally managed, the relationship between these two different review processes should be disclosed.</li> <li>7) The impact of each alternative on Icicle Creek's resilience to climate change, particularly with regard to changes in amount or timing of precipitation and instream flow, should be evaluated.</li> <li>8) The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and how the proposed</li> </ol>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down from proposed projects.</p> <p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles.</p> <p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p> <p>Existing documents provide background on baseline flows, diversions, and current conditions in the Icicle Creek Subbasin, (see county website). The PEIS will provide additional detail on streamflow, diversions, out-of-stream use, and a need statement relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles</p> <p>The PEIS will describe all potential projects and impacts under the proposed program in detail. Additional detail will be provided in any subsequent project level EIS.</p> <p>The PEIS will identify targets for instream flows to support spawning, rearing, and migration of ESA-listed salmon, steelhead, and bull trout in Icicle Creek.</p> <p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the</p>
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		<p>changes will affect the current situation.</p> <p>9) The EIS should provide a detailed operations, maintenance, and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use.</p> <p>10) The EIS should fully explain the purpose and need for the water these projects would provide.</p> <p>11) The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that would be needed in the future.</p> <p>12) The EIS should analyze the adequacy of proposed instream flows to support spawning, rearing and migration of steelhead, salmon and bull trout.</p> <p>13) The EIS should include maps, diagrams and photos to clearly show the current situation (including the place of diversion and amount of water diverted) at each of the lakes and other project locations and how that would change under the proposed action(s) under each alternative</p>	<p>Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p> <p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles</p> <p>Existing easements, in-holder agreements, and State water rights will be reviewed.</p>
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33	<p>Jasa Holt Data Specialist WDNR Washington Natural Heritage Program 1111 Washington St SE MS 47001 Olympia, WA 98504-7001</p>	<p>A summary of information on rare plants or rare and/or high quality ecological communities in the vicinity of your project accompanies this letter (Excel file; GIS shapefile).</p>	<p>Comment noted.</p> <p>Information provided by WDNR will be incorporated into the PEIS.</p>
34	<p>Eric Rickerson State Supervisor USFWS Washington Fish and Wildlife Office Central Washington Field Office 215 Melody Lane, Suite 103 Wenatchee, WA 98801</p>	<p>1) The USFWS recommends that a single Coordination Act Report be requested for the entire proposed Project package in collaboration with Ecology, CCNRD, WDFW, and the USFWS.</p> <p>2) The PEIS should include the sequencing and timing of proposed Projects. The PEIS should also develop a phased implementation schedule to facilitate Section 7(a)(2) consultation with the USFWS to assess individual and cumulative impacts of Projects.</p> <p>3) 'Early and Often' coordination with the USFWS Central Washington Field Office and federal partners is encouraged.</p> <p>4) A single federal agency should be selected to lead Section 7(a)(2) consultation and NEPA processes.</p> <p>5) Please carefully consider the scoping comments provided by the WDFW.</p>	<p>Continue consultation with the USFWS and WDFW</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>All of the Guiding Principles have equal priority and must be met as a package to effectuate the proposal endorsed by the Icicle Workgroup. Project phasing and timelines will be included in the PEIS.</p> <p>The PEIS will describe NEPA and other permitting requirements</p> <p>Comment noted.</p>

35	American Rivers, The Wilderness Society, Washington Trails Association, The Mountaineers	<p>1) Our organizations recommend the IWG explore non-Wilderness options for improving instream flows.</p> <p>2) We are very concerned by the potential negative impacts to recreation in the Enchantment Lakes region. These impacts should be identified through the PEIS and alternatives should be provided that avoid all negative impacts to aesthetics, user experience, trails, access and camping. There should be no net loss of recreational access and experience.</p> <p>3) We are concerned that the scope of the Icicle Strategy may extend beyond the valid, existing water rights as limited by relinquishment and recorded agreements. We recommend that all water rights be analyzed for valid use.</p> <p>4) Our organizations recommend the evaluation of improving Icicle Creek flows by moving the Icicle-Peshastin Irrigation District's point of diversion downstream to the Wenatchee River.</p> <p>5) We recommend identification of a federal agency that will serve as the lead during NEPA processes</p> <p>6) Our organizations recommend the development of a list of proposed project alternatives that will meet the Guiding Principles established by the IWG and that are practical, feasible and implementable. Project alternatives will also demonstrate that the final package contains projects that have the greatest</p>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will describe NEPA and other permitting requirements</p> <p>Using the Alpine Lakes as reservoirs is the existing condition. One of the Alternatives being considered is to improve the operation of the Alpine Lakes reservoirs to meet the Guiding Principles</p>
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		conservation benefit for the most effective cost.	
36	Bob and Linda Welsh	<ol style="list-style-type: none"> <li>1) Please do not seek any increase in the amount of water removed from the Alpine Lakes Wilderness area.</li> <li>2) The EIS should include a Wilderness protection alternative</li> <li>3) The EIS should include a Water Conservation alternative.</li> <li>4) The EIS should include a Water Right Change alternative</li> <li>5) The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that are needed in the future.</li> <li>6) The EIS should provide a detailed operations, maintenance, and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of the specific maintenance actions, including helicopter use.</li> </ol>	<p>The PEIS will evaluate all reasonable alternatives.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p> <p>Existing documents provide background on baseline flows, diversions, and current conditions in the Icicle Creek Subbasin, (see county website). The PEIS will provide additional detail on streamflow, diversions, out-of-stream use, and a need statement relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p>

		<p>7) The EIS should fully explain the purpose and need for the water these projects would provide.</p> <p>8) The EIS should fully explain what human activities caused the degraded conditions that the projects seek to improve.</p>	<p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p>
37	Chester Marler Leavenworth	<p>1) The PEIS should present the documentation that establishes the historic high water line at Eightmile Lake.</p> <p>2) Mitigation for activities at Eightmile Lake might include some trail re-routing around the lake, constructing new campsites on higher ground, softening the appearance of vegetation removal for the higher reservoir, etc.</p> <p>3) PEIS need to acknowledge the goal of protecting Wilderness values, not simply meet the letter of the law—acknowledge the feelings of Wilderness enthusiasts.</p> <p>4) Optimization and modernization of the flow from the lakes are great—should have been accomplished long ago.</p> <p>5) Water conservation by IPID and COIC does not appear as robust as it could. This should be more specific. Both districts need to address the non-agricultural use of a significant portion of their water—watering of extravagant and very large “lawns”. This tends to lessen</p>	<p>The PEIS will provide detail regarding Alpine Lakes Optimization, Modernization, and Automation including release rates, hydrologic inputs, changes to inundated area, and instream flow benefits.</p> <p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will consider environmental monitoring as appropriate for potential impacts of any proposed projects.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives.</p>

		<p>the public image of the districts, and makes one wonder if legislative changes to the state's water rights laws are in order.</p> <p>6) At some point in the future the pressure on water resources will be much greater and I would not be surprised to see many responsible citizens asking for fundamental changes to water law. This could include reducing water rights when lands change from agricultural use to suburban. The PEIS could look ahead and discuss how some of these issues will require being more flexible and creative in finding solutions.</p>	
38	<p>Charles Raymond 3798 NE 97th St. Seattle, WA 98115 (206) 522-3798 cfr98115@gmail.com</p>	<p>1) The PEIS needs to present a range of alternatives with significantly more extensive analysis than given in the present information for scoping.</p> <p>2) Recognition of Wilderness values. All alternatives need to account for the special circumstances for construction and maintenance of structures in Wilderness Areas.</p> <p>3) Some alternatives (at least one and perhaps all) should include the aim to enhance Wilderness values through reduction in footprint, appearance of structures and the mode of maintaining them. What is the cost benefit ratio for each of the 7 managed lakes? Could one or more of them be returned to a</p>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will provide detailed streamflow, diversions, and out-of-stream use information relevant to the Guiding Principles and the projects proposed to meet the Guiding Principles.</p>

		<p>natural condition without significant loss of flexibility or dependability?          Could there be public buyback of associated water right to enable compensating adjustment on the user end?</p> <p>4) The PEIS needs to give historical background on actual water withdrawal and use and a clear explanation of corresponding water rights including identification of purposes for which they were granted.</p> <p>5) The PEIS should evaluate alternative diversion points (e.g., outside Icicle Creek in the Wenatchee River).</p> <p>6) The PEIS should include a conservation alternative.</p>	
39	<p>Patricia Danner          Spokane County and          Washington State lifelong          resident and registered voter          Alpine Lakes Wilderness Hiker</p>	<p>Wilderness areas need to remain WILD...Please, please, please use your position and ability to protect this gem of a wilderness area...If there is not enough water for the humans, then limit the human expansion in the area. Don't drain and destroy the wilderness!</p>	<p>Comment noted.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p>

40	Andy Zahn, Toutle, WA	I am especially opposed to the reconstruction of the Eightmile lake dam and any new construction on Klonauqua lakes... Such projects are not compatible with the primeval character of wilderness. These are the two parts of the proposal with which I take the most issue, but I would like to express my disapproval of most everything else it contains. I would see all the Icicle Basin dams on alpine lakes removed and the region restored to its natural state. These structures are an ugly blemish on an otherwise pristine and spectacular region. Please explore other options such as water conservation rather than cause further degradation of the Alpine Lakes Wilderness.	<p>Comment noted.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p>
41	Laurel Schandelmier	<ol style="list-style-type: none"> <li>1) The public would appreciate a better understanding of the purpose and intent of making these proposed changes to improve instream flows. The EIS should provide alternatives that minimize, or even reverse, damage to existing wilderness area.</li> <li>2) The EIS should include a "Wilderness Protection" alternative that would not increase the amount of water removed from the Alpine Lakes Wilderness, not create a disturbance or encroach on wilderness lands, and not expand easements should be considered.</li> <li>3) The EIS should evaluate the feasibility of purchasing back private water rights to the Alpine Lakes to</li> </ol>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down from proposed projects.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p>

		<p>allow removal of dams and other structures to restore the wilderness to its pre-developed state. If this is not possible, I agree that installing remotely controllable valves to allow for the controlled drawdown of lake levels over a season, responding to current weather patterns and water needs, would add flexibility and robustness to the system.</p> <p>4) The EIS should consider a "Water Right Relinquishment" option for existing water rights in the Alpine Lakes if any have been relinquished or abandoned.</p> <p>5) The EIS should consider a "Water Conservation" option emphasizing aggressive water conservation.</p> <p>6) The EIS should analyze each proposed action's site-specific impacts, past practices, and any restoration, mitigation, or funding needed in the future. For each site, proposed construction activities and water diversions should be laid out in detail.</p> <p>7) The EIS should discuss the hydrological and biological impacts of the current level of lake drawdown, as well as any proposed future changes.</p> <p>8) A detailed operations, maintenance, and environmental monitoring plan for the water infrastructure alongside an analysis of wilderness</p>	<p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p>
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		impacts of specific maintenance actions.	
42	Philip Fenner Seattle	<p>I understand the rationale behind your proposal to revive the old dams on some of the lakes there. I can see why you would like to do it. But I don't think you should. Doing that ought to be the absolute LAST thing you consider if water in the Wenatchee basin runs low. And here's why: Alpine Lakes Wilderness is a sacred place, in many ways to many people.</p> <p>It should not be subjected to artificial manipulation - period. Just because it was manipulated in the past is no reason to start manipulating it again now.</p> <p>If you're short on water do EVERYTHING else first, starting with a ban on lawn watering and taking other such water conservation measures. And the fish hatchery is a big water waster, fix that first. It just makes NO sense to damage a natural area if anything else could be done beforehand to see if the water equation could work without damaging Wilderness.</p>	<p>The PEIS will include background information related to the development of the Guiding Principles, current condition in the Icicle Creek Subbasin, and a need statement.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will evaluate reasonable alternatives.</p>

43	<p>Greg Shannon 313 Olive Street Cashmere, WA 98815</p>	<p>I have concerns about the collaborative efforts by members of the Icicle Working Group and the agency participation in the study.</p> <p>I also have a concern about increasing water for development (transfer of water rights) without having a detailed PEIS alternative to look at major conservation of water by all users.</p> <p>Any impacts in the Alpine Lakes Wilderness should be addressed in a specific alternative.</p>	<p>Comment noted.</p> <p>The PEIS will evaluate reasonable alternatives.</p> <p>The PEIS will assess the potential impacts to wilderness and recreation that might result from the projects proposed to meet the Guiding Principles.</p>
44	<p>Robert Mullins 234 Mine St. Leavenworth, WA</p>	<p>I support, actually I demand, that Icicle-Peshastin Irrigation District will fully and completely use its water rights including any related construction, transportation, use of aircraft, use of power equipment, use of all legitimate activity, equipment, and construction related to full implementation of Icicle-Peshastin Irrigation District water rights and resultant uses in the Alpine Lakes Wilderness as existed before the creation of the Alpine Lakes Wilderness. These rights pre-exist and are more important than the Alpine Lakes Wilderness and any uses of any visitors to the Alpine Lakes Wilderness.</p> <p>I understand the water rights, my family and I are dependent on that water.</p>	<p>Comment noted.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p>

45	<p>Ann Fink  201 Mine Street  Leavenworth, WA 98826  northfork@nwi.net  May 11, 2016</p>	<ol style="list-style-type: none"> <li>1) The Irrigation districts has easements on only 2 of the 4 sections that underlie Eightmile Lake. The other two sections are wilderness and don't appear to have "easements". Please explain how the IWG can flood congressionally designated wilderness lands without involving the U.S. Forest Service in these discussions.</li> <li>2) The Icicle Irrigation District should provide its records regarding its use of water from this lake.</li> <li>3) I would like to see a discussion of how the Irrigation District and its partners will mitigate some of the ugly visual effects of raising the level of the lake and then lowering well below current levels. The effects to plants and wildlife need to also be addressed. Improvements at other lakes also need to consider the visual and ecological effects.</li> <li>4) Remote monitoring and control of existing facilities appear to be a good modern option if the equipment needed for this activity can be blended into the surroundings without intruding on wilderness values.</li> <li>5) The Icicle Working Groups needs to champion conservation measures and improved facilities (non-leaky) water distribution systems for rational and equitable water distribution.</li> </ol>	<p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will assess potential impacts to aesthetics.</p> <p>The PEIS will consider mitigation measures for likely impacts identified in the document.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down from proposed projects.</p>
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46	Kimberly Wells	I urge the county to consult the applicable federal laws, including NEPA, the Wilderness Act, and the Endangered Species Act, and to reconsider the proposed project before proceeding to violate them.	Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.
47	Jerry Bodine 585 SW Mt. Cedar Dr. Issaquah, WA 98027	1) The EIS should include a “Wilderness Protection” alternative. This alternative should promote Wilderness values by not seeking any increase in the amount of water removed from the Alpine Lakes Wilderness; not expanding easements; not encroaching on wilderness lands; not using mechanical transport; and not building any structure or installation in the Wilderness. Under the Wilderness Protection alternative, any new water supplies should be obtained from sources outside the Wilderness, and use non-Wilderness options for improving instream flows (for example, the IPID change in diversion point discussed below). The Wilderness Protection alternative should comply with all provisions in the Forest Service’s administrative Alpine Lakes Wilderness Management Plan, including: “Except as provided for in Section 4(d)(4) of the	<p>The PEIS will evaluate reasonable alternatives.</p> <p>Compliance with state and federal laws, including the Wilderness Acts, is one of the Guiding Principles. The PEIS will discuss the compatibility of projects proposed to meet the Guiding Principles with applicable state and federal laws.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p> <p>The PEIS will consider impacts of lake/reservoir draw-down from proposed projects.</p> <p>The PEIS will consider monitoring, maintenance, and operation of projects proposed to meet the Guiding Principles.</p> <p>Existing documents provide background on baseline flows, diversions, and current conditions in the Icicle Creek Subbasin, (see county website). The PEIS will provide additional detail on streamflow, diversions, out-of-stream use, and a need statement relevant to the</p>

		<p>Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge.”</p> <p>2) The Wilderness Protection alternative should evaluate public purchase (buy-back) of private water rights in the Alpine Lakes, which would allow removal of dams and other structures from the lakes to restore the Wilderness area to its true natural character.</p> <p>3) The EIS should include a “Water Right Relinquishment” alternative. This alternative should analyze existing water rights to the Alpine Lakes and acknowledge those rights that have been relinquished or abandoned.</p> <p>4) The EIS should include an alternative that recognizes IWG members’ water rights are limited to the purposes for which they were initially granted (for example, irrigation) and cannot be redirected to other purposes (such as suburban development).</p> <p>5) The EIS should include a “Water Conservation” alternative that emphasizes aggressive water conservation measures by the City of Leavenworth, Icicle-Peshastin Irrigation District, the Leavenworth Fish Hatchery and other water users. This alternative should</p>	<p>Guiding Principles and the projects proposed to meet the Guiding Principles.</p> <p>The PEIS will identify targets for instream flows to support spawning, rearing, and migration of ESA-listed salmon, steelhead, and bull trout in Icicle Creek.</p> <p>The PEIS will include narrative of the current state of water rights in the basin. For each project designed to meet the Guiding Principles, the PEIS will prescribe what existing and new permits would be necessary for the project.</p>
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		<p>evaluate water markets that facilitate selling and trading of water rights.</p> <p>6) The Water Conservation alternative should evaluate a transfer of water rights from IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties. This alternative should analyze how appropriate reductions in water usage (that is, not using agricultural water quantities for lawn irrigation) would save water that would then be available for other Leavenworth needs.</p> <p>7) The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals. This alternative should evaluate how this 19th century irrigation practice (which was required to ensure water made it to the furthestmost customers) could be replaced with modern pumping and piping technologies. The EIS should consider the resulting reduction in water demand as an alternative water supply.</p> <p>8) The EIS should include a “Water Right Change” alternative. This alternative would evaluate improving Icicle Creek flows by moving IPID’s point of diversion downstream (to the Wenatchee</p>	
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		<p>River). This measure, which would add 100 cfs of water to Icicle Creek every year, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). This alternative should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.</p> <p>9) The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.</p> <p>10) The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and any proposed changes. The analysis should include a review of scientific literature on the impacts of water removals upon wildlife, vegetation, soil and wilderness values.</p> <p>11) The EIS should provide a detailed operations, maintenance and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use.</p>	
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		<p>12) The EIS should fully explain the purpose and need for the water these projects would provide.</p> <p>13) The EIS should fully explain what human activities caused the degraded conditions (such as low instream flows in Icicle Creek) that the projects seek to improve. We should not be repeating the mistakes of the past.</p> <p>14) The EIS should analyze adequacy of proposed instream flows to support spawning, rearing and migration of steelhead and bull trout.</p>	
48	<p>Michael J. Painter          Californians for Western Wilderness          P.O. Box 210474          San Francisco, CA 94121-0474          info@caluwild.org</p>	<p>Californians for Western Wilderness fully endorses the comments submitted by Alpine Lakes Protection Society and 39 other organizations, dated May 11, 2016.</p>	<p>Comment noted.</p> <p>Responses to the endorsed letter are provided under comment 32.</p>

49	<p>Kayt Hoch kayt@kaythoch.com</p>	<p>Proposed plan looks like a good approach that seems to have minimal impacts for a great benefit to region.</p> <p>I hope there isn't going to be negative fall-out from the Puget Sound group</p> <p>Do you have some construction impacts estimations/projections? After the quick recovery of our own property after the impacts from the bridge project I'm not, concerned, just curious.</p>	<p>General support noted.</p> <p>The PEIS will describe potential projects and impacts under the proposed program. Additional detail will be provided in any subsequent project level EIS.</p>
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**From:** [Mary Jo Sanborn](#)  
**To:** [Meghan O'Brien](#)  
**Cc:** [Dan Haller](#)  
**Subject:** FW: icicle strategy  
**Date:** Wednesday, February 17, 2016 2:40:47 PM

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Hi Meghan – Here's the first SEPA comment we've gotten.

Thanks,

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department

***Please Note Our NEW ADDRESS:***

411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
Fax: (509)-667-6527  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Monday, February 15, 2016 12:38 PM  
**To:** Guy Moura (HSY)  
**Cc:** 'Ellis, Liz (ECY)'; 'Kaehler, Gretchen (DAHP)'; Karen Capuder (HSY); Chuck Brushwood (Charles.Brushwood@colvilletribes.com); Mary Jo Sanborn  
**Subject:** RE: icicle strategy

Thank you, Mr. Moura, email received. We look forward to future consultation. I cc'ed Chuck Brushwood, who has been a participant in the efforts of the Icicle Work Group and may be able to assist you internally with project descriptions, context, etc.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

***Please note our new address***

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**From:** Guy Moura (HSY) [<mailto:Guy.Moura@colvilletribes.com>]  
**Sent:** Saturday, February 13, 2016 9:18 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Cc:** 'Ellis, Liz (ECY)' <[l461@ECY.WA.GOV](mailto:l461@ECY.WA.GOV)>; 'Kaehler, Gretchen (DAHP)' <[Gretchen.Kaehler@DAHP.wa.gov](mailto:Gretchen.Kaehler@DAHP.wa.gov)>; Guy Moura (HSY) <[Guy.Moura@colvilletribes.com](mailto:Guy.Moura@colvilletribes.com)>; Karen Capuder (HSY) <[Karen.Capuder@colvilletribes.com](mailto:Karen.Capuder@colvilletribes.com)>  
**Subject:** icicle strategy

Dear Mr. Kaputa:

Please be advised that the various undertakings in the Icicle Basin are in the traditional territory of the Wenatchee Tribe, a constituent tribe of the Confederated Tribes of the Colville Reservation. It also appears all of the projected projects are within what many consider the Wenatshapam Reserve. A reserve set aside for the Wenatchi under Article 10 of the 1855 Yakama Treaty (this story is told @ [http://www.colvilletribes.com/wenatchi\\_indians.php](http://www.colvilletribes.com/wenatchi_indians.php) ). The *p'ąsqŷaw's* (Wenatchi) recently regained their fishing rights in the icicle (*na'sik-elt*) via a court case. Establishment of the reserve is being negotiated. The vicinity of the proposed projects has archaeological, ethnographic, and historic sites of significance to the Confederated Tribes of the Colville Reservation.

We await continued consultation, which may be with the Department of Ecology, under various federal and state laws, regulations, and mandates. We recommend a cultural resource report to identify existing archaeological and traditional sites.

We appreciate you consulting with the Confederated tribes of the Colville Reservation.

lim łmt, qe?ciéwyew (thank you)

Guy Moura  
Program Manager, History/Archaeology  
Tribal Historic Preservation Officer  
Confederated Tribes of the Colville Reservation  
(509) 634-2695

William B. Beyers  
7159 Beach Drive SW  
Seattle, Washington 98136

February 20, 2016

Mr. Mike Kaputa, Director  
Chelan County Natural Resources Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

Re: Icicle Strategy Scoping Comments

Dear Mr. Kaputa:

The Alpine Lakes Foundation would like to offer these comments on the scope of the environmental impact statement that Chelan County and the Washington State Department of Ecology plan to prepare on the Icicle Creek Water Management Strategy (hereafter "Icicle Strategy").

The Alpine Lakes Foundation is a Washington non-profit corporation in good standing since 1993, when it was established to act as an advocate and protector for the resources of the Alpine Lakes area. It has served in this role for the past 23 years.

All of the lakes that are the subject of your Icicle Strategy are within the Alpine Lakes Wilderness Area, established by Congress in 1976. The Icicle Strategy proposes the construction or restoration of a number of structures at these lakes, including dams, pumps, and tunnels. These raise a number of questions under the Alpine Lakes Management Act of 1976, 16 U.S.C. 1132. Note Section 2(c) of this Act states:

The Federal lands designated as the Alpine Lakes Wilderness shall be administered in accordance with the provisions of this Act and with the provisions of the Wilderness Act (78 Stat. 890), whichever is the more restrictive.

Section 2(e) of this Act provides that non-federal within the Wilderness and Intended Wilderness will become part of the Alpine Lakes Wilderness when acquired by the Federal Government. Thus, all the lakes included in the Icicle Strategy are now within the Alpine Lakes Wilderness and must be administered according to the Alpine Lakes Management Act and the Wilderness Act.

The Wilderness Act, 16 U.S.C. 1131-36, provides in section 4(c):

#### PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required

in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

Applying this section, courts have held that Congressional awareness at the time it created a wilderness that a pre-existing dam was in the area declared wilderness does not create an implied exception to the Wilderness Act prohibition on structures. Courts also have held that the prohibition on structures in a wilderness applies equally to rebuilding, maintaining, or repairing them.

The Icicle Strategy appears to rely on water rights held by the Icicle Peshastin Irrigation District (hereafter "irrigation district"), based on rights granted to its predecessor in 1927.

The relationship between those rights, the statutes mentioned above, and the Icicle Strategy plans for lakes within the Alpine Lakes Wilderness (hereafter "Alpine Lakes") raise these questions, numbered for ease of reference:

1. What was the extent of the irrigation district's existing water rights within the Alpine Lakes Wilderness when Congress created that Wilderness in 1976?

2. Has the irrigation district forfeited any of those rights through non-use or only partial use before or after creation of the Wilderness?

3. If the irrigation district has diverted more water from streams in the Icicle basin than it stored at any of the Alpine Lakes, does that additional diversion offset any forfeiture of storage or use rights that it did not use at those lakes?

4. Whether the right to store and use water from an Alpine Lake includes the right to build or expand structures now when the irrigation district has previously relied on pumping or other non-structural methods to obtain lake water?

5. Whether the right to store and use water from an Alpine Lake includes the right to build or expand structures or tunnels upstream in the Wilderness from that lake.

6. Whether a tunnel is a "structure" or "installation" prohibited by the Wilderness Act.

7. Did the US Forest Service expand, revive, or have the authority to expand or revive any of the irrigation district's rights by granting an easement to the irrigation district in 1990 when the irrigation district conveyed lands adjoining Eightmile Lake and within the Wilderness to the federal government?

8. May the irrigation district use any of its water rights for purposes other than irrigation when that was the sole basis on which they were granted?

9. To what extent do these same issues apply to water rights claimed by the US Bureau of Reclamation and/or the US Fish and Wildlife Service for operation of the Leavenworth National Fish Hatchery with waters stored, diverted, or used from lakes within the Alpine Lakes Wilderness?

Finally, we have two procedural questions:

A. To what extent can the Icicle Work Group's so-called stakeholder-based collaborative process supersede state and federal laws (for example, the Clean Water Act and Endangered Species Act)?

B. Can the state Department of Ecology, acting as Washington state's water regulator, make objective decisions about the status of the irrigation district's water rights and the extent to which they may have been forfeited, when DOE itself is one of the lead agencies on this project, has a material interest in its success, and that success would depend on DOE's rulings?

Please share these comments with the Washington State Department of Ecology and consider them when drafting your environmental impact statement.

Should you have any questions, please feel free to contact us.

ALPINE LAKES FOUNDATION

By

A handwritten signature in black ink that reads "William B. Beyers". The signature is written in a cursive, flowing style.

William B. Beyers, President  
7159 Beach Drive S.W.  
Seattle, WA 98136

Tel (home): (206) 935-6282  
beyers@u.washington.edu

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:26 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Icicle Strategy Public Comment

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Thursday, March 24, 2016 2:47 PM  
**To:** Ted Whitesell  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Icicle Strategy Public Comment

Thanks, Ed, we'll make sure your comments are entered into the record.

If you have a chance I'd appreciate talking with you. You can try me at the number below.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

## *Please note our new address*

**From:** Ted Whitesell [<mailto:ted.whitesell@gmail.com>]  
**Sent:** Wednesday, March 23, 2016 8:50 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Icicle Strategy Public Comment

Mr. Mike Kaputa  
Director of Natural Resources

Chelan County

Dear Mr. Kaputa,

I understand that the Icicle Work Group is developing a water management strategy that could include infringing upon the wilderness character of the Alpine Lakes Wilderness by constructing dams, altering water levels, and issuing water rights for several lakes in the Wilderness Area. Even if only part of this is true, it would infringe upon the mandate, established by Congress in the 1964 Wilderness Act, to protect our designated Wilderness Areas in an untrammled condition for all future generations. Even if you feel that there are some legal pathways that might sanction such infringement of the wilderness character of the area, it is important to remember that there are many individuals and organizations who stand ready to defend all designated Wilderness Areas from such infringement, through the courts and the political process, if necessary.

The National Wilderness Preservation System is just a remnant of the once magnificent wilderness our ancestors enjoyed in this country only a few generations ago. We must resolutely defend every parcel that is left, no matter how convenient and logical it may seem to take a little water here or there, "just this once." Wilderness designation is intended to provide the most durable and stringent protection of any federal land classification. It must never be compromised.

Please enter my comments in the record of public comments on the Icicle Strategy.

Thank you.

Edward Whitesell  
816 Plymouth St., SW  
Olympia, WA 98502

From: **Derek Poon** <[derekcpoon@gmail.com](mailto:derekcpoon@gmail.com)>

Date: Wed, Feb 18, 2015 at 10:34 AM

Subject: 2/17/15 Alpine Lakes Icicle Work Group meeting, Seattle; a CWA DU protection matrix

To: [Mike.Kaputa@co.chelan.wa.us](mailto:Mike.Kaputa@co.chelan.wa.us), [thomas.tebb@ecy.wa.gov](mailto:thomas.tebb@ecy.wa.gov), [Charity.Davidson@dfw.wa.gov](mailto:Charity.Davidson@dfw.wa.gov), [jmanning@cascadialaw.com](mailto:jmanning@cascadialaw.com), [deortman@msn.com](mailto:deortman@msn.com), [patsump@juno.com](mailto:patsump@juno.com), [rr.wolfe@comcast.net](mailto:rr.wolfe@comcast.net), [Andrea@wildwarivers.org](mailto:Andrea@wildwarivers.org)

Cc: John Osborn <[John@waterplanet.ws](mailto:John@waterplanet.ws)>, Rachael Osborn <[rdpaschal@earthlink.net](mailto:rdpaschal@earthlink.net)>, Joan Crooks <[joan@wecprotects.org](mailto:joan@wecprotects.org)>, Becky Kelley <[becky@wecprotects.org](mailto:becky@wecprotects.org)>, Environmental Priorities Coalition <[lisa@wecprotects.org](mailto:lisa@wecprotects.org)>, "[kurt@wildfishconservancy.org](mailto:kurt@wildfishconservancy.org)" <[kurt@wildfishconservancy.org](mailto:kurt@wildfishconservancy.org)>

As discussed at the Icicle Work Group (IWG) meeting last night at Seattle, I attached my working draft of the Clean Water Act (CWA) Matrix of Existing and Designated Uses (DU) versus the level of DU protection. This matrix distills the nine Icicle Creek Guiding Principles into an easy format for analysis of the Wilderness Act, SEPA, NEPA, CWA 401 certification, or Endangered Species Act (ESA) Section 7 determination.

Note that CWA and ESA are integrated because ESA species are a protected CWA DU. I submit the very essence of the CWA is DU protection.

I attended this meeting at the urging of Dr. John Osborn of Sierra Club and Center for Environmental Law and Policy (CELP). Thank you for the opportunity to meet with and listen to you, particularly Rachael Osborne, a CELP co-founder and IWG member. John's invitation with Rachael's Conservation Alternative is pasted below.

One of your participants Dr. Rebecca Wolfe spoke to the possibility of adding the "precautionary principle" to your recommendations. I agree with her proposal and took the liberty of providing a recent short analysis on why CWA water quality standards are by necessity (or should be) precautionary (See KFNC Suitability Determination, second letter dated 1/19/15 and citing "precautionary principle" at the end of the letter.). This Suitability Determination may differ from the IWG process, but the analysis is relevant.

I speak only for myself as an independent observer and am responsible for any interpretations or accuracy. My one-page resume is attached FYI. I apologize for my ignorance and for my limited understanding of your project specifics. Please use or delete any of my concepts as you see fit.

All the best, and thanks again for your indulgence.

Derek

--

**Derek Poon**

400 Boylston Ave E, #2

Seattle, WA 98102

206-729-9378, [derekcpoon@gmail.com](mailto:derekcpoon@gmail.com)

"All it takes is for the right people in the right position to take action."  
David Lewis, [SCIENCE FOR SALE](#), 2014

----- Forwarded message -----

From: **John Osborn** <[John@waterplanet.ws](mailto:John@waterplanet.ws)>

Date: Mon, Feb 16, 2015 at 11:09 PM

Subject: Alpine Lakes Wilderness: new irrigation dams vs. viable water solutions

To: John Osborn <[John@waterplanet.ws](mailto:John@waterplanet.ws)>

For those of you attending Tuesday's Seattle meeting on proposed irrigation dams for the Enchantments / Alpine Lakes Wilderness, Rachael has prepared a handout on viable water solutions for the Icicle Work Group Process

**[Conservation Alternative for the Icicle Work Group Process](#)**

Rachael will also be driving over from Spokane to attend, and will bring copies of the Conservation Alternative. Again, here is the meeting information:

Meeting - **new irrigation dams & diversions proposed for Alpine Lakes Wilderness, Enchantments**  
When: **Tuesday, Feb. 17 7 p.m.**

Where: **Seattle, Good Shepard Center, Rm 202**

*Additional links -*

- Rachael's 4-part blog: [News Dams & Diversions in the Alpine Lakes Wilderness?](#)
- Interviews with Harriet Bullitt and Russ Bush on Icicle River and Elwha River: [Water Heroes: Never Give Up](#)

For those of you who have fought so hard to protect and expand the Alpine Lakes Wilderness, we hope you are able to attend the meeting.

Best wishes - and thank you for caring about Alpine Lakes Wilderness and Icicle River.

John Osborn MD  
CELP, Sierra Club  
[509.939-1290](tel:509.939-1290)

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**Matrix of Clean Water Act (CWA) Existing or Designated Uses (DU)  
and DU protection under the CWA water quality standards  
For Alpine Lake Icicle Working Group**

**Working Draft subject to edits, Derek Poon, 2/17/15**

**X axis (independent variables):**

A long **CWA DU list**: use 1, use 2, use 3.....use to the nth; e.g. **Water uses, Tribal treaty rights, ESA species, recreation, Wilderness Act specification, etc.**

**Y axis (dependent variables):**

**A list of subprojects** (by location, timing, or task) of the total project.

Within each subproject, list **four DU protection categories** and explain application or non-application of each category.

- 1. Protected;**
- 2. Unprotected but adequately mitigated (agreement reached consistent with the law);**

3. **Unprotected and inadequately mitigated (agreed to disagree);**
4. **Economic exemption granted by Congress, CWA Use Attainability Analysis (UAA), or ESA God Squad.**

**Application to the Wilderness Act, SEPA, NEPA, CWA 401 certification, ESA Section 7 determination:**

- Findings and conclusions should be based on Matrix.
- Specific to ESA Section 7:
  - No jeopardy
  - Likely to Adversely Affect (LAA)
  - Reasonable and prudent measures and terms/conditions prescribed consistent with
    - ESA Section 7(a)(1) to proactively promote ESA species recovery and delisting.
    - ESA planning principle of “Not Everything Everywhere All The Time (NEEATT), balancing project mitigation requirement (e.g. Leavenworth Hatchery) with Wilderness Act.

Derek Poon Letter to the Washington Board of Natural Resources  
For March 10, 2015 Board meeting  
Sent by email March 4, 2015

Members of the Washington Board of Natural Resources:

As an experienced and recently retired scientist and administrator in the Endangered Species Act (ESA) and the Clean Water Act (CWA), I speak only for myself and not for any organization or coalition.

My one-page resume is pasted at the end of this letter for your information.

I understand the Board is developing, at the same time, the Sustainable Harvest Calculation (SHC) and the Long Term Conservation Strategy (LTCS) for the ESA-listed Marbled Murrelet (MaMu). Since the LTCS places caveats on timber harvest locations, methods, and rates, it makes sense that the LTCS be completed before the SHC and be applied to the SHC, as advocated by the Washington Environmental Council and others.

Several ESA and CWA provisions assist LTCS and SHC.

1. Under ESA, LTCS is based on the concept of “Not Everything Everywhere All The Time” (NEEATT) allowing for timber harvest and protecting Washington (WA) Department of Natural Resources (DNR) fiduciary responsibility, as long as MaMu recovery and delisting use best available science in a completed ESA recovery plan according to the law.
2. For environmental protection, ESA planning priority goes to the listed species. Moreover, under CWA, ESA species are Existing and Designated “uses” (DU) protected under the CWA water quality standards. A trajectory to successful MaMu recovery and delisting satisfies both ESA and CWA policies.
3. Under ESA Section 7(a)(1), federal agencies will use their program authorities to promote ESA species recovery and delisting, thus proactive regulatory assistance to DNR MaMu management comes from the US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA), US Environmental Protection Agency (EPA), and the (CWA delegated state agency) WA Department of Ecology.
4. Deference to adaptive management to achieve MaMu recovery and delisting is entirely appropriate as long as there is upfront agreement on targets and “SMART” contingencies or “plan B’s,” where SMART stands for specific, measurable, attainable, relevant, and time-bound.
5. Incentives of money, regulatory flexibility, and recognition should supplement environmental regulations and assist timber-dependent communities.
6. Should achievement of SHC and DNR fiduciary responsibility preclude MaMu recovery and delisting, economic exemptions can be granted by Congress; via the CWA Use Attainability Analysis (UAA); or by an ESA God Squad decision.

I hope this input is useful to your planning, and please help us avoid extinction of the little MaMu seabird while supporting economic viability of our coastal communities.

Respectfully submitted,

Derek Poon  
400 Boylston Ave E, #2  
Seattle, WA 98102  
206-729-9378  
[derekcpoon@gmail.com](mailto:derekcpoon@gmail.com)

---

**Derek Poon**  
[derekcpoon@gmail.com](mailto:derekcpoon@gmail.com), 206-729-9378

**EDUCATION:** Ph.D. Fisheries, Oregon State University, 1977  
B.A. Zoology, University of California, Berkeley, 1967

**EXPERIENCE:**

NATURAL RESOURCE CONSULTANT (Since retirement 12/8/11)  
[Current work on Adaptive Management and compliance with Endangered Species Act (ESA) and Clean Water Act (CWA)]

REGIONAL SALMON ECOLOGIST and ESA SPECIALIST  
US Environmental Protection Agency, Seattle, Washington (2001-2011)

ENDANGERED SPECIES ACT BIOLOGIST  
Sustainable Fisheries Division  
National Marine Fisheries Service, Seattle, Washington (1997-2001)

ADMINISTRATOR, Washington State Timber/Fish/Wildlife (TFW) Policy Group  
Seattle, Washington, 1996 to 1997

CO-CHAIR, Washington State TFW Policy Group, 1994-1995

CHIEF, King County Natural Resource Planning Section  
Seattle, Washington, 1986 to 1995

FACILITATOR, US Section, US/Canada Salmon Treaty Negotiations  
Seattle, Washington, 1985

Pacific Northwest Salmon and Steelhead ENHANCEMENT COORDINATOR  
Salmon and Steelhead Conservation & Enhancement Act  
Portland, Oregon and Seattle, Washington, 1983 to 1986

CONSULTANT, Northwest Power Planning Council  
COUNCIL-DESIGNATED REVIEWER, Columbia Basin Fish & Wildlife Program  
Portland, Oregon, 1981 to 1983

GENERAL MANAGER, Northern Southeast Regional Aquaculture Association  
Sitka, Alaska, 1977 to 1981

PROGRAM AND POLICY MANAGER, Governor's Special Projects Office  
Juneau, Alaska, 1977

FISHERIES PROGRAM DIRECTOR, Sheldon Jackson College  
Sitka, Alaska, 1973 to 1975

SALMON RESEARCHER  
National Marine Fisheries Service (Alaska Region) and Oregon State University  
1968 to 1973, 1975 to 1977

**Current Interests:** Marathon running; news; reading; music.

March 2015

\*\*\*\*\*

ESA Section 4F Recovery Plan criteria are as follows.

<http://www.gao.gov/new.items/d06463r.pdf>

*The Endangered Species Act requires each recovery plan to incorporate, to the maximum extent practicable:*

*(1) **Site specific management actions** - descriptions of such site-specific management actions as may be necessary to achieve the plan's goal for the conservation and survival of the species.*

*(2) **Time and cost estimates** - for completing site specific management actions; estimates of the time required and cost to carry out those measures needed to achieve the plan's goal and to achieve intermediate steps toward that goal.*

*(3) **Recovery criteria** - objective, measurable criteria which, when met, would result in a determination, in accordance with provisions of the act, that the species be removed from the list of threatened and endangered species (i.e., delisted). Courts have found that the Endangered Species Act requires the services to address each of five delisting factors to the maximum extent practicable when designing recovery criteria.*

*These five delisting factors are the same factors that are considered when listing a species: (1) **the present or threatened destruction, modification, or curtailment of a species' habitat or range;** (2) **overutilization of the species for commercial, recreational, scientific, or educational purposes;** (3) **disease or predation;** (4) **the inadequacy of existing regulatory mechanisms;** or (5) **other natural or manmade factors affecting a species' continued existence.***

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Tuesday, March 29, 2016 11:36 AM  
**To:** Jordan Sanford  
**Subject:** FW: ESA and CWA Questions: Icicle Strategy, March 30, 2016 Seattle meeting  
**Attachments:** ESA Section 4F Recovery Plan criteria, GAO summary.pdf; Alpine Lake 2-17-15 IWG mtg, with CWA DU MATRIX.pdf; DP 3-4-15 letter, BNR, 3-10-15 meeting.pdf

This one just came in...

Thanks,  
Meghan

**Meghan O'Brien** | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

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**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Tuesday, March 29, 2016 11:26 AM  
**To:** Dan Haller <dhaller@aspectconsulting.com>; Meghan O'Brien <mobrien@aspectconsulting.com>  
**Subject:** FW: ESA and CWA Questions: Icicle Strategy, March 30, 2016 Seattle meeting

Public comments for the record...

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department

***Please Note Our NEW ADDRESS:***

411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
Fax: (509)-667-6527  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

**From:** Derek Poon [mailto:derekcpoon@gmail.com]  
**Sent:** Monday, March 28, 2016 5:13 PM  
**To:** Mike Kaputa; (GTEB461@ecy.wa.gov)  
**Cc:** Karl Forsgaard (karlforsgaard@comcast.net); Andrea Imler; Kitty Craig; Benjamin Greuel; deortman@msn.com; Rachael Osborn (rosborn@celp.org); Lisa Pelly; Susan Adams; Greg McLaughlin (greg@washingtonwatertrust.org); Mary Jo Sanborn; Jim Brown (James.Brown@dfw.wa.gov); Keith Goehner; Jay Manning; Downes, Melissa M. (ECY); Lisa Dally Wilson (lisadallywilson@gmail.com); Charity Davidson (Charity.Davidson@dfw.wa.gov); Jen Watkins; (okeefe@americanwhitewater.org); kgeraght@gmail.com; sarahk@mountaineers.org; rckmcguire@gmail.com; espackard@msn.com; Don Parks; voice4wild@aol.com; tom@wawild.org; kurt@wildfishconservancy.org; Michael Garrity; efr98115@tpl.org; AMY K. SNOVER; GUILLAUME S. MAUGER (gmauger@uw.edu); Harriet Bullit; drieman@tumwater.net; James Schroeder; Paul Kundtz; trolfe@celp.org; patsump@juno.com; rr.wolfe@comcast.net; Andrea@WildWaRivers.org; John Osborn; Joan Crooks; Becky Kelley; Environmental Priorities Coalition; spmalloch@gmail.com  
**Subject:** ESA and CWA Questions: Icicle Strategy, March 30, 2016 Seattle meeting

Mike and Tom,

Thank you for providing information on the programmatic environmental impact statement (PEIS) for the *Icicle Strategy*, developed by Chelan County and the WA Department of Ecology/Office of the Columbia River. I will attend the March 30 Seattle workshop at Phinney Center to learn from your presentation.

Since the WA Department of Ecology (Ecology) is the US Environmental Protection Agency (EPA) delegated state entity to implement much of the federal Clean Water Act (CWA

A ) in Washington, and since Endangered Species Act (ESA) species are

[protected Existing and Designated Uses \(DU\) under the CWA water quality standards](#)

, Ecology guidance is particularly meaningful for CWA actions, including effects on ESA species and their designated critical habitat

To

provide time for pre-meeting analysis , I defined the following ESA and CWA questions to be asked at the March 30 meeting , based on your PEIS and my 3/30/15 letter

(pasted below)

to you following your last Seattle workshop on 2/17/15.

1. Based on ESA [Section 7\(a\)\(1\)](#), **all federal agencies**

**are to use their programmatic authorities to promote ESA species recovery**, and for the National Oceanic and Atmospheric Administration (NOAA) and US Fish and Wildlife Service (USFWS),

priority goes to the listed species

. Since some of these federal developments are still incomplete, particularly the non-discretionary [ESA Section 7 consultation](#) Terms & Conditions

**how and when will federal provisions and ESA regulations be incorporated into the *Icicle Strategy*?**

2. [ESA recovery plans are required](#) for every ESA-listed species (Recovery Plan requirement summary

file attached). Since each recovery plan should have a voluntary roadmap to recovery (delisting), **are these roadmaps already incorporated into the *Icicle Strategy*?**

3. Every agency is either required to

apply

or

to

comport with

[CWA DU protection](#)

according to the law

, exemptions, and antidegradation (See p, 9-21 of [CWA Watershed Academy](#)).

Since DU includes such uses as ESA species, Tribal rights, commercial and aesthetic water uses, and Wilderness Act, **have these DU protections been accommodated within the *Icicle Strategy*,**

such

as indicated by question #7 in your "Supplemental Sheet under nonproject actions"? More specifically, my proposed DU protection matrix (Alpine Lake 2-17-15...file attached) was designed to address DU protection in one single table; **will this DU matrix be used and published?**

4. Given the complexities and

realities

of

some

incompatible uses, DU protections must be negotiated and some not

likely

met. If the *Icicle Strategy* cannot

adequately

protect certain uses, **are economic exemptions planned or have already been explored** under the [CWA Use Attainability Analysis](#) (UAA, also see [CWA Watershed Academy, p. 11](#)), [ESA God Squad Decision](#), or Congressional exemptions?

(See #6, attached DP 3-4-15 letter.)

For full disclosure, I am participating at request of Dr. John Osborn of the Sierra Club, but I speak only for myself. For those who don't know me, my one-page resume is in the attached "DP 3-4-15 letter, BNR, 3-10-15 meeting.pdf."

Since this email and its attachments are public documents in the administrative record, feel free to use, distribute, dispute, or delete, as you see fit. Thank you for your continuous work on this complex project. See you March 30.

Best,

Derek

Attachments:

- 1) ESA Section 4F Recovery Plan criteria, GAO summary.pdf  
2
  - ) Alpine Lake 2-17-15 IWG mtg, with CWA DU MATRIX.pdf  
3)
- DP 3-4-15 letter, BNR, 3-10-15 meeting.pdf.

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**Derek Poon**

400 Boylston Ave E, #2  
Seattle, WA 98102  
206-729-9378 cell, [derecpoon@gmail.com](mailto:derecpoon@gmail.com)  
206-602-6565 land line

"All it takes is for the right people in the right position to take action."

David Lewis, [SCIENCE FOR SALE](#), 2014

"This insecticide is dedicated to a healthier world." EPA approved slogan, 2007.

E. G. Vallianatos, [POISONED SPRING](#), 2014

----- Forwarded message -----

From: **Mike Kaputa** <[Mike.Kaputa@co.chelan.wa.us](mailto:Mike.Kaputa@co.chelan.wa.us)>

Date: Sun, Mar 20, 2016 at 5:19 PM

Subject: RE: Icicle Strategy, March 30, 2016, Phinney Community Center, Seattle

To: "Karl Forsgaard ([karlforsgaard@comcast.net](mailto:karlforsgaard@comcast.net))" <[karlforsgaard@comcast.net](mailto:karlforsgaard@comcast.net)>, Andrea Imler <[aimler@wta.org](mailto:aimler@wta.org)>, Kitty Craig <[kitty\\_craig@tws.org](mailto:kitty_craig@tws.org)>, Benjamin Greuel <[benjamin\\_greuel@tws.org](mailto:benjamin_greuel@tws.org)>, "deortman@msn.com" <[deortman@msn.com](mailto:deortman@msn.com)>, "Rachael Osborn ([rosborn@celp.org](mailto:rosborn@celp.org))" <[rosborn@celp.org](mailto:rosborn@celp.org)>, Lisa Pelly <[Lisa.Pelly@tu.org](mailto:Lisa.Pelly@tu.org)>, Susan Adams <[susan@washingtonwatertrust.org](mailto:susan@washingtonwatertrust.org)>, "Greg McLaughlin ([greg@washingtonwatertrust.org](mailto:greg@washingtonwatertrust.org))" <[greg@washingtonwatertrust.org](mailto:greg@washingtonwatertrust.org)>, Mary Jo Sanborn <[MaryJo.Sanborn@co.chelan.wa.us](mailto:MaryJo.Sanborn@co.chelan.wa.us)>, "Jim Brown ([James.Brown@dfw.wa.gov](mailto:James.Brown@dfw.wa.gov))" <[James.Brown@dfw.wa.gov](mailto:James.Brown@dfw.wa.gov)>, Keith Goehner <[Keith.Goehner@co.chelan.wa.us](mailto:Keith.Goehner@co.chelan.wa.us)>, Jay Manning <[jmanning@cascadialaw.com](mailto:jmanning@cascadialaw.com)>, "Downes, Melissa M. (ECY)" <[MNIH461@ecy.wa.gov](mailto:MNIH461@ecy.wa.gov)>, "Lisa Dally Wilson ([lisadallywilson@gmail.com](mailto:lisadallywilson@gmail.com))" <[lisadallywilson@gmail.com](mailto:lisadallywilson@gmail.com)>, "Charity Davidson ([Charity.Davidson@dfw.wa.gov](mailto:Charity.Davidson@dfw.wa.gov))" <[Charity.Davidson@dfw.wa.gov](mailto:Charity.Davidson@dfw.wa.gov)>, Jen Watkins <[jwatkins@conservationnw.org](mailto:jwatkins@conservationnw.org)>, "(okeefe@americanwhitewater.org)" <[okeefe@americanwhitewater.org](mailto:okeefe@americanwhitewater.org)>, "kgeraght@gmail.com" <[kgeraght@gmail.com](mailto:kgeraght@gmail.com)>, "sarahk@mountaineers.org" <[sarahk@mountaineers.org](mailto:sarahk@mountaineers.org)>, "rckmcguire@gmail.com" <[rckmcguire@gmail.com](mailto:rckmcguire@gmail.com)>, "espackard@msn.com" <[espackard@msn.com](mailto:espackard@msn.com)>, Don Parks <[dlparks398@gmail.com](mailto:dlparks398@gmail.com)>, "voice4wild@aol.com" <[voice4wild@aol.com](mailto:voice4wild@aol.com)>, "tom@wawild.org" <[tom@wawild.org](mailto:tom@wawild.org)>, "kurt@wildfishconservancy.org" <[kurt@wildfishconservancy.org](mailto:kurt@wildfishconservancy.org)>, Michael Garrity <[mgarrity@americanrivers.org](mailto:mgarrity@americanrivers.org)>, "efr98115@tpl.org" <[efr98115@tpl.org](mailto:efr98115@tpl.org)>, "AMY K. SNOVER" <[aksnover@uw.edu](mailto:aksnover@uw.edu)>, "GUILLAUME S. MAUGER ([gmauger@uw.edu](mailto:gmauger@uw.edu))" <[gmauger@uw.edu](mailto:gmauger@uw.edu)>, Harriet Bullit <[harrietb@sleepinglady.com](mailto:harrietb@sleepinglady.com)>, "drieman@tumwater.net" <[drieman@tumwater.net](mailto:drieman@tumwater.net)>, James Schroeder <[jschroeder@tnc.org](mailto:jschroeder@tnc.org)>, Paul Kundtz <[paul.kundtz@tpl.org](mailto:paul.kundtz@tpl.org)>, "trolfe@celp.org" <[trolfe@celp.org](mailto:trolfe@celp.org)>, Derek Poon <[derecpoon@gmail.com](mailto:derecpoon@gmail.com)>, "patsump@juno.com" <[patsump@juno.com](mailto:patsump@juno.com)>, "rr.wolfe@comcast.net" <[rr.wolfe@comcast.net](mailto:rr.wolfe@comcast.net)>, "Andrea@WildWaRivers.org" <[Andrea@wildwarivers.org](mailto:Andrea@wildwarivers.org)>, John Osborn <[John@waterplanet.ws](mailto:John@waterplanet.ws)>, Joan Crooks <[joan@wecprotects.org](mailto:joan@wecprotects.org)>, Becky Kelley <[becky@wecprotects.org](mailto:becky@wecprotects.org)>, Environmental Priorities Coalition <[lisa@wecprotects.org](mailto:lisa@wecprotects.org)>, "(GTEB461@ecy.wa.gov)" <[GTEB461@ecy.wa.gov](mailto:GTEB461@ecy.wa.gov)>, "spmalloch@gmail.com" <[spmalloch@gmail.com](mailto:spmalloch@gmail.com)>

The Icicle Work Group is holding a Seattle-area workshop to provide details on its *Icicle Strategy*. Chelan County and the WA Department of Ecology/Office of the Columbia River have recently initiated development of a programmatic environmental impact statement for the *Icicle Strategy* and will accept comments until May 11, 2016. See attached documents.

**The workshop will be held March 30, 7 PM at the Phinney Center, 6532 Phinney Ave N, Seattle, WA 98103.**

We hope that you will be able to attend this workshop to learn more about the *Icicle Strategy* and how to provide input during environmental review. Please feel free to circulate this email and let others know about the workshop. For more information, please visit our website at the following link: <http://www.co.chelan.wa.us/natural-resources/pages/icicle-work-group?parent=Planning>

Thanks.

Mike

Attachments:

Icicle Strategy DS Signed.pdf  
Icicle Strategy SEPAChecklist.pdf

Mike Kaputa, Director

Chelan County Natural Resource Department

411 Washington Street, Suite 201

Wenatchee, WA 98801

Phone: (509) 670-6935

----- Forwarded message -----

From: **Derek Poon** <[derekcpoon@gmail.com](mailto:derekcpoon@gmail.com)>

Date: Mon, Mar 30, 2015 at 4:16 PM

Subject: DP thanks, with info: Icicle Work Group Seattle Meeting February 17, 2015

To: Mike Kaputa <[Mike.Kaputa@co.chelan.wa.us](mailto:Mike.Kaputa@co.chelan.wa.us)>

Cc: Keith Goehner <[Keith.Goehner@co.chelan.wa.us](mailto:Keith.Goehner@co.chelan.wa.us)>, "[glearnedsr@hotmail.com](mailto:glearnedsr@hotmail.com)" <[glearnedsr@hotmail.com](mailto:glearnedsr@hotmail.com)>, "[amatzke@gmail.com](mailto:amatzke@gmail.com)" <[amatzke@gmail.com](mailto:amatzke@gmail.com)>, "[patsump@juno.com](mailto:patsump@juno.com)" <[patsump@juno.com](mailto:patsump@juno.com)>, "[rr.wolfe@comcast.net](mailto:rr.wolfe@comcast.net)" <[rr.wolfe@comcast.net](mailto:rr.wolfe@comcast.net)>, Lisa Pelly <[Lisa.Pelly@tu.org](mailto:Lisa.Pelly@tu.org)>, Trish Rolfe <[trolf@celp.org](mailto:trolf@celp.org)>, "[lfetterly\\_47@hotmail.com](mailto:lfetterly_47@hotmail.com)" <[lfetterly\\_47@hotmail.com](mailto:lfetterly_47@hotmail.com)>, Benjamin Greuel <[benjamin\\_greuel@tws.org](mailto:benjamin_greuel@tws.org)>, "[tony.iid.pid@nwi.net](mailto:tony.iid.pid@nwi.net)" <[tony.iid.pid@nwi.net](mailto:tony.iid.pid@nwi.net)>, Lisa Dally Wilson ([lisadallywilson@gmail.com](mailto:lisadallywilson@gmail.com))" <[lisadallywilson@gmail.com](mailto:lisadallywilson@gmail.com)>, "Charity Davidson ([Charity.Davidson@dfw.wa.gov](mailto:Charity.Davidson@dfw.wa.gov))" <[Charity.Davidson@dfw.wa.gov](mailto:Charity.Davidson@dfw.wa.gov)>, "[GTEB461@ecy.wa.gov](mailto:GTEB461@ecy.wa.gov)" <[GTEB461@ecy.wa.gov](mailto:GTEB461@ecy.wa.gov)>, Andrea Imler <[aimler@wta.org](mailto:aimler@wta.org)>, Jay Manning <[jmanning@cascadialaw.com](mailto:jmanning@cascadialaw.com)>, "[dlparks398@gmail.com](mailto:dlparks398@gmail.com)" <[dlparks398@gmail.com](mailto:dlparks398@gmail.com)>, "[HBRomb@aol.com](mailto:HBRomb@aol.com)" <[HBRomb@aol.com](mailto:HBRomb@aol.com)>, "Karl Forsgaard ([karlforsgaard@comcast.net](mailto:karlforsgaard@comcast.net))" <[karlforsgaard@comcast.net](mailto:karlforsgaard@comcast.net)>, "[voice4wild@aol.com](mailto:voice4wild@aol.com)" <[voice4wild@aol.com](mailto:voice4wild@aol.com)>, "[raelene@seanet.com](mailto:raelene@seanet.com)" <[raelene@seanet.com](mailto:raelene@seanet.com)>, "[deortman@msn.com](mailto:deortman@msn.com)" <[deortman@msn.com](mailto:deortman@msn.com)>, "[espackard@msn.com](mailto:espackard@msn.com)" <[espackard@msn.com](mailto:espackard@msn.com)>, "[buukrat@gmail.com](mailto:buukrat@gmail.com)" <[buukrat@gmail.com](mailto:buukrat@gmail.com)>, "[paulkgould@comcast.net](mailto:paulkgould@comcast.net)" <[paulkgould@comcast.net](mailto:paulkgould@comcast.net)>, "Rachael Osborn ([rdpaschal@earthlink.net](mailto:rdpaschal@earthlink.net))" <[rdpaschal@earthlink.net](mailto:rdpaschal@earthlink.net)>, Janine Blaeloch <[blaeloch@westernlands.org](mailto:blaeloch@westernlands.org)>, Susan Adams <[susan@washingtonwatertrust.org](mailto:susan@washingtonwatertrust.org)>, Michael Garrity <[mgarrity@americanrivers.org](mailto:mgarrity@americanrivers.org)>, "[tom@wawild.org](mailto:tom@wawild.org)" <[tom@wawild.org](mailto:tom@wawild.org)>, John Osborn <[John@waterplanet.ws](mailto:John@waterplanet.ws)>, Ron Walter <[Ron.Walter@co.chelan.wa.us](mailto:Ron.Walter@co.chelan.wa.us)>, Doug England <[Doug.England@co.chelan.wa.us](mailto:Doug.England@co.chelan.wa.us)>, "Kuiken, Jason J -FS" <[jkuiken@fs.fed.us](mailto:jkuiken@fs.fed.us)>, Jeff Rivera <[jrivera02@fs.fed.us](mailto:jrivera02@fs.fed.us)>, Mary Jo Sanborn <[MaryJo.Sanborn@co.chelan.wa.us](mailto:MaryJo.Sanborn@co.chelan.wa.us)>, "[dhaller@aspectconsulting.com](mailto:dhaller@aspectconsulting.com)" <[dhaller@aspectconsulting.com](mailto:dhaller@aspectconsulting.com)>, "David W. Rice" <[drice@anchorqea.com](mailto:drice@anchorqea.com)>

Mike,

Your notes of the February 17 IWG meeting and the Powerpoint are much appreciated!

To keep everyone equally informed, I am providing to the notes distribution my suggested data analysis format sent to you on February 18, in the file "[Alpine Lakes 2-17-15 IWG mtg, with CWA DU MATRIX.pdf](#)". I also attached several files on Clean Water Act (CWA) Existing and Designated uses (DU) protection and Endangered Species Act (ESA) Section 7(a)(1), both referenced in my recommendations.

To all, feel free to delete or use these files as you see fit. Since they all went to policy folks, they are provided to give full disclosure. For those who don't know me, I attached my one-page resume in the attached file, "DP 3-4-15 letter, BNR, 3-10-15 meeting.pdf."

Again, Mike, thanks for your efforts and all the best in this challenging project.

Derek

Four attachments:

- 1) Alpine Lake 2-17-15 IWG mtg, with CWA DU MATRIX.pdf
- 2) CWA DU protection and ESA 7(a)(1), 3-26-15.pdf
- 3) KFNC suitability determination, to Kelsey at ACOE, January, 2015.pdf
- 4) DP 3-4-15 letter, BNR, 3-10-15 meeting.pdf

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**Derek Poon**

400 Boylston Ave E, #2  
Seattle, WA 98102  
206-729-9378, [derecpoon@gmail.com](mailto:derecpoon@gmail.com)

"All it takes is for the right people in the right position to take action."

David Lewis, *SCIENCE FOR SALE*, 2014

"This insecticide is dedicated to a healthier world." EPA approved slogan, 2007.

E. G. Vallianatos, *POISONED SPRING*, 2014

On Sun, Mar 29, 2015 at 9:30 AM, Mike Kaputa <[Mike.Kaputa@co.chelan.wa.us](mailto:Mike.Kaputa@co.chelan.wa.us)> wrote:

Thank you all for attending the February 17 meeting to discuss Icicle Work Group efforts and, specifically, those efforts in the Alpine Lakes Wilderness. Attached are notes from that meeting. Please let me know if you have any edits by April 10. The Powerpoint from the meeting is available on our website at <http://www.co.chelan.wa.us/natural-resources/iwgminutes?parent=Planning>

I could not decipher email addresses from the following people: Ann Wechsler, Morgan Ahouse, and Connor Briggs. Please forward this email to them or send me their email addresses.

I appreciated the opportunity to follow up with many of you in early March and look forward to getting into more details and, as we discussed, a potential site visit when weather permits.

Again, many thanks for your time and involvement.

Mike

Mike Kaputa, Director

Chelan County Natural Resource Department

411 Washington Street, Suite 201

Wenatchee, WA 98801

Phone: (509) 670-6935

***Please note our new address***

Written Comment Sheet for  
Scoping the Icicle Strategy Programmatic Environmental Impact Statement



Scoping is the process used to determine what should be evaluated in an environmental impact statement (EIS). It is conducted before any analysis of impacts is begun. You can participate in this process by submitting your scoping comments below.

Comments will be accepted through May 11, 2016 and can be sent to Mike Kaputa at mike.kaputa@co.chelan.wa.us or 411 Washington Street, Suite 201, Wenatchee, WA 98801

Contact Info (Required)

Name: NATALIE WILLIAMS Date: 27 APRIL 16

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: natalieseeca@gmail.com

Please send me an electronic copy of the draft EIS.

Please send me a paper copy of the draft EIS.

Your Comments

Removal of any resource from a Federally designated Wilderness is a violation of the Wilderness Act and the Alpine Lakes Wilderness Area Management Plan. The NUSEL is a good example - even though that could have been argued under "education" outlined in the Act. Section 4d-4 specifically prohibits any 'taking' - increase or change, of the water resource, either quality or quantity. All 'added' water needs to come from 'added' sources - CONSERVATION

- The EIS should include an Alternative that Protects & Preserves the ALW water resource in compliance with the Wilderness Act and ALWAMP.
- The EIS should include an Alt that acknowledges the limits of the City of Heavenworth, Icicle Inn. Dist and all other Uses to the ORIGINAL purpose and legal agreement of Section 4(d)-4.
- The EIS should include an Alt that establishes a water rights / volume swap - water market in addition to implementing aggressive conservation measures (eg; King County, including raising prices, issuing limits, scheduling watering, etc. All avenues of conservation and reclamation must be exhausted before (if ever) violating a wilderness resource.

**Written Comment Sheet for  
Scoping the Icicle Strategy Programmatic Environmental Impact Statement**



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Comments will be accepted through May 11, 2016 and can be sent to Mike Kaputa at [mike.kaputa@co.chelan.wa.us](mailto:mike.kaputa@co.chelan.wa.us) or 411 Washington Street, Suite 201, Wenatchee, WA 98801

**Contact Info (Required)**

Name: Norm Stoddard Date: 5/20/2016

Address: 12556 Shore St. Leavenworth, Wa. 98826

Telephone: 509-548-4898 Email: \_\_\_\_\_

Please send me an electronic copy of the draft EIS.

Please send me a paper copy of the draft EIS.

**Your Comments**

What will be the impact of conservation on domestic water wells. Will loss of ground water dry up wells?

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**Written Comment Sheet for  
Scoping the Icicle Strategy Programmatic Environmental Impact Statement**



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

Scoping is the process used to determine what should be evaluated in an environmental impact statement (EIS). It is conducted before any analysis of impacts is begun. You can participate in this process by submitting your scoping comments below.

Comments will be accepted through May 11, 2016 and can be sent to Mike Kaputa at mike.kaputa@co.chelan.wa.us or 411 Washington Street, Suite 201, Wenatchee, WA 98801

**Contact Info (Required)**

Name: Steve McKenna Date: \_\_\_\_\_

Address: 12490 Shore St

Telephone: 509-670-1104 Email: smckenna@nwi.net

Please send me an electronic copy of the draft EIS.

Please send me a paper copy of the draft EIS.

**Your Comments**

I commend the IWG for this most impressive collaboration! You've come together and worked for over 3 year to arrive at consensus on projects to improve stream flow on the Icicle. Having local entities, with often competing values, come together for solutions is a model for others to follow. The presentation was thorough, thought provoking. Nice job involving the community as part of this process.

Written Comment Sheet for  
Scoping the Icicle Strategy Programmatic Environmental Impact Statement



Scoping is the process used to determine what should be evaluated in an environmental impact statement (EIS). It is conducted before any analysis of impacts is begun. You can participate in this process by submitting your scoping comments below.

Comments will be accepted through May 11, 2016 and can be sent to Mike Kaputa at mike.kaputa@co.chelan.wa.us or 411 Washington Street, Suite 201, Wenatchee, WA 98801

Contact Info (Required)

Name: Scot Brower Date: 4/20/16  
Address: 5821 Icicle Rd Leavenworth WA 98826  
Telephone: 548-4160 Email: scotbrower@comcast.net  
206-819-3202

Please send me an electronic copy of the draft EIS.

Please send me a paper copy of the draft EIS.

Your Comments

TU - Leavenworth Chapter

Concerns regarding Boulder Field Removal

1) will upper Icicle Creek support

Steelhead or is it too cold

or lack sufficient food

2) will Steelhead passage into

upper Icicle result in closure

of trout fishery (Rainbow) because

Steelhead protected by Endangered

Species Act?

Nete Olsen  
836 NW 61<sup>st</sup> St  
Seattle, WA 98107

April 19, 2016

Via email: Mike.Kaputa@co.chelan.wa.us

Chelan County Natural Resources Department  
Attn: Mike Kaputa, Director  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

RE: Scope of Programmatic EIS for Icicle Creek Water Resource Management Strategy

Dear Mr. Kaputa,

Thank you for the opportunity to comment on the Scope of the Programmatic Environmental Impact Statement for the Icicle Creek Water Resource Management Strategy. It is my understanding that you are currently soliciting questions, recommendations and comments regarding the Guiding Principles that helped to delineate the scope, as well as the baseline projects briefly outlined in the “Icicle Strategy”. My comments are as follows:

- 1. A Water Balance Chart should be prepared for the Icicle Creek system.** This chart should show: a) the baseline flows expected for Icicle Creek and the tributary lakes during a “normal” flow year, a “drought” year, and anticipated future flows that take into account the impacts of global warming; b) water outputs from Icicle Creek under current operations during “normal” and “drought” years showing the locations of the diversions, the maximum rates and volumes of diversion, whether the diversions are firm or interruptible, and the holders of the diversionary rights; and c) locations of problem areas in the drainage system that the IWG is trying to address to improve instream flows. Note that all of the flow rates and volumes should be presented for each individual water right—for example, Snow/Nada Lakes should be broken into the diversions for the Fish Hatchery and for the Icicle Peshastin Irrigation District (IPID).
- 2. The Guiding Principles outlined by the IWG need to be ranked in order to establish the relative importance of each principle.** Clearly, some of the principles are legal requirements (Tribal Treaty Harvest, State and Federal

Laws, Wilderness Act), which take precedence over other principles presented (eg. Improve Domestic Supply, Improve Agricultural Reliability). For that reason, not all guidelines are created equal. Rather, there are Required Guiding Principles and Additional Guiding Principles, and they should be noted as such. This ranking must be done because the projects that will follow from this scoping document will all be tied to these Guiding Principles, and not all of them will be able to be met. So, the ranking system will help to define which project should take precedence.

3. **“Conservation First” should be added as the 10th Guiding Principle.** While conservation of water as a limited resource is of clear interest to those within the working group, defining Conservation First as a separate Guiding Principle will more clearly demonstrate the IWG’s desire to meet water needs through conservation before attempting to find and develop any “new” sources of water. Additionally, bringing water conservation to the forefront will keep conservation as the first line of action in meeting future water needs. Generally, conservation is cheaper, easier, and faster than developing new water sources.
4. **Relocating the diversion locations along Icicle Creek must be considered as an alternative to meet the Guiding Principle of Improving Instream Flow.** Clearly, if the stretch of Icicle Creek that most suffers from reduced stream flow is the segment downstream of the diversion structures for the irrigation districts, the City of Leavenworth, and the Fish Hatchery, then using a pumping system to divert flows to the gravity diversion channels from the confluence must be studied, considered, and compared.
5. **Transferability of water rights must be demonstrated in the Eightmile Lake Restoration Project.** It appears that the water rights for the Alpine Lakes (including Eightmile Lake) were granted to the IPID, and the agreements with the Forest Service in the Wilderness Act were negotiated with the IPID. It is not clear to me how any changes made to Eightmile Lake can be made in order to provide water to a municipal water provider, as that appears to be outside of the water usages established by these two agreements. The summary of the water rights presented in the *Alpine Lake Optimization and Automation* report prepared by Aspect Consulting and Anchor QEA describe the rights as certified “for the purpose of irrigation of 7,000 acres lying within the lands of the Icicle and Peshastin Irrigation Districts.”
6. **Limits of Inundation of Eightmile Lake perimeter should be mapped.** This mapping would help to define what the potential impacts would be of raising the water level of Eightmile Lake by 4 feet, including the impacts to trails, campsites, forested areas, and habitat. It would also help to determine the feasibility of raising the lake—ie would the lake even be able to impound the

higher water level, or are there geologic factors that would keep the lake from being able to impound a higher level of water?

**7. Alpine Lakes Optimization, Modernization, and Automation operation strategy needs to be defined**, particularly since it is linked to the “Improve Instream Flow” Guiding Principle:

- a) How much water will be taken from each lake during a “normal” water year?
- b) Will the ease of water withdrawal increase the “baseline” withdrawal rate that currently gets drawn? For example, will irrigated acreage increase so that the needs for irrigation rise, and every year becomes a “drought” year? We all know that demands will rise as supply becomes available, and providing a more regular supply may only make for more severe shortages as the impacts of global warming become clearer.
- c) How will the benefits to Instream Flows (as an interruptible flow) be balanced with the needs of irrigation (as a firm demand)?

**8. Stage/Storage data and bathymetry needs to be developed for each of the Alpine Lakes within the “optimization” program.**

Thank you again for this opportunity to comment. Please include me in all future mailings on this project.

Sincerely,

Nete Olsen  
836 NW 61<sup>st</sup> St  
Seattle, WA 98107  
neteolsen@olsenviolins.com

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Thursday, April 21, 2016 1:03 PM  
**To:** Jordan Sanford  
**Subject:** FW: No dams in Alpine Lakes Wilderness!

Here is another public comment to add to the table.

Thanks,  
Meghan

**Meghan O'Brien** | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

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**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Thursday, April 21, 2016 12:45 PM  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: No dams in Alpine Lakes Wilderness!

Comment below...

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Sunday, April 17, 2016 7:57 PM  
**To:** Roy & Jean McMurtrey  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: No dams in Alpine Lakes Wilderness!

Hi Roy. I will make sure your comment is in the record.

Are you aware that dams were constructed on several alpine lakes in the early 1900s, before the wilderness designation, and are currently maintained operated by agreement between the US Forest Service and Icicle Irrigation District? Your comment suggested to me that you thought dams did not exist up there.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201

Wenatchee, WA 98801  
Phone: (509) 670-6935

---

**From:** Roy & Jean McMurtrey [<mailto:dcmurtrey@msn.com>]  
**Sent:** Sunday, April 17, 2016 4:10 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** No dams in Alpine Lakes Wilderness!

What a terrible idea. We need wilderness kept pristine, get the water some other way, please.

Roy McMurtrey

Sent from [Mail](#) for Windows 10

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Monday, April 25, 2016 11:02 AM  
**To:** Jordan Sanford  
**Subject:** FW: Icicle Strategy

**Meghan O'Brien** | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

---

**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Monday, April 25, 2016 11:03 AM  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: Icicle Strategy

Comment below...

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
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[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Friday, April 22, 2016 11:47 AM  
**To:** Mary Jo Sanborn  
**Subject:** FW: Icicle Strategy

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**From:** Ken Hemberry [mailto:ken@hiupgrowers.com]  
**Sent:** Friday, April 22, 2016 11:08 AM  
**To:** Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>  
**Subject:** Icicle Strategy

Mike  
Peshastin Hi-Up Growers President of the Board Rudy Prey Jr. and I attended the Icicle Strategy Meeting held in Leavenworth on April 20<sup>th</sup>. As the General Manager of a company that packs 50 million pounds of pears annually, I am acutely aware of the value of water. There really isn't anything that is more important to our growers and countless other growers than having a dependable source for irrigation. While Rudy and I came to the meeting with our personal interests in mind, it was great to learn that the Work Group was focused on meeting the needs of all stakeholders through a consensus process.

On April 21<sup>st</sup> our board held its monthly meeting. Rudy and I reported on the Icicle Strategy. Our board was very pleased to hear of both your efforts and your approach. We want to pass on to you that we both appreciate and support the Work Group's plans and Guiding Principles. If there is any way that we can assist please let us know.

Ken Hemberry  
General Manager  
Peshastin Hi-Up Growers

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Monday, April 25, 2016 11:08 AM  
**To:** Jordan Sanford  
**Subject:** FW: Save the Alpine Lakes Wilderness!  
**Attachments:** IMG\_6448.JPG

**Meghan O'Brien** | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

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**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Monday, April 25, 2016 11:04 AM  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: Save the Alpine Lakes Wilderness!

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Friday, April 22, 2016 9:29 AM  
**To:** [joriadkins@mac.com](mailto:joriadkins@mac.com)  
**Cc:** Dorothy Walker; Mary Jo Sanborn  
**Subject:** RE: Save the Alpine Lakes Wilderness!

Thanks, Jori, for your comments. We'll make sure that they are entered into the record.

I wanted to make sure you knew that Snow, Nada, Colchuck, Square, Klonaqua and Eightmile Lakes already have dams in place and were constructed before the wilderness designation. I read your email to say that you thought there are not dams there now and that the Icicle Work Group is proposing to build new ones. Here are some photos that show some of these lakes from last year and the dam at Eightmile.

Let me know if I can provide any additional information.









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**From:** [joriadkins@mac.com](mailto:joriadkins@mac.com) [<mailto:joriadkins@mac.com>]  
**Sent:** Tuesday, April 19, 2016 10:53 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Cc:** Dorothy Walker <[dorothyw@centurylink.net](mailto:dorothyw@centurylink.net)>  
**Subject:** Save the Alpine Lakes Wilderness!

Dear Mike Kaputa,

I am very concerned about the Icicle group's proposal to use the Alpine Lakes as *reservoirs* for, when the smoke lifts, new housing starts in the Leavenworth area as well as other Chelan County suburbs.

Their plan looks "balanced" but it isn't when it is looked at closely. Yes, they play lip service to Fisheries, yes, they mention the Wilderness Acts and complying with State and Federal laws, but basically the list of stakeholders are those that profit from the water and would like to control it for more direct growth of that profit. Their tactics are very arrogant, making statements that make it sound as if it were a done deal! Calling the lakes reservoirs is the worst! This is all very wrong!

I am one of the people that sees wilderness areas as a place of rejuvenation and healthy hiking and wildlife watching, to see an area like Alpine Lakes is to see something that has not been affected by humans (that is the definition of a wilderness area). People like me do not dam the lakes for the profit of a few but leave it for others and our grandchildren to enjoy and seek healthy renewal.

This proposal uses our taxes too and we were not notified in time for meetings because we are not an organization but individuals that go out to hike in the wilderness.

This project uses our taxes and they are being spent to benefit a few. This is very wrong!

Please leave the Alpine Lakes Wilderness alone as the pristine Alpine wilderness it is!

Thank you for your time and consideration,

Jori Adkins  
301 Puyallup Ave.  
Tacoma, WA 98421  
253-365-1459

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Monday, April 25, 2016 11:09 AM  
**To:** Jordan Sanford  
**Subject:** FW: Comment on Icicle Basin water

**Meghan O'Brien** | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

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**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Monday, April 25, 2016 11:04 AM  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: Comment on Icicle Basin water

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Friday, April 22, 2016 9:14 AM  
**To:** Mary Jo Sanborn  
**Subject:** FW: Comment on Icicle Basin water

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**From:** Mike Kaputa  
**Sent:** Friday, April 22, 2016 9:13 AM  
**To:** 'Vic Clayson' <[vkclayson@charter.net](mailto:vkclayson@charter.net)>  
**Subject:** RE: Comment on Icicle Basin water

Thanks, Vic, we'll make sure your comments are entered into the record. Please let me know if there is any more information we can provide.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department

411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Vic Clayson [<mailto:vkclayson@charter.net>]  
**Sent:** Friday, April 22, 2016 8:17 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Comment on Icicle Basin water

Good morning,

I appreciate the opportunity you're giving for public comment on the Icicle Basin water issue.

I'm very much in favor of increasing the capacity for water storage. I don't know just how this is going to be done or if the source of funding is known. If funding is available and the various agencies can come to an agreement to repair dams where necessary or whatever needs to be done to get more storage, I'm all for it. I'm not claiming to be an expert in how to do it but I'm sure that there are experts who know how to get the job done and I'm going to trust them to do that.

It seems like such a waste to see all of the brown, muddy water going down the Wenatchee River every spring. I assume that whatever is done in the Icicle Basin probably won't do much, if anything, to reduce the high level of water that we see so often during parts of the year. Even so, if there's a way we could even do more to contain some of that water I'd also be for that but I'm realistic enough to know that isn't likely to happen.

Sincerely,  
Vic Clayson  
Cashmere

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Monday, April 25, 2016 11:09 AM  
**To:** Jordan Sanford  
**Subject:** FW: Icicle Water project

Meghan O'Brien | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

-----Original Message-----

From: Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
Sent: Monday, April 25, 2016 11:04 AM  
To: Meghan O'Brien <mobrien@aspectconsulting.com>  
Cc: Dan Haller <dhaller@aspectconsulting.com>  
Subject: FW: Icicle Water project

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

-----Original Message-----

From: Mike Kaputa  
Sent: Friday, April 22, 2016 9:12 AM  
To: Merrie Davis  
Cc: Mary Jo Sanborn  
Subject: RE: Icicle Water project

Thanks, Merrie, we'll make sure your comments are entered into the record. Please let me know if there is any additional information we can provide you.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

-----Original Message-----

From: Merrie Davis [mailto:wmdavis@yesimadeit.com]

Sent: Thursday, April 21, 2016 10:56 PM

To: Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>

Subject: Icicle Water project

I am in favor of the proposal for additional water storage in the Alpine Lakes area. I hope the proposal is a success.

Merrie Davis

## Jordan Sanford

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**From:** Dan Haller  
**Sent:** Wednesday, April 27, 2016 11:28 AM  
**To:** Jordan Sanford  
**Subject:** Fwd: IWG Comments

Sent from my U.S. Cellular® Smartphone

----- Original message -----

**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Date:** 4/27/16 11:17 AM (GMT-08:00)  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: IWG Comments

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Tuesday, April 26, 2016 3:58 PM  
**To:** Cristina Hill  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: IWG Comments

Thanks for taking the time to provide comments, I'll make sure they are entered into the record...Mike

**From:** Cristina Hill [<mailto:cristina.e.hill@gmail.com>]  
**Sent:** Monday, April 25, 2016 12:50 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** IWG Comments

Dear Mr. Kaputa,

As part of the IWG SEPA public comment period, I would like to ask that the City of Leavenworth initiate a water metering program and tiered pricing for residential customers. As part of the stated effort to improve conservation efforts, this one is perhaps the most obvious. Not only do people not know how much water they currently use, but there is no financial incentive for conservation? This should change.

In addition, I completely support improvement of passage conditions at the Icicle Boulder Field, installation of fish screening at the Leavenworth National Fish Hatchery intake, along with their upgrade to circular tanks for fish rearing. The conversion of any delivery systems to irrigators to on-demand pumps with pressurized pipes is also a good one, though their users should also be asked to allow metering in exchange for public financing of their infrastructure. Thank you for consideration of my comments.

Cristina Hill  
Leavenworth Resident

## Jordan Sanford

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**From:** Dan Haller  
**Sent:** Wednesday, April 27, 2016 3:45 PM  
**To:** Jordan Sanford  
**Subject:** FW: Comment regarding Icicle Work Group and SEPA Checklist

**Daniel R. Haller, PE, CWRE** | Aspect Consulting, LLC | Principal Engineer | Direct: 509.895.5462 | Cell: 509.952.8607

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**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Wednesday, April 27, 2016 3:05 PM  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: Comment regarding Icicle Work Group and SEPA Checklist

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Wednesday, April 27, 2016 11:35 AM  
**To:** [timgartland@centurytel.net](mailto:timgartland@centurytel.net)  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Comment regarding Icicle Work Group and SEPA Checklist

Thanks, Tim, we appreciate the thorough review and will make sure these comments are entered into the record and considered.

Mike

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**From:** Timothy R Gartland [mailto:[timgartland@centurytel.net](mailto:timgartland@centurytel.net)]  
**Sent:** Wednesday, April 27, 2016 10:44 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Comment regarding Icicle Work Group and SEPA Checklist

Dear Mr. Kaputa,

It appears to me that answers submitted in your SEPA Environmental Checklist related to Icicle Work Group proposals are incomplete. That is, your responses ignore the upstream impacts of the Icicle Work Group's proposed increases to water flows over those upper stretches of Icicle Creek and its tributaries. The manipulated flows meant to provide additional water during the late summer and early fall are by definition unnatural, and as such will (of course) have an impact. Yet your SEPA responses make no mention of this simple fact.

Here are some examples to support my observation:

Regarding:

Section B. Environmental Elements

Subsection 8. Land and Shoreline Use

Question a: What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Your answer: "The proposal will increase instream flow, which will provide beneficial results for a variety of agricultural, recreational, domestic, commercial, and natural uses on adjacent properties."

This response fails to account for the deleterious effects to wildlife, wildlife systems and humans that have come to count upon the natural seasonal reductions to instream flows (upstream of the proposal's beneficiaries.)

Question j: Approximately how many people would the completed project displace?

Your answer: "None anticipated."

This response fails to account for the upstream property owners, camp site users and other visitors who count on using the natural seasonal reductions for swimming and wading who will be discouraged by the danger presented by the increased flows. If the water flow were increased 30 or 50% on the stretch where I generally camp it would render the stream unsafe for entry. As it is now, I and other campers can wade, swim or bathe themselves naturally. The increased flows could result in the entire population of future campers losing swimming areas forever.

Subsection 12. Recreation

a. Would the proposed project displace any existing recreational uses? If so, describe.

Your answer: "The proposal would improve some recreational opportunities by enhancing the natural aesthetic of the affected geographical area through increased streamflow in Icicle Creek."

This response fails to account again for the upstream property owners, camp site users and other visitors who count on using the natural seasonal reductions for swimming and wading who will be discouraged by the danger presented by the increased flows.

Section D. Supplemental Sheet for NonProject Actions

Question 2. How would the proposal be likely to affect plants, animals, fish or marine life?

Your answer: "The program is designed to improve instream flow and habitat for fish."

The response fails again to account for the deleterious effects to wildlife and humans that have come to count upon the natural seasonal reductions to flows upstream of the proposal's beneficiaries.

Question 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Your answer: "Implementation of the Guiding Principles would not result in any long-term changes, new construction or lasting disturbance to any environmentally sensitive areas."

This response fails to account for the permanent presence of unnatural, counter seasonal increased water flows from originating sources within wilderness areas through to the downstream beneficiaries. To repeat, the increased flows would be permanent and unnatural.

The few examples above illustrate how your responses ignore upstream impacts of the increased water flows. Which is surprising because the impacts of artificially storing and releasing water flows are well documented from a long history of numerous projects around the globe. The impacts include those associated with river-line erosion and changes in water temperature, not to mention the increased dangers to humans wishing to bathe in and along its shores. River-line erosion impacts shores and riverbed, and threaten shoreline ecosystems. Further, stream beds can deepen and thus narrow over

time. The counter seasonal increases also result in the cooling of the waters. These cooler temperatures can impact fish, flora and fauna in ways not addressed in your responses.

Water flows have seasonally ebbed and flowed since time began. Aquatic and land animals have come to depend upon this ancient system, including myself. I look forward to the naturally low volumes and warmer waters to cool myself during the hot summer months. Aquatic animals may depend upon the lower volumes to breed or build fat stores. Land animals may advantage the lower flows to traverse the river or complete migratory travel. The artificial manipulation of the flows is by definition abnormal and unnatural, and as such will definitely impact the systems and the animals which populate the flows. Your responses should acknowledge and respect this fact. Its my observation that they do not. And as such, you should make amendments to correct the omissions.

Respectfully submitted,

Tim Gartland  
9120 Woodworth Avenue  
Gig Harbor, WA 98332  
Frequent recreational visitor to the Icicle River and Valley

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Thursday, April 28, 2016 2:46 PM  
**To:** Jordan Sanford  
**Cc:** Dan Haller  
**Subject:** FW: comments on IWG scoping

Meghan O'Brien | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

-----Original Message-----

From: Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
Sent: Thursday, April 28, 2016 2:15 PM  
To: Meghan O'Brien <mobrien@aspectconsulting.com>  
Cc: Dan Haller <dhaller@aspectconsulting.com>  
Subject: FW: comments on IWG scoping

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

-----Original Message-----

From: Mike Kaputa  
Sent: Thursday, April 28, 2016 2:09 PM  
To: Ed Burns  
Cc: Mary Jo Sanborn  
Subject: RE: comments on IWG scoping

Thanks, Ed, we'll get your comments into the record and included in our scoping effort. We appreciate your time and effort to participate and put these together.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201

Wenatchee, WA 98801  
Phone: (509) 670-6935

-----Original Message-----

From: Ed Burns [mailto:rpwa2003@yahoo.com]  
Sent: Thursday, April 28, 2016 11:53 AM  
To: Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>  
Subject: comments on IWG scoping

The main limitation I see with the plan is that conservation efforts seem to have the lowest priority. In the area where I live, which is served by COIC, there is no incentive to conserve since the water is basically free (\$80/yr/acre) and essentially nobody does conserve. The vast majority of usage appears to be lawn watering in an inefficient manner. At the height of last years snowpack drought people were not even making minimal efforts to conserve, e.g., they watering in the middle of 100 degree days, watering daily, over watering, etc. Lining the ditch won't have any effect on usage and the small amount saved will just be dumped in the Wenatchee. I don't see where the incentive for users to conserve will come from. Since it's a user-owned district the users are not going to vote to do something that will cost them money such as metering, or even agree to it if someone else pays costs of installing meters. I see nothing in the plan that will persuade them into giving up their lush green lawns in mid summer which, although ridiculous in an area which ranges from semi arid to outright desert, seem to be regarded as a god-given right (the irony is, if you drive to Seattle in the summer, the majority of people there let their lawns go dormant in mid summer). Why weren't the costs of a California-like scheme to pay people to go to xeriscaping considered? I also don't see how the pumping options help because it seems like it's a robbing Peter to pay Paul scheme where flow in the lower Icicle is increased whereas flow in the Wenatchee decreased.

From my observations it seems that the lack of conservation efforts are the norm in the area. I see the same watering behavior in Leavenworth and in the domestic users in the IPID as in COIC. The manager of IPID is quoted during last summer's drought: "Icicle users have been using record amounts of water.....We have been pushing the canal as hard as we can push it." He also claims that agricultural users irrigation efficiency is basically maxed out, but again, I saw sprinklers going in the middle of the day, and I'd wager that Israeli farmers are getting by with about half the water for the same crops. Although Leavenworth claims to have reduced per capita water usage, this was the result of a one-time (step function) decrease in usage when they installed meters, and it has not declined since then.

As far as environmental impact of individual projects: the remote control of output from the lakes would seem to be relatively innocuous; the rebuilding of the eightmile dam less so (interesting that in the reports the "historic" level of the lake is the level after the original dam was built); and the diversion from Upper Klonaqua lake, outrageous.

In summary, I think the plan proposes spending vast amounts of money on projects to provide water which serious conservation efforts, especially on the part of residential users, could largely provide.

272 Mapleway Road  
Selah, WA 98942  
April 30, 2016

Mike Kaputa  
411 Washington Street  
Suite 201  
Wenatchee, WA 98801  
[Mike.kaputa@co.chelan.wa.us](mailto:Mike.kaputa@co.chelan.wa.us)

Dear Mr. Kaputa,

Thank you for the opportunity to comment on the preparation of the Programmatic Environmental Impact Statement (PEIS) for the Icicle Strategy. I have the following comments:

Regarding the handouts shown on the website  
<http://www.co.chelan.wa.us/natural-resources/pages/sepa-public-open-house>,

1. Alpine Lakes Optimization, Modernization and Automation handout: I have a strong objection to the project description: “Seven *reservoirs* (emphasis added) located within the Alpine Lakes Wilderness Area are currently used to augment water supply for Icicle and Peshastin Irrigation Districts (IPID) and the US Fish and Wildlife Service Leavenworth National Fish Hatchery: Upper and Lower Snow, Nada, Colchuck, Eightmile, Klonaqua, and Square Lake.” Further, “The purpose of this project is to manage release from these “*reservoirs*” (emphasis added) based on water levels and changing conditions in a way that would optimize the water supply in the basin and be coordinated among all users.”

Nowhere does it mention that these “reservoirs” are not, in fact, “reservoirs” but named geographic features (lakes) located within the Alpine Lakes Wilderness. It is also apparent that there was no consideration made for “users” of the Alpine Lake Wilderness, only for those who wish to consume the water from those “reservoirs” aka, lakes, from within the Alpine Lakes Wilderness.

2. Domestic Conservation Efficiencies handout: Quoting the project description, “Future conservation projects identified by the IWG include replacing residential meters, *evaluating* (emphasis added) a conservation oriented rate structure, expand conservation education and xeriscape programs, increase domestic leak detection programs, and rebates for efficient residential fixtures. Additionally, City of Leavenworth is *exploring* (emphasis added) opportunities for reclaimed water and replacing leaky water mains.

In the 1970's and 1980's, energy conservation was looked at as a stop-gap measure used prior to construction of coal or nuclear plants. The coal or nuclear plants would then provide the "real" energy necessary for an expanding economy.

We now know that those coal and nuclear plants were not necessary and energy conservation is the preferred alternative in the Pacific Northwest.

So why is the IWG providing first for hard engineering regarding "optimizing, modernizing and automating" the "reservoirs" but only "evaluates" and "explores" conservation opportunities? Shouldn't it be the other way around? Why do you first want to mine the water in the Alpine Lakes Wilderness before you have evaluated and explored the potential for conservation?

As a senior water right holder in the Yakima basin, I am familiar with the rush towards high dollar capital projects for new water sources (especially when the State or Federal government is paying) with conservation playing second or third fiddle.

I do understand that IPID has specific water rights from the Alpine Lakes Wilderness. My understanding is that those rights are for agricultural purposes. I question the conversion of those agricultural right to domestic water rights, especially when the IWG is only proposing an "evaluation" of a conservation oriented rate structure and the City of Leavenworth is only proposing "exploring" opportunities for reclaimed water and replacing leaky watermains.

Shouldn't you at least replace the leaky watermains? With all respect, replacing leaky watermains would appear to be a good place to spend capital dollars. Leaky watermain replacement could provide additional water through conservation with a side effect of improving the city's infrastructure.

I would like to see an alternative that does not allow "optimizing, modernizing and automating" the "reservoirs" but does require a conservation oriented rate structure, increased domestic leak detection, rebates for efficient residential fixtures and replacement of leaky watermains. Opportunities for reclaimed water should also be evaluated.

Thank you for your consideration of these comments.

Kind regards,

Margie Van Cleve

Written Comment Sheet for  
Scoping the Icicle Strategy Programmatic Environmental Impact Statement



Scoping is the process used to determine what should be evaluated in an environmental impact statement (EIS). It is conducted before any analysis of impacts is begun. You can participate in this process by submitting your scoping comments below.

Comments will be accepted through May 11, 2016 and can be sent to Mike Kaputa at mike.kaputa@co.chelan.wa.us or 411 Washington Street, Suite 201, Wenatchee, WA 98801

Contact Info (Required)

Name: Fred Smith Date: 5/5/2016

Address: P.O. Box 357

Telephone: 866-3997 Email: \_\_\_\_\_

Please send me an electronic copy of the draft EIS.

Please send me a paper copy of the draft EIS.

Your Comments

The number one priority should be which ever project increases stream flow the greatest during mid to late summer. This would have the greatest positive effect on fish, ~~as~~ <sup>and</sup> it would also insure a more reliable water flow for the Wenatchee Valley agricultural industry.

That project/projects would be the rebuilding of the Eight Mile Lake Dam to it original "legal" height, along with installing

automated valves.

as for the boiler field, learn to  
live with it, as past generations have



TO: Tom Tebb  
Director, Office of Columbia River  
Washington State Department of Ecology  
1250 Alder Street  
Union Gap, WA 98903

Mike Kaputa  
Director, Chelan County Natural Resources Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

RE: Request for Comments on the Scope of the Programmatic Environmental Impact Statement (PEIS) for the Icicle Creek Water Resource Management Strategy (Icicle Strategy)

DATE: May 4, 2016

Dear Dir. Tebb and Dir. Kaputa,

The Washington State Department of Ecology (Ecology) directed the Chelan County Natural Resource Department (CCNRD) to develop a PEIS for the Icicle Strategy. Currently, the potential project package established by the Icicle Work Group (IWG) is open to public comment. Comments will be used to inform a draft State Environmental Policy Act (SEPA) PEIS for the Icicle Strategy. Trout Unlimited (TU) appreciates the opportunity to provide comments during the scoping period.

The purpose of the SEPA PEIS is to address probable significant adverse impacts associated with implementation of a suite of projects within the Icicle Creek basin aimed at enhancing stream flow and habitat conditions for fisheries and other aquatic organisms, improving operations and water storage at historical reservoirs within the Alpine Lakes Wilderness, maintaining water security and supply reliability for out of stream users of Icicle Creek water, and reinstating water reserves that will facilitate growth/development in Chelan County.

TU sits on the IWG Steering Committee and has worked with IWG membership to ensure the proposed package aligns with TU's mission to conserve, protect, and restore North America's coldwater fisheries and their watersheds. These projects include:

- Efficiency upgrades for Icicle Peshastin Irrigation District (IPID) and Cascade Orchards Irrigation Company (COIC)
- Domestic conservation and efficiencies
- Diversion screening upgrades (IPID, COIC, and City of Leavenworth)

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*Washington Water Project*

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- Eightmile Lake restoration and Alpine Lakes reservoir management optimization and automation
- Leavenworth National Fish Hatchery water conservation and water quality improvements, intake rehabilitation, and Structure #2 operational improvements
- Icicle Creek habitat improvements/land acquisitions
- Fish passage and tribal fishery improvements
- Water markets/banks
- Instream Flow Rule amendment

TU understands that a primary purpose of the SEPA PEIS is to help clarify resources and information that will inform programmatic environmental review for the Icicle Strategy as well as individual environmental review processes for each project. TU takes seriously its role within the IWG and wishes that the Icicle Strategy have a lasting positive benefit for the people and environment in North Central Washington. Moreover, TU understands that the IWG approved the current suite of projects for public comment and SEPA review, but that it does not necessarily represent the final project package or approval of individual projects in the PEIS.

TU has the following concerns and comments that should be addressed during the SEPA review and PEIS development:

1. An article on the Icicle Strategy in the April 22, 2016 print issue of the Wenatchee World noted that in the opinion of the IWG, "If implemented in full, the (Icicle Strategy) will support area population growth while also supplying fish and irrigators with the water they need through 2050." TU is concerned that the ability of the proposed project package meeting Icicle Creek demands through 2050 is not substantiated because no assessment has been conducted specifically addressing future water supply and climate scenarios in the Icicle Creek basin. Potential impacts of a changing climate in the Pacific Northwest include reduced snowpack and decreased summer stream flows. IWG guiding principles include instream flow objectives of 60 cfs in drought years and 100 cfs in non-drought years. TU encourages the IWG to review the attached analysis of Icicle Creek water/climate conditions performed by Dick Rieman and TU-Washington Water Project staff and urges the IWG to procure a water supply and climate change analysis from a team of experts such as the University of Washington Climate Impacts Group. It does not seem prudent to move a final project list forward without first securing water supply information so the Icicle Strategy is built on sound science and solid fundamentals.
2. TU understands that the success of the Icicle Strategy hinges on implementation of the full suite of proposed projects. However, it is unclear what projects have been identified to replace those in the proposed package should any one become unattainable due to logistics, lack of public support, unanticipated expenses, or other reason(s). TU strongly urges the IWG to develop a list of proposed project alternatives that will also meet IWG guiding principles and that are practical, feasible, and implementable. In addition to identifying potential replacement projects should one of the proposed projects drop from the final package, a comprehensive list of project alternatives will also demonstrate that the final package contains projects that have the greatest conservation benefit for the most effective cost.

3. TU understands that the National Environmental Policy (NEPA) process must be undertaken by a lead federal agency. At this time no lead agency has been identified. TU recommends identification of a federal agency that will serve as the lead during NEPA processes and procedures.
4. TU understands that IWG flow objectives may focus on LNFH historic channel flow. TU wonders if flow objectives ought to be observed at the USGS gauge station above the Snow Creek confluence since this location has an established, long-running monitoring record that may be useful in historic, contemporary, and future analyses.
5. Multiple parties have indicated concerns about changes to the lakes in the Alpine Wilderness area. TU urges the Department of Ecology and Chelan County to take these concerns seriously and work closely with the Forest Service to determine what can and cannot be constructed or designed in that area.
6. Project implementation is an on-going process in Icicle Creek like most watersheds throughout North Central Washington. TU and numerous other entities are currently working on restoration projects within the Icicle Creek and Wenatchee River basins and will continue to manage these projects independent of the Icicle Strategy process.
7. Future materials should clearly articulate benefit/cost information for projects envisioned by the IWG. TU recommends that this process be undertaken independent of the IWG.

TU supports collaborative efforts to develop a holistic water resource management strategy for Icicle Creek and commends the work of member organizations, tribes, agencies, and individuals who have spent significant time to participate. The needs of fish, farms, and families must be balanced to ensure the region supports healthy ecosystems, maintains a robust economy, and shares the costs of the Icicle Strategy among the various users.

Sincerely,



Lisa Pelly  
Director, Trout Unlimited-Washington Water Project



Mike Wyant  
President, Icicle Valley Chapter of Trout Unlimited

# **Stream flow, temperature, and snow water equivalent in Icicle Creek basin, Washington: historic conditions and potential future scenarios**

Trout Unlimited-Washington Water Project<sup>1</sup> and Dick Rieman<sup>2</sup>

<sup>1</sup>Trout Unlimited-Washington Water Project, 103 Palouse Street, Wenatchee, WA, 98801

<sup>2</sup>Concerned citizen (please direct questions to Cody Gillin, Project Manager with Trout Unlimited-Washington Water)

## **Background**

Trout Unlimited-Washington Water Project and Leavenworth resident Dick Rieman conducted an examination of Icicle Creek stream flow and climate conditions. Analyses focused on historical conditions but also included some effort to understand possible future scenarios. USGS stream gauge station #12458000 on Icicle Creek above the Snow Creek confluence provided baseline stream flow data. Public data repositories for SNOTEL site #791 at Stevens Pass, University of Washington Climate Impacts Group (CIG), and National Weather Service Cooperative Observer Program (COOP) provided historical and future temperature data. Snow water equivalent (SWE) data were provided by the University of Washington Climate Impacts group. Future stream flow projections were derived from National Stream Internet (NSI) attribute data joined to the National Hydrography Dataset (NHD) streamlines geospatial layer.

## **Methodology**

USGS gauge station #12458000 was operational 1937-present with a 23-year period of decommission 1971-1993. This analysis utilized all available data for complete water years (1937-1970 and 1994-2015). Stream flow data (cubic feet per second or cfs and acre feet or ac-ft) were evaluated numerically and graphically by examining raw data, trends/patterns, and measures of central tendency. Evaluated time periods included annual, monthly, daily, and center time (date by which half the total annual water volume flowed past the gauge station). Annual data were considered based on the water year calendar October 1-September 30.

Monthly stream flow data were compared with monthly water demand placed on Icicle Creek by existing out of stream uses and minimum instream environmental flows outlined by the Icicle Working Group (IWG). Out of stream uses vary by month and include Icicle-Peshastin Irrigation District (IPID), Leavenworth National Fish Hatchery (LNFH), Cascade Orchards Irrigation Company (COIC), and City of Leavenworth (Leavenworth). Minimum environmental flow restoration objectives described in the IWG Guiding Principles are 60 cfs for drought years and 100 cfs for normal years. Note that this analysis used drought year environmental flow values of 60 cfs when calculating demand so all years are considered drought years. Demand for out of stream uses and environmental flows outlined in the IWG guiding principles are referred to as IWG water demands.

Median monthly temperatures for SNOTEL site #791 (Stevens Pass) were evaluated for the entire period of record (1984-2013).

COOP historical mean monthly temperature raster data were compared with CIG Western US Hydroclimate Scenarios Project projected 2040s mean monthly temperature data derived from the CMIP3 global model archive for the A1B emissions scenario. CIG and COOP data were resampled to a finer resolution to facilitate visualization at the scale of the Icicle Creek basin. Raster data were quantified and percent change in watershed area comprised by the raster classes was calculated.

Historical mean monthly SWE data were compared with future data. SWE data were resampled to the same cell size as temperature data to facilitate visualization. All geospatial data were analyzed using ESRI ArcMap 10.4. All graphs were developed using Microsoft Excel. Numerical calculations were conducted using both ESRI ArcMap 10.4 and Microsoft Excel.

## Results and Observations

### Historical Data: Stream Flow

Mean volume of water passing USGS gauge station #12458000 was approximately 450,000 ac-ft in 1937 and 442,000 ac-ft in 2015 (Fig. 1). Linear regressions suggested total mean monthly water volumes are increasing each month from November 1-March 31 and decreasing each month from April 1-October 31 (e.g., Figs. 2, 3, 4). Mean center time at USGS gauge station #12458000 was May 27 in 1937 and May 8 in 2015 (Fig. 5). Variability of center time (range of center time date) increased through the period of record. During the two gauge station periods of operation, the earliest center time date during the early period occurred on April 30, 1960. Nearly 25% of center time dates during the recent period of operation occurred earlier than April 30, including two dates in early March and one date in late February (Fig. 5).

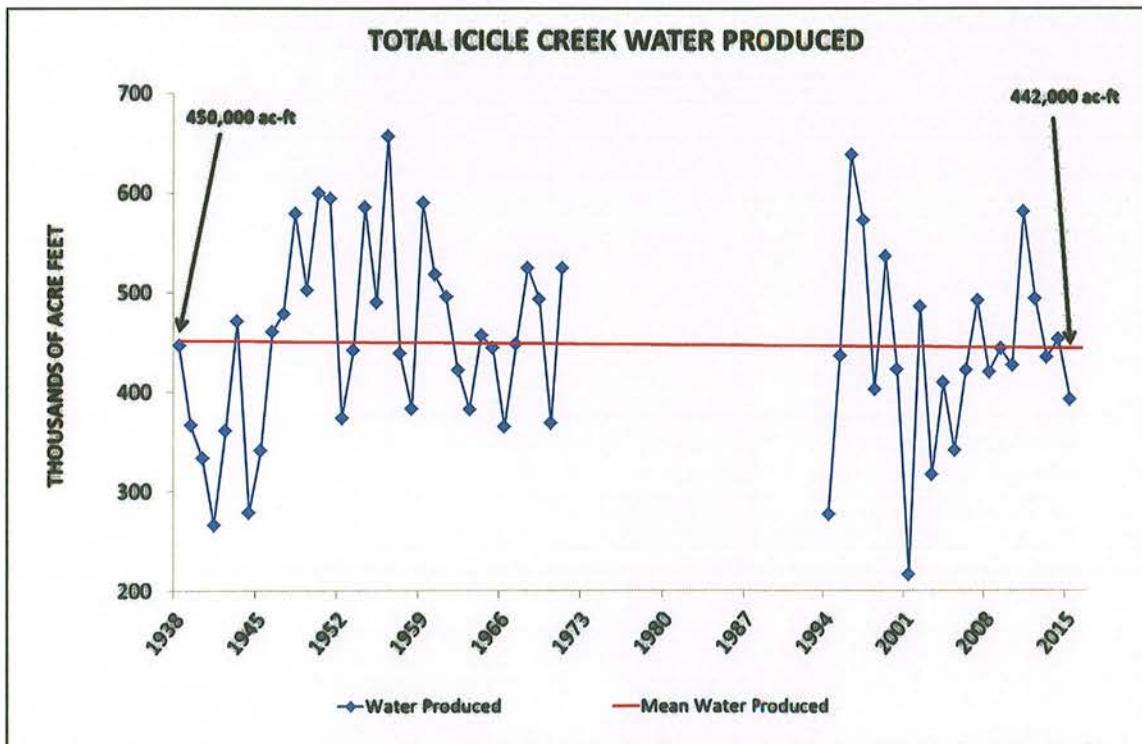


Figure 1. Total volume of water measured at USGS gauge station #12458000 was variable on an annual basis but on average remained relatively unchanged through the period of record.

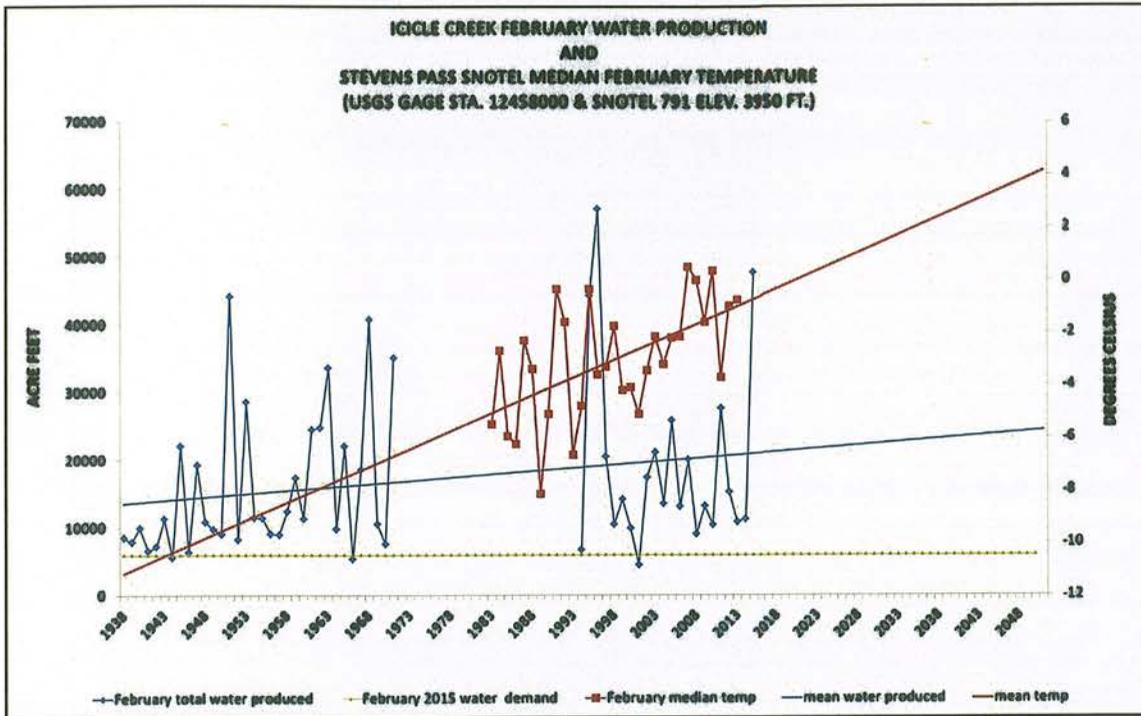


Figure 2. Total volume of water measured at USGS gauge #12458000 and median temperature measured at SNOTEL site #791 increased for the month of February. The same result (increased water production and temperature) was found for all months during the period November 1-March 31).

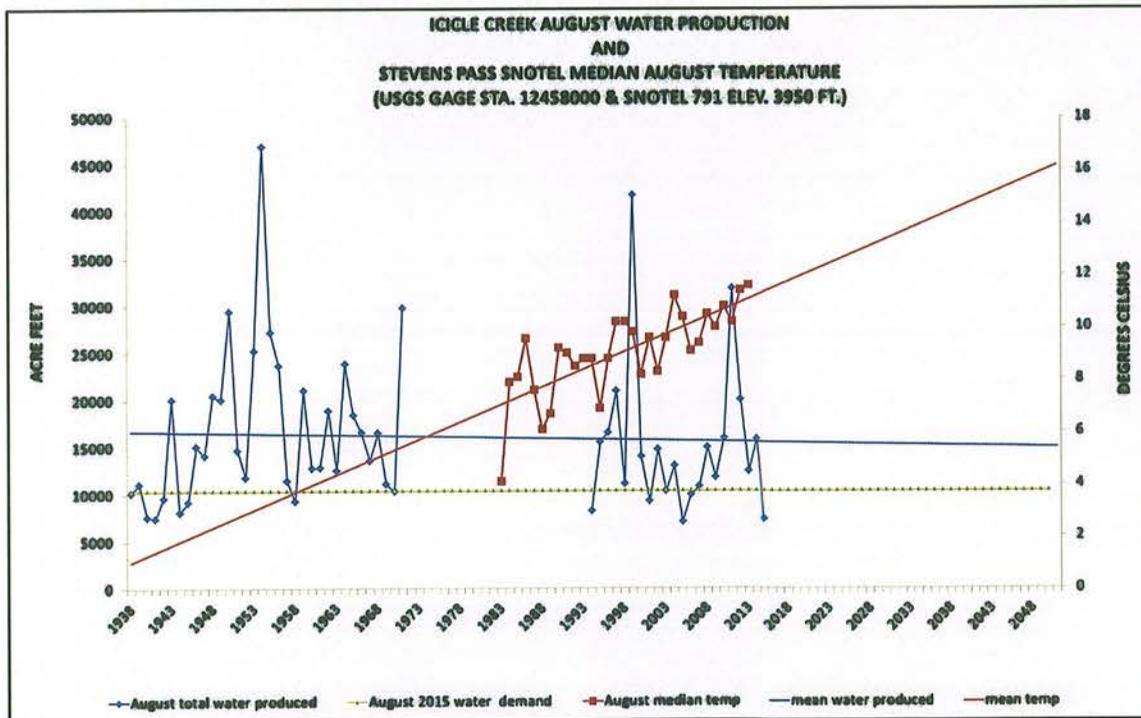


Figure 3. Total volume of water measured at USGS gauge #12458000 decreased and median temperature measured at SNOTEL site #791 increased for the month of August. The same result (decreasing water production and increasing temperature) was found for all months during the period April 1-October 31).

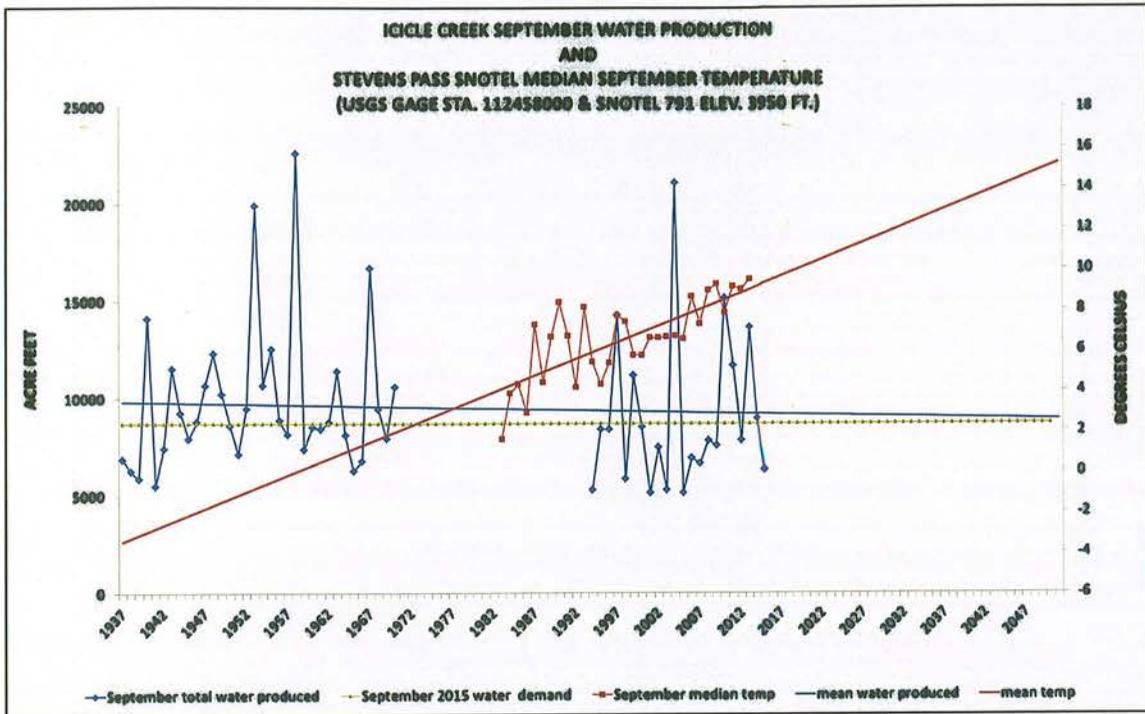


Figure 4. Total volume of water measured at USGS gauge #12458000 decreased and median temperature measured at SNOTEL site #791 increased for the month of September. The same result (decreasing water production and increasing temperature) was found for all months during the period April 1-October 31).

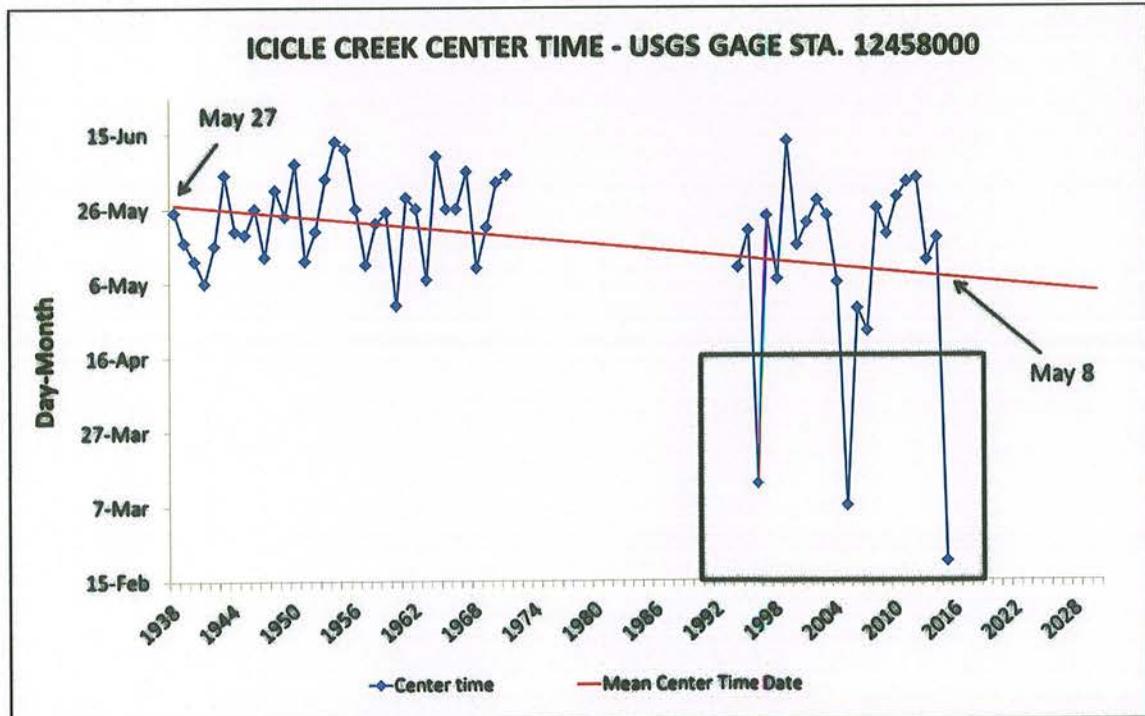


Figure 5. Mean Icedale Creek center time date measured at USGS gauge #12458000 shifted 19 days earlier over the period of record. Note three dates (boxed) occurred on March 13 or earlier 1996-2015.

### **Historical Data: Temperature**

Linear regressions of median temperatures suggested increasing temperatures for all months at SNOTEL site #791 (e.g., Figs. 2, 3, 4). Temperature increases ranged from a minimum of 1.2°C in June to a maximum of 4.8°C in September (Table 1). Average median monthly temperature increase was 3.0°C. SNOTEL data may be biased and this analysis did not research a bias nor apply a bias correction.

**Table 1.** Median monthly temperatures measured at SNOTEL site #791 (Stevens Pass) increased during the period of record 1984-2013.

<b>Stevens Pass SNOTEL Data: Linear Regression of Median Monthly Temperatures</b>				
<b>Month</b>	<b>1984 (°C)</b>	<b>2013 (°C)</b>	<b>Change (°C)</b>	<b>Change (Percent)</b>
<b>Oct</b>	1.7	4.2	2.5	147.1
<b>Nov</b>	-3.0	0.4	3.4	113.3
<b>Dec</b>	-6.0	-2.1	3.9	65.0
<b>Jan</b>	-5.1	-1.2	3.9	76.5
<b>Feb</b>	-5.0	-1.1	3.9	78.0
<b>Mar</b>	-2.7	-0.6	2.1	77.8
<b>Apr</b>	-1.0	0.8	1.8	180.0
<b>May</b>	1.1	3.4	2.3	209.1
<b>Jun</b>	4.8	6.0	1.2	25.0
<b>Jul</b>	7.5	10.2	2.7	36.0
<b>Aug</b>	7.3	11.2	3.9	53.4
<b>Sep</b>	4.3	9.1	4.8	111.6
<b>Mean</b>	0.3	3.4	3.0	97.7

### **IWG Water Demands and Historical Stream Flow Conditions**

Historical mean daily flows at USGS gauge station #12458000 were compared with Icicle Creek July-October IWG water demands for the recent period of gauge operation (1994-2015). Recorded mean daily flows would not have met total instantaneous IWG demands 32.7% of the time (884 of 2706 days) (Table 2). IWG water demand was greater than mean daily flows most often in August (34%) and September (63%). Total monthly water production during the same time period would not have met IWG demands for 27% of the August data (6 of 22 years) and 68% of September data (15 of 22 years) (Figs. 3, 4). Demand deficits ranged from 27-3316 ac-ft (0.5-54 cfs) for August and 165-3563 ac-ft (2.8-60.0 cfs) for September.

**Table 2.** Number of days when IWG demand would not have been met by mean daily flows in Icicle Creek measured at USGS gauge station #12458000 (deficit days are in red text).

<b>HISTORICAL PERIOD 1994-2015</b>				
<b>Year/Month</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>
<b>1994</b>	<b>4</b>	<b>29</b>	<b>30</b>	<b>23</b>
<b>1995</b>	<b>0</b>	<b>1</b>	<b>30</b>	<b>0</b>
<b>1996</b>	<b>0</b>	<b>1</b>	<b>19</b>	<b>0</b>
<b>1997</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>1998</b>	<b>0</b>	<b>12</b>	<b>30</b>	<b>26</b>
<b>1999</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>
<b>2000</b>	<b>0</b>	<b>16</b>	<b>20</b>	<b>0</b>
<b>2001</b>	<b>6</b>	<b>29</b>	<b>30</b>	<b>10</b>
<b>2002</b>	<b>0</b>	<b>2</b>	<b>21</b>	<b>31</b>
<b>2003</b>	<b>1</b>	<b>16</b>	<b>30</b>	<b>12</b>
<b>2004</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>0</b>
<b>2005</b>	<b>15</b>	<b>31</b>	<b>29</b>	<b>2</b>
<b>2006</b>	<b>0</b>	<b>19</b>	<b>30</b>	<b>31</b>
<b>2007</b>	<b>0</b>	<b>15</b>	<b>29</b>	<b>0</b>
<b>2008</b>	<b>0</b>	<b>0</b>	<b>23</b>	<b>2</b>
<b>2009</b>	<b>0</b>	<b>9</b>	<b>22</b>	<b>14</b>
<b>2010</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>
<b>2011</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2012</b>	<b>0</b>	<b>0</b>	<b>19</b>	<b>13</b>
<b>2013</b>	<b>0</b>	<b>9</b>	<b>4</b>	<b>0</b>
<b>2014</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>1</b>
<b>2015</b>	<b>24</b>	<b>30</b>	<b>30</b>	<b>23</b>
<b>Total Days</b>	<b>682</b>	<b>682</b>	<b>660</b>	<b>682</b>
<b>Days Below Demand</b>	<b>50</b>	<b>233</b>	<b>413</b>	<b>188</b>
<b>Pct. Days Below Demand</b>	<b>7%</b>	<b>34%</b>	<b>63%</b>	<b>28%</b>

***Future Projections: Snow Water Equivalent***

Climatologists predict climate change impacts to the region will include air and water temperature increases, decreased April 1 SWE, and reduced summer base flow conditions (among other effects) (e.g., 2014 USDA Climate Change Vulnerability and Adaptation in the North Cascades Region, Washington). This analysis resampled regional geospatial data to a finer resolution to facilitate visualization at the Icicle Creek watershed scale. Temperature and SWE investigations focused on March-April data as these factors during March-April play a key role in determining runoff timing and water supply availability throughout the arid summer months. CIG data indicate April 1 SWE will decline, with an increase in the portion of the watershed containing snowpack below 800 mm SWE and a much smaller portion of the watershed containing snowpack above 800 mm SWE (Fig. 6). The largest decrease is in Icicle Creek watershed area with more than 1000 mm April SWE, which historically represented 20.86% of the basin but is projected to decline to 2.30% (Table 3).

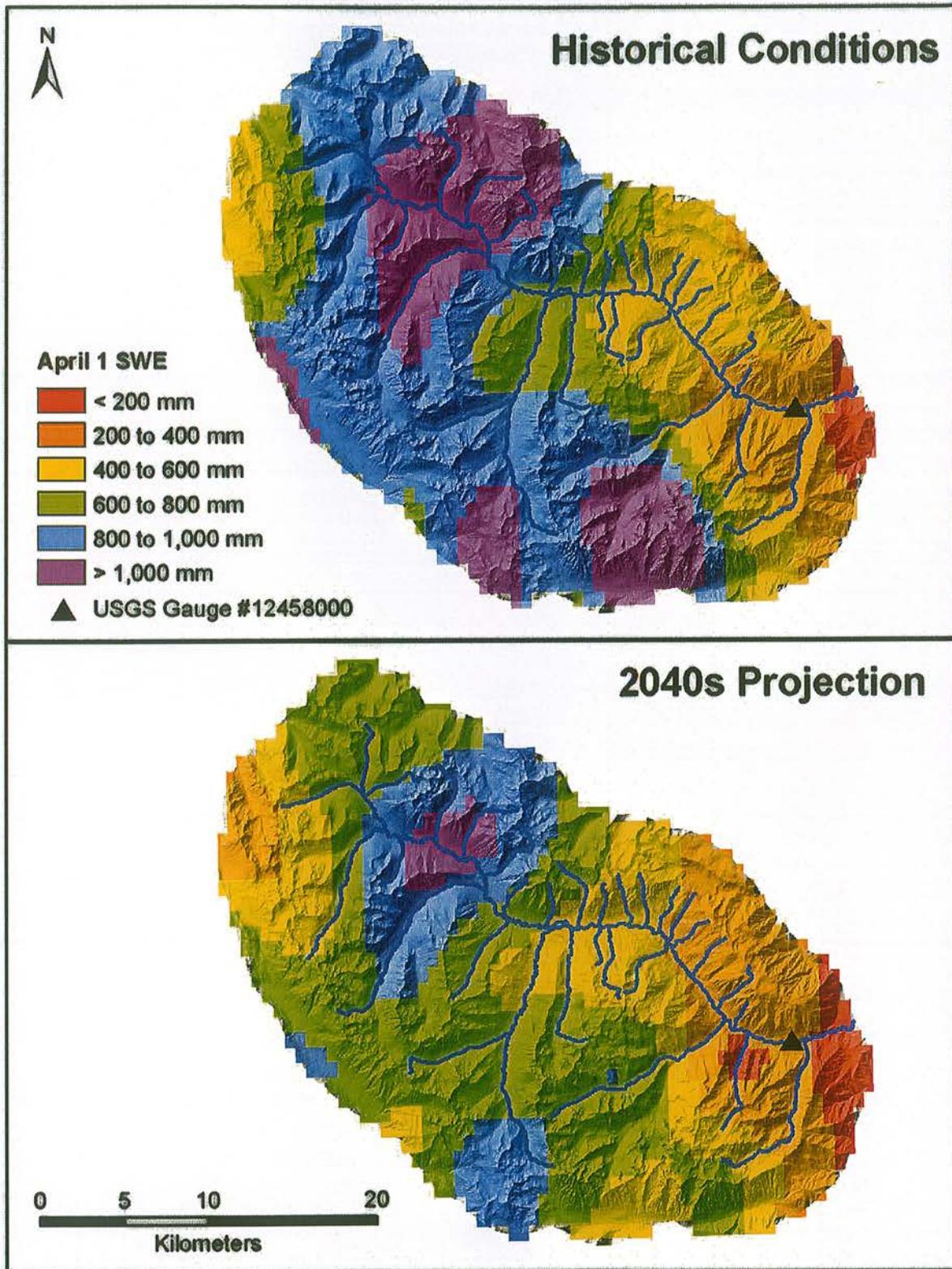


Figure 6. April 1 snow water equivalent (SWE) in the Icicle Creek watershed is projected to decline, with the greatest reductions occurring in the portion of the basin historically comprising snowpack greater than 1000 mm SWE.

**Table 3.** April 1 snow water equivalent (SWE) less than 800 mm is projected to increase and 800 mm or greater is projected to decrease.

April 1 SWE (mm)	Historical Conditions		2040s Projection		Percent Change
	Acres	Percent of Catchment Area	Acres	Percent of Catchment Area	
< 200	3,665.14	1.73%	7,502.19	3.54%	51.15%
200 to 400	21,045.92	9.91%	35,570.34	16.77%	40.83%
400 to 600	33,227.34	15.65%	45,038.80	21.23%	26.23%
600 to 800	30,935.01	14.57%	87,097.85	41.06%	64.48%
800 to 1000	79,197.45	37.29%	32,025.30	15.10%	-147.30%
> 1000	44,301.18	20.86%	4,872.91	2.30%	-809.13%

### **Future Projections: Temperature**

According to the 2014 United States Department of Agriculture report *Climate Change Vulnerability and Adaptation in the North Cascades Region, Washington* a current warming trend in the Pacific Northwest is expected to continue with mean warming of 2.1°C by the 2040s. This analysis compared COOP historical temperature observations with CIG Western US Hydroclimate Scenarios Project forecasted 2040s mean monthly temperature data. A focus was placed on late winter and spring months (February-May) as this period is critical to dry season water supplies (possible snow accumulations or snow melt, depending on weather/climate). In general, temperatures are predicted to increase for all months analyzed across the Icicle Creek basin. March was used to exemplify the trend as it is a transitional month that can be more like winter or spring depending on variability of inter-annual conditions. Temperatures increased for all locations in the basin. The greatest change was for temperatures below -2°C, which historically comprised 23.16% of the Icicle Creek basin but are projected to comprise just 0.78% of the basin by the 2040s (Table 4, Fig. 7).

**Table 4.** Temperatures in the Icicle Creek basin are projected to continue a current increasing trend with the largest change for temperatures historically less than -2°C.

Mean Temperature (°C)	Historical Conditions		2040s Projection		Percent Change
	Acres	Percent of Catchment Area	Acres	Percent of Catchment Area	
< -2	49,137.77	23.16%	1,600.68	0.78%	-2,969.82%
-2 to -1	92,833.73	43.76%	47,736.31	23.28%	-94.47%
-1 to 0	53,023.91	25.00%	96,212.80	46.92%	44.89%
0 to 1	10,018.38	4.72%	49,706.30	24.24%	79.84%
1 to 2	4,597.81	2.17%	9,780.28	4.77%	52.99%
> 2	2,517.81	1.19%	7,093.44	3.46%	64.51%

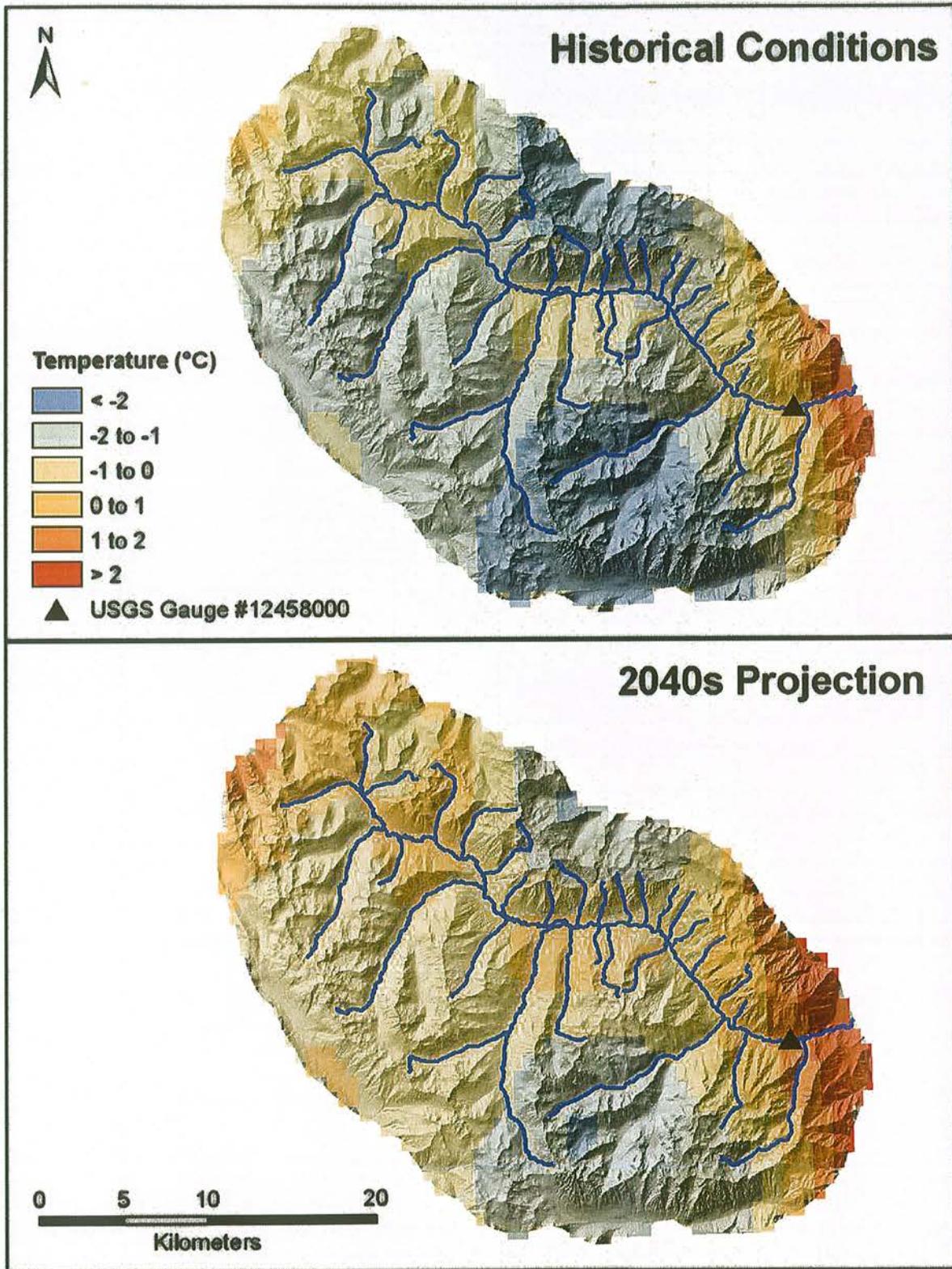


Figure 7. Mean March temperatures in the Icicle Creek basin are projected to increase, with large declines in watershed area historically comprised of mean March temperatures below  $-1^{\circ}\text{C}$ .

***IWG Water Demands and Future Summer Stream Flow Conditions***

In general, climatologists predict reduced summer stream flows as a result of climate change in the region. A review of literature and climate models revealed variable percent of flow reduction from historical conditions. For example, National Stream Internet data indicated a mean summer (June-September) reduction of 39.33% and mean August reduction of 63% in Icicle Creek at the confluence with Snow Creek by the 2040s. The 2014 National Climate Assessment Northwest Regional Report by the United States Global Climate Research Program suggested 40-50% reduction of flows in the Wenatchee River near Icicle Creek. Since no future stream flow data specifically developed for the Icicle Creek basin were available, this analysis considered a 35% reduction in July-October Icicle Creek flows for the historical period 1994-2015 measured at USGS gauge station #12458000. The period July-October was considered because aforementioned evaluations determined historical flows would not have met IWG demands most often during these months. IWG demand was greater than mean daily flows applied with a 35% reduction most often in August (71%) and September (89%) when IWG water demand would not be met for a majority of days (Table 5). Historical Icicle Creek flows applied with a 35% reduction to simulate potential climate change impacts would not have met IWG demand for the entire month of September in 15 of 22 years.

**Table 5.** Historical Icicle Creek flows measured at USGS gauge station #12458000, when applied with a 35% reduction to simulate potential climate change impacts, would not meet IWG demand for a majority of the typical low-flow period July-October.

<b>35% FLOW REDUCTION</b>				
<b>Year/Month</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>
<b>1994</b>	<b>13</b>	<b>31</b>	<b>30</b>	<b>25</b>
<b>1995</b>	<b>1</b>	<b>15</b>	<b>30</b>	<b>0</b>
<b>1996</b>	<b>0</b>	<b>16</b>	<b>30</b>	<b>19</b>
<b>1997</b>	<b>0</b>	<b>11</b>	<b>20</b>	<b>0</b>
<b>1998</b>	<b>7</b>	<b>31</b>	<b>30</b>	<b>31</b>
<b>1999</b>	<b>0</b>	<b>0</b>	<b>23</b>	<b>18</b>
<b>2000</b>	<b>0</b>	<b>25</b>	<b>30</b>	<b>10</b>
<b>2001</b>	<b>17</b>	<b>31</b>	<b>30</b>	<b>16</b>
<b>2002</b>	<b>0</b>	<b>20</b>	<b>30</b>	<b>31</b>
<b>2003</b>	<b>13</b>	<b>31</b>	<b>30</b>	<b>16</b>
<b>2004</b>	<b>10</b>	<b>25</b>	<b>4</b>	<b>0</b>
<b>2005</b>	<b>30</b>	<b>31</b>	<b>30</b>	<b>26</b>
<b>2006</b>	<b>4</b>	<b>31</b>	<b>30</b>	<b>31</b>
<b>2007</b>	<b>6</b>	<b>31</b>	<b>30</b>	<b>11</b>
<b>2008</b>	<b>0</b>	<b>19</b>	<b>30</b>	<b>17</b>
<b>2009</b>	<b>0</b>	<b>27</b>	<b>30</b>	<b>20</b>
<b>2010</b>	<b>0</b>	<b>18</b>	<b>13</b>	<b>4</b>
<b>2011</b>	<b>0</b>	<b>0</b>	<b>27</b>	<b>0</b>
<b>2012</b>	<b>0</b>	<b>10</b>	<b>30</b>	<b>14</b>
<b>2013</b>	<b>6</b>	<b>31</b>	<b>23</b>	<b>0</b>
<b>2014</b>	<b>0</b>	<b>19</b>	<b>28</b>	<b>15</b>
<b>2015</b>	<b>31</b>	<b>31</b>	<b>30</b>	<b>29</b>
<b>Total Days</b>	<b>682</b>	<b>682</b>	<b>660</b>	<b>682</b>
<b>Days Below Demand</b>	<b>138</b>	<b>484</b>	<b>588</b>	<b>333</b>
<b>Pct. Days Below Demand</b>	<b>20%</b>	<b>71%</b>	<b>89%</b>	<b>50%</b>

## Interpretation and Conclusions

The purpose of this study was to examine stream flow, temperature, and SWE in the Icicle Creek basin. Investigations yielded a trend of increasing stream flow during the period November 1-March 31 and decreased stream flow during the period April 1-October 31 in Icicle Creek measured at USGS gauge station #12458000. Center time date became earlier through the gauge station period of record. Median monthly temperatures at SNOTEL site #791 at Stevens Pass increased for all months. Icicle Creek basin SWE declined and temperature increased when historic conditions were compared with projected future conditions.

Current IWG materials indicate an instream flow demand of 60/100 cfs and conservation benefit of 47/77 cfs in drought/normal years. This analysis utilized only drought year instream flow demand of 60 cfs. IWG water demand was compared with historical flows measured at the gauge station. Mean daily and mean monthly demand deficits occurred during the period of record, including several instances of deficits greater than the 47 cfs drought year conservation benefit. If the analysis had considered a 100 cfs normal year demand the frequency and quantity of the demand deficit would increase.

A 35% reduction of historical stream gauge mean daily flow data for July-October during the recent period of gauge operation was used to simulate potential future conditions. IWG demand was frequently not met under this scenario, particularly in August, September, and October. Deficits greater than the 47 cfs drought year conservation benefit occurred in each month, with some months exceeding a 47 cfs deficit every day (e.g., September 1998, August 2001, September 2003). Furthermore, there are many October months with large deficits that could not be closed by proposed projects since much of the normal year conservation benefit is associated with irrigation/reservoir management effective only during the irrigation season (ending in September). Note that although this scenario is hypothetical, the authors selected a value for the percent reduction in stream flows based on a review of pertinent literature.

This analysis utilized Icicle Creek stream flow data to evaluate how IWG water demand compared with historical and potential future Icicle Creek flow conditions. Furthermore, the analysis investigated historic temperatures measured near the headwaters of the Icicle Creek basin and also compared historic temperature and SWE data with projected future temperature and SWE conditions across the entire Icicle Creek basin to gain a fundamental understanding of recent and potential future climate conditions. All data utilized were publicly available and the authors encourage interested parties to contact them with questions or data requests.

The study examined data trends and applied straightforward methods such as sums, measures of central tendency, simple linear regressions, and percent changes. No test of statistical significance was applied. Resampling of geospatial data was meant to facilitate visualization and may not be the most appropriate method for analysis. The authors do not claim to be climate experts. Rather, results of this analysis highlighted the need for an expert evaluation of future water supply, instream flow, and climate conditions in the Icicle Creek basin. Such an evaluation has been utilized in other resource planning endeavors and can be a valuable tool when planning projects and making decisions that impact ecosystem health and human communities.

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Tuesday, May 10, 2016 11:38 AM  
**To:** Jordan Sanford  
**Subject:** FW: Icicle Manipulation Comments

Meghan O'Brien | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

-----Original Message-----

From: Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
Sent: Tuesday, May 10, 2016 11:38 AM  
To: Meghan O'Brien <mobrien@aspectconsulting.com>  
Cc: Dan Haller <dhaller@aspectconsulting.com>  
Subject: FW: Icicle Manipulation Comments

Meghan and Dan - just for reference, Rob lives off-grid on Eightmile Creek at the Icicle confluence.

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

-----Original Message-----

From: Mike Kaputa  
Sent: Tuesday, May 10, 2016 11:26 AM  
To: Mary Jo Sanborn  
Subject: FW: Icicle Manipulation Comments

-----Original Message-----

From: Mike Kaputa  
Sent: Tuesday, May 10, 2016 11:26 AM  
To: 'Rob' <rob@boudreauxcellars.com>  
Cc: Tim Gartland <timgartland@centurytel.net>; Scot Brower <scotbrower@comcast.net>; harriett@sleepinglady.com  
Subject: RE: Icicle Manipulation Comments

Thanks, Rob, good to hear from you. We'll make sure your comments are entered into the record. Interesting observation about the sediment loading and something we will look into.

Mike

-----Original Message-----

From: Rob [mailto:rob@boudreauxcellars.com]

Sent: Monday, May 09, 2016 9:59 PM

To: Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>

Cc: Tim Gartland <timgartland@centurytel.net>; Scot Brower <scotbrower@comcast.net>; harriett@sleepinglady.com

Subject: Icicle Manipulation Comments

Dear Mike,

Hope all is well. I am glad for the water use study in the Icicle. Two things concern me.

1. Eightmile Creek/ Mountaineer Creek runs right by my back door. Every time extra water is released from Colchuck Lake there is a tremendous sediment load suddenly flowing by. This is a completely unnatural condition for fish and people in late summer.

2. The continued use of helicopter support and further construction of dams in the Alpine Lakes Wilderness Area is blatantly at odds with the spirit of The Wilderness Act. I do not see how we can continue to call this wilderness if we make exceptions for our own over-population and profit.

If you need me I'm here. :)

Best regards,

Rob Newsom

Eightmile Creek

Leavenworth, WA 98826

Cell 509-670-3166

Sent from my iPad

## Jordan Sanford

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**From:** Meghan O'Brien  
**Sent:** Tuesday, May 10, 2016 2:55 PM  
**To:** Jordan Sanford  
**Subject:** FW: Alpine Lakes Wilderness Scoping and EIS

**Meghan O'Brien** | Aspect Consulting LLC | Project Specialist | Direct: 509.895.5261 | Cell: 509.607.0059

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**From:** Mary Jo Sanborn [mailto:MaryJo.Sanborn@CO.CHELAN.WA.US]  
**Sent:** Tuesday, May 10, 2016 2:50 PM  
**To:** Meghan O'Brien <mobrien@aspectconsulting.com>  
**Cc:** Dan Haller <dhaller@aspectconsulting.com>  
**Subject:** FW: Alpine Lakes Wilderness Scoping and EIS

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 1:55 PM  
**To:** Ruth Dight  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Alpine Lakes Wilderness Scoping and EIS

Thank you, Ruth, we'll make sure your comments are entered into the record....Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Ruth Dight [<mailto:tooruth@earthlink.net>]  
**Sent:** Tuesday, May 10, 2016 1:47 PM

To: Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>

Subject: Alpine Lakes Wilderness Scoping and EIS

Dear Mr. Kaputa:

I attended your presentation in Seattle and find I agree with all of the recommendations outlined on the NAIADS website listed below.

- The EIS must consider a **Wilderness Protection Alternative**. This alternative would promote wilderness values as set forth in the Wilderness Act of 1964, would not allow new water infrastructure or diversions inside the Alpine Lakes Wilderness, and would require all new water supply to be obtained outside the Alpine Lakes Wilderness.
- The EIS must consider a **Water Conservation Alternative**. This alternative would assess using aggressive water conservation measures by Wenatchee Valley cities, including restrictions on lawn watering (as the citizens of Seattle have learned to do). This alternative should also assess transfer of water rights from irrigation districts to cities, where orchards have already been torn out and replaced with residential subdivisions. This alternative should also assess agricultural irrigation efficiency, such as replacing open gravity canals with pipes and pumps and other 21st century concepts.
- The EIS must consider an **Irrigation District Water Right Change Alternative**, which would fix Icicle Creek's low flow problem. This alternative would evaluate moving the Icicle-Peshastin Irrigation District's water right diversion, which presently takes 100 cubic feet per second out of Icicle Creek, to the Wenatchee River downstream about 3 miles. This measure, which would permanently fix Icicle Creek's low flow problem, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). The Icicle Work Group should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.
- The EIS must consider a **Water Right Relinquishment Alternative**. Removal of water from the Alpine Lakes Wilderness is on the table only because IPID holds water rights that were grandfathered when the Wilderness was created. And – as IPID will tell anyone who will listen – every year they use what they need. When the dam at Eightmile Lake fell down decades ago they didn't fix it because they did not need more water. When a party doesn't use their rights, they lose them. "Use It Or Lose It" – the basic rule of western water law – is controlling. The EIS needs to analyze this.

I feel especially concerned that Chelan County consider the water conservation alternative.

Thank you,

Ruth Dight, AICP  
(206) 283 9254  
2549 11th Ave W  
Seattle, WA 98119

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Tuesday, May 10, 2016 4:32 PM  
**To:** Jordan Sanford; Meghan O'Brien  
**Cc:** Dan Haller  
**Subject:** FW: Objection to EIS - Alpine Lakes Wilderness

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 4:12 PM  
**To:** W. T. Soeldner  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Objection to EIS - Alpine Lakes Wilderness

Thank you, we'll make sure your comments are entered into the record....Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** W. T. Soeldner [<mailto:waltsoe@allmail.net>]  
**Sent:** Sunday, May 08, 2016 7:50 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Objection to EIS - Alpine Lakes Wilderness

Mike Kaputa, Director  
Chelan County Natural Resources Department

Dear Mr. Kaputa:

I am writing regarding what I believe to be **serious flaws in the scope of the Alpine Lakes Optimization and Automation Study**. I have hiked the Alpine Lakes Wilderness three times, spending a total of ten days there. I find the proposal to steal water from wilderness when alternative water management options have not been explored is a travesty, and quite likely will be proven to be illegal.

To begin with the Icicle Work Group (IWG), which has made this study has no members who are advocating to protect the Alpine Lakes Wilderness. (I am aware that the Center for Environmental Law and Policy withdrew from the group when the operating procedures were changed to gag CELP's objection to wilderness water projects.) It appears that the IWG is a self appointed conglomerate of groups interested in getting the contracts to do the work the IWG proposes. This is ethically indefensible.

**The IWG has not considered a number of alternatives that would protect the Alpine Lakes Wilderness**, one of the Northwest's most popular and iconic wilderness areas.

The the EIS proposed by the IWG must consider a **Wilderness Protection Alternative** that would promote the wilderness values set forth in the Wilderness Act of 1964. This would not allow new water infrastructure or diversions inside the Alpine Lakes Wilderness, requiring all new water supply to be obtained outside this wilderness.

The EIS must consider a **Water Conservation Alternative**. This would do an assessment of using aggressive water conservation measures by Wenatchee Valley cities, including restrictions on lawn watering. This should also assess transfer of waster rights from irrigation districts to cities in those places where orchards have already been replaced with residential subdivisions. And it should assess agricultural irrigation efficiency.

The EIS must also consider an **Irrigation District Water Right Change Alternative**, which would fix Icicle Creek's low flow problem. This would involve evaluating a move of the Icicle-Pehastin Irrigation District's (IPID)water right diversion to the Wenatchee River Downstream, permanently fixing Icicle Creek's low flow problem, and converting the IPID's diversion from gravity flow to pumping. Renewable energy options should be able to supply such power.

Finally the EIS should consider a **Water Right Relinquishment Alternative**. When a party doesn't use their rights, they lose them. The IPID says it only uses what it needs, and they have not used all their rights since the dam at Eightmile Lake collapsed decades ago.

For the sake of all that is good about our nation's public lands and especially its wilderness, this plan must be reconsidered with alternatives in mind.

Sincerely,  
W. Thomas Soeldner  
Valleyford, Washington



*Naturam Expellas Furca*

*Tamen Usque Recurret*

# WISE USE MOVEMENT

*P.O. Box 17804, Seattle, WA 98127*

May 10, 2016

Chelan County Natural Resources Department  
Attention: Mike Kaputa, Director  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Email: <Mike.Kaputa@CO.CHELAN.WA.US>

RE: SEPA Scoping Comments on the Icicle Creek Water Resource Management Strategy

## GENERAL COMMENTS

The Wise Use Movement agrees that the Icicle Creek Water Resource Management Strategy (ICWRMS) would have a significant adverse impact on the environment such that an environmental impact statement must be prepared. However, it would save taxpayers and concerned citizens significant resources if the ICWRMS were withdrawn. The Wise Use Movement strongly opposes the ICWRMS for the following reasons:

- The Department of Ecology used a process taken from the fatally flawed Yakima Work Group to select a small number of participants to prepare the ICWRMS while discouraging public participation. The Yakima Plan is not a national model and neither is the ICWRMS.
- The Icicle Workgroup, like the Yakima Work Group, included the agency conveners as workgroup members. This is unacceptable and introduces an unwarranted level of agency control over what should be an advisory committee.
- The Icicle Workgroup is providing policy direction in an advisory capacity to a number of Federal Agencies, including the Bureau of Reclamation, the US Forest Service, the US Fish and Wildlife Service, and NOAA-Fisheries. Both the Icicle Workgroup and the Yakima Work Group have failed to comply with the Federal Advisory Committee Act.
- The Department of Ecology is asking for scoping on an ICWRMS programmatic EIS under the State Environmental Policy Act (SEPA), Chapter 43.21C Revised Code of Washington (RCW). This allows Ecology to avoid responding to comments on project specific impacts from the ICWRMS, as it did with the Programmatic EIS for the Yakima Plan.

- The ICWRMS has specific adverse environmental impacts to resources located in the Alpine Lakes Wilderness Area, within the Okanogan-Wenatchee National Forest, yet no NEPA environmental impact statement is proposed at this time.
- We also strongly object to the Department of Ecology and Chelan County's continued efforts to hide from the public the impacts that the ICWRMS would have on the Alpine Lakes Wilderness Area. Chelan County gave several PowerPoint presentations of the ICWRMS without showing the Alpine Lakes Wilderness Area on its maps. In addition, the Determination of Significance issued by G. Thomas Tebb (Director, Office of Columbia River) and Mike Kaputa (Director, Chelan County Natural Resource) fails to even mention the Alpine Lakes Wilderness Area. The Chelan County SEPA Environmental Checklist list of environmental information (page 4) fails to list even a single National Forest Service document concerning the Alpine Lakes Wilderness, and the Alpine Lakes Wilderness Area is mentioned only three times in the Applicant's entire Environmental Checklist (pages 7, 13, and 22 ).

The Department of Ecology's Office of Columbia River relies on state legislation passed in 2006 to "to aggressively seek out new water supplies for both instream and out-of-stream uses." When the Office of Columbia River assaults our Nation's wilderness areas that belong to all this country's citizens, they have crossed the line. After 10 years of failing to find new water supplies at a cost of \$200 million dollars it is time for the Washington Legislature to terminate the Office of Columbia River.

- It appears that the ICWRMS has been rushed out on some sort of artificial timetable. The Environmental Checklist states that the Icicle Strategy is made up of nine Guiding Principles (page 5), but only seven bullets are shown. This is a sloppy presentation. Until Chelan County can provide clear and concise information to the public about the Guiding Principles that form the basis of the ICWRMS, the scoping notice must be withdrawn until Chelan County can get its head out of the beer.

Comments on the Guiding Principles (Environmental Checklist pages 5 and 6)

The Wise Use Movement objects to a small cabal, including members with a direct financial interest, agreeing to an ICWRMS prior to the preparation of environmental review. The Chelan County Natural Resources Department has stated that ALL nine guiding principles must be met. This is completely prejudicial to the SEPA planning process that depends on the presentation and review of alternatives. There is no legal precedent that requires that ALL nine guiding principles be met.

Regarding "Improve Instream Flows in Icicle Creek Historic Channel"-

- The DPEIS must identify and locate the "historic" Icicle Creek channel; identify the historic yearly Icicle Creek streamflows; identify the current yearly Icicle Creek streamflows; identify the source for the proposed 60 cfs minimum flows (drought years); explain why "minimum instream flows" must be reduced during a drought year; identify an alternative that would provide 250 cfs minimum flows during all years; identify an alternative that would provide "optimum instream flows" during all years; identify the

yearly maximum Icicle Creek streamflows; identify the environmental impacts from Icicle Creek streamflows from less than 60 cfs and more than 2,600 cfs.

Regarding “Improve sustainability of Leavenworth National Fish Hatchery (LNFH)”-

- The DPEIS must identify and address the following: the location and history of the LNFH; the production output of the LNFH since its construction compared to the historic runs of wild salmon; the amount of water withdrawn from the Icicle Creek or groundwater for the LNFH; impacts to fish production from cutting water withdrawals to the LNFH by half; clarify whether fish passage at Grand Coulee would remove the “obligation” for continued use of the LNFH; include fishery disease and predation morality since the construction of the LNFH; clarify the status of the LNFH NPDES permit.

Regarding “Protect Tribal and Non-Tribal harvest”-

- The DPEIS must identify and address the following: tribal and non-tribal harvest of wild fish spawning in the Icicle Creek and Wentachee River basins since the construction of the LNFH; tribal and non-tribal harvest of LNFH hatchery fish since the construction of the LNFH.

Regarding “Improve Domestic Supply”-

- The DPEIS must explain and address the following: the City of Leavenworth’s 1995 water right change application to Ecology in 1995, and subsequent lawsuit against Ecology to increase their annual water right withdrawal; identify the City of Leavenworth’s current water usage and any City water conservation plan; an explanation of why the City is demanding more water withdrawals and why demand for more water cannot be met by conservation; an estimate of the likely number of new residences through 2050, with and without additional water withdrawals; an estimate of the lawn acreage within the City; and an estimate of the number of groundwater wells and annual withdraw volumes.

Regarding “Agricultural reliability” -

- The DPEIS must explain and address the following: include an alternative that does not rely on any modifications to current withdrawals from lakes within the Alpine Lakes Wilderness area; include an alternative that does not rely on any withdrawals from lakes within the Alpine Lakes Wilderness area; provide detailed crop selection and acreage for each irrigation district with water withdrawal rights in the Alpine Lakes Wilderness Area; clarify whether these water rights withdrawals are specific to the lakes within the Alpine Lakes Wilderness Area or are withdrawals from Icicle Creek; and provide an explanation of why current interruptible agricultural users must be converted to senior water right holders.

Regarding “Enhance Icicle Creek Habitat” -

- The DPEIS must explain and address the following: identify fish passage impediments and projects that would improve fish passage, and explain why such measures have not been previously undertaken; and identify all proposed land acquisition/easements.

Regarding “Comply with State and Federal Law, and Wilderness Acts” -

- The DPEIS must explain and address the following: list how many different Wilderness Acts are under consideration; identify the regulators; review any water rights maintained under the 1976 Alpine Lakes Wilderness Act; disclose all agreements signed by the US Forest Service concerning land exchanges within the Alpine Lakes Wilderness Act; and

explain why LNFH, IPID, and COIC withdrawals are not currently appropriately screened.

#### Specific Comments on Base Package

**IPID Irrigation Efficiencies.** The DPEIS must evaluate a range of irrigation efficiencies for the IPID, including alternative crop selection, crop insurance, land fallowing, aquifer storage, water delivery costs, and re-reg reservoirs. The DPEIS must include the historic as well as 2015 drought acre-foot usage by the IPID.

**COIC Irrigation Efficiencies.** The DPEIS must evaluate a range of irrigation efficiencies for the COIC, including alternative crop selection, crop insurance, land fallowing, aquifer storage, water delivery costs, and re-reg reservoirs.

**Domestic Conservation Efficiencies.** The DPEIS must evaluate a range of domestic conservation efficiencies, including water delivery costs, elimination of leaky water pipes, restrictions on lawn watering; and use of low-flow toilets, clothes washers, and shower heads.

**LHFH Conservation and Water Quality Improvements.** The DPEIS must evaluate water use savings from a smaller size hatchery. The hydrologic continuity between wellfield and instream withdrawals must be analyzed.

**Alpine Lakes optimization, Modernization, and Automation.** The DPEIS must evaluate dropping these projects. In addition, the DPEIS must include an alternative of restoring the seven lakes within the Alpine Lakes Wilderness Area to their natural (pre-irrigation use) conditions.

**Eightmile Lake Restoration Project.** The DPEIS must evaluate dropping this project. In addition, the DPEIS must include an alternative of restoring Eightmile Lake to its natural (pre-irrigation) condition.

**Water Markets.** The DPEIS must prioritize a water market that makes maintaining optimum instream flows in Icicle Creek as the highest priority.

**Habitat Improvements and Land Acquisition.** The DPEIS must identify all locations proposed for “engineered logjams.” In addition, the DPEIS must identify all existing impediments blocking fish passage and explain why such blockages or impediments still exist in 2016.

**Rehabilitate LNFH Intake, Operational improvements at Structure 2, Icicle Creek Passage, and Tribal Fisheries Improvements.** The DPEIS must evaluate a range of alternatives for rehabilitation of the LNFH, including a smaller size hatchery.

**Screening Improvements.** The DPEIS must identify all faulty diversion screens and explain why such faulty diversion screens still exist in 2016.

**Instream Flow Rule Amendment.** The DPEIS must explain how the Wenatchee Instream Flow Rule (WC 173-545) meets the purposes of this chapter to retain perennial rivers, streams, and

lakes in the Wenatchee River basin with instream flows and levels necessary to protect water quality, wildlife, fish, and other environmental values when instream flows are defined as “minimum flows.” The DPEIS must include optimum instream flows that would protect water quality, wildlife, fish and other environmental values more consistent with historic flows.

#### Specific Comments on the Environmental Checklist

Chelan County’s Environmental Checklist is inadequate and has failed to provide the most basic information about the proposal and have failed to answer questions either accurately or carefully, as required by RCW 197-11-960. The following are specific comments on errors and omissions in Chelan County’s Environmental Checklist:

A.2. Name of Applicant. The name of the applicant is “Chelan County Department of Natural Resources.” However, the proposal purports to benefit irrigation districts, the City of Leavenworth, as well as the Leavenworth National Fish Hatchery. Why are these not listed as co-applicants?

A. 7. The Environmental Checklist states that each individual project proposed under the ICWRMS would have its own environmental review process. The PEIS must clarify that “environmental review” may also lead to Findings of No Significant Impact (FONSI) and that additional environmental impact statements on individual projects may not be prepared.

A.8. We request that environmental information from the US Forest Service regarding the Alpine Lakes Wilderness Area be reviewed and listed. We also request that the following report be added:

*U.S. Fish and Wildlife Service (USFWS). 2004. Comprehensive Hatchery Management Plan for the Leavenworth National Fish Hatchery. Planning Report Number ?, U.S. Fish and Wildlife Service, Leavenworth National Fish Hatchery, Leavenworth, Washington.*  
*[http://www.fws.gov/pacific/fisheries/hatcheryreview/reports/leavenworth/le--002leavenworthhgm\\_000.pdf](http://www.fws.gov/pacific/fisheries/hatcheryreview/reports/leavenworth/le--002leavenworthhgm_000.pdf)*

A. 11. The Environmental Checklist states that the ICWRMS proposes to enhance instream flows, water supplies, and aquatic habitat project that fulfill nine Guiding Principles established by the Icicle Work Group, but, as noted above, only seven bulleted items are listed on page 5 and 6. This only creates confusion as to what the proponents actually intend. In addition, RCW 43.21C.030(b)(iii) requires a detailed statement on alternatives to the proposed action. WAC 197-11-784 defines “Proposal” as including “a particular or preferred course of action or several alternatives.” While an applicant may submit an application for a preferred course of action, when it comes to planning, it is not appropriate for government agencies to huddle with a small number of stakeholders, cut deals, and establish a single plan of action. By doing so, government agencies commit themselves, prior to any environmental review, to their selected plan. Any programmatic EIS must, therefore, disclose a range of alternatives, and not a preferred alternative established by the Icicle Work Group.

In addition, the response to Section A. 11 gives figures in both acre-feet and cfs. For consistency purposes, the DPEIS must provide both acre-feet and cfs figures to aid the reviewer in understanding the quantities of water involved.

B.1. Earth - Earthquakes. The DPEIS must identify all known or suspected earthquakes faults in the area.

B.a. 2). Surface Water. The DPEIS must identify all proposed habitat improvement projects, passage barrier removal, and improved diversion screening.

B.3.a. 4). Surface Water. The DPEIS must identify all new proposed surface diversions and alternative locations. The DPEIS must analyze the adverse environmental impacts from new home construction on instream flows.

B.3.b.1). Ground Water. The DPEIS must analyze the amount of projected new rural domestic wells in response to any increase in domestic reserves under the Wenatchee Instream Flow Rule. The DPEIS must provide domestic water conservation measures alternatives in lieu of increasing domestic reserves. The DPEIS must analyze the adverse environmental impacts from new home construction on ground water. The DPEIS must analyze the hydrologic continuity between instream flows and groundwater from any LNFH groundwater augmentation wells.

B.4.b. Plants. The DPEIS must analyze the adverse environmental impacts on vegetation from new home construction.

B.4.c. Plants. The DPEIS must review all US Forest Service information concerning ESA listed plant species within the Alpine Lakes Wilderness Area.

B..5.a and b. Animals. The DPEIS must review all US Forest Service information concerning ESA listed animal species within the Alpine Lakes Wilderness Area.

B.5. d. Animals. The Environmental Checklist claims that the Alpine Lakes Optimization will preserve and enhance wildlife. This is incorrect. Additional development in the Alpine Lakes Wilderness Area would have an unacceptable adverse impacts to fish and wildlife. The DPEIS must not let the Applicant claim that additional Alpine Lakes Wilderness Area development would benefit aquatic wildlife.

B.6.c. Energy and Natural Resources. We again object to any construction projects in the Alpine Lakes Wilderness Area. We again request that an alternative be developed without any such construction projects.

B.7.b.2 Noise. What additional noise levels would be generated by pumps and associated mechanical and electrical equipment within the Alpine Lakes Wilderness Area? Would such noise be covered by “local noise ordinances?”

B.8.a. Land and Shoreline Use. Again, we question why Chelan County would fail to mention the Alpine Lakes Wilderness Area as part of its description of Land and Shoreline use. Chelan

County claims that increasing instream flows would provide beneficial results for natural uses. Chelan County fails to disclose that increasing flows by new construction projects in the Alpine Lakes Wilderness Area would have adverse impacts.

B.8.c. Land and Shoreline Use. Chelan County describes new Alpine Lakes reservoirs in the Alpine Lakes Wilderness Area as an “improvement.” Congress designated the Alpine Lakes Wilderness Area, not the Alpine Reservoirs Wilderness Area. The fact that Chelan County has portrayed the Alpine Lakes as “reservoirs” multiple times, demonstrates that Chelan County has little appreciation of and little understanding of wilderness or wilderness values. This is especially ironic, given that the Applicant is the County’s “Natural Resources Department.” It appears that this Department is more interested in dismantling and destroying natural resources than preserving, protecting, or enhancing.

B.8.1. Land and Shoreline Use. Chelan County again fails to mention the US Forest Service or the Alpine Lakes Wilderness Area in addressing proposed measures to ensure the proposal is compatible with existing and project land uses and plans. The DPEIS must review US Forest Service planning documents for the Alpine Lakes Wilderness Area.

B.10.b. Aesthetics. Chelan County claims that new construction projects within the Alpine Lakes Wilderness Area would “improve views.” Increasing water withdrawals from the Alpine Lakes Wilderness Area would not improve views of these areas and would have adverse impacts on recreational aesthetics. The DPEIS must address these impacts.

B.12.a. and c. Recreation. Again, Chelan County refused to even specifically list the Alpine Lakes Wilderness Area as a recreational opportunity in the vicinity or to list proposed measures to reduce or control impacts on recreation. The DPEIS must include an alternative that does not include construction activities within the Alpine Lakes Wilderness Area. The DPEIS must include recreation usage of the Alpine Lakes Wilderness Area, including day visits.

D.1. Chelan County asserts that implementation of the Guiding Principles is intended to “improve the environment,” without addressing impacts from construction activities within the Alpine Lakes Wilderness Area.

D.2. Again, Chelan County asserts that the program would improve instream flow and habitat for fish and benefit terrestrial species, without addressing impacts from construction activities and additional water drawdowns within the Alpine Lakes Wilderness Area or impacts from new home construction. Chelan County again asserts that the Alpine Lakes Optimization, Modernization, and Automation would “benefit aquatic wildlife.” Chelan County must not be allowed to describe the proposed program as beneficial while avoiding the purposes of SEPA to disclose to decisionmakers the potential significant adverse impacts.

D.3. Contrary to the assertions of Chelan County, the proposed Alpine Lakes Optimization, Modernization, and Automation would deplete natural resources by increasing water withdrawals from these lakes.

D.4. Contrary to the assertions of Chelan County, the proposed Alpine Lakes Optimization, Modernization, and Automation would result in long-term changes to the environmentally sensitive Alpine Lakes Wilderness Area. Chelan County also asserts that the proposed changed management regime for Alpine Lakes Wilderness Area drawdown “is to improve instream habitat for ESA-listed salmonids and other aquatic species in the Icicle Basin.” The DPEIS should clarify whether Alpine Lakes Wilderness Area drawdowns are also intended to provide new water supplies for the City of Leavenworth, the LNFH, and IPID and COIC. The DPEIS must include an alternative that increases instream flows without additional modifications to the Alpine Lakes Wilderness Area.

#### Additional Specific Comments and Issues

The following are specific comments and issues to be addressed as part of any DPEIS on the ICWRMS. SEPA requires the following elements be included:

- (i) the environmental impact of the proposed action,
- (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man’s environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. *RCW 43.21C.031(2)*.

#### 1. Alternatives

\* A no-action alternative is the most critical part of any EIS because it avoids all the adverse environmental impacts from the ICWRMS proposed project. The Applicant’s Environmental Checklist (page 6) states that the DPEIS will describe both the base package and other alternative projects that could meet Guiding Principles. Again, a slavish attachment to the Guiding Principles, is contrary to SEPA. The DPEIS must include alternatives to the Guiding Principles, including alternatives that do not require more construction within the Alpine Lakes Wilderness Area, and that return the Alpine Lakes Wilderness Area to its pre-irrigation withdrawal condition.

The Department of Ecology refused to provide any alternatives to the Yakima Plan in its PEIS, other than the no-action alternative. Ecology should uphold SEPA and not work to circumvent it. Why would Ecology include alternative projects to meeting the Guiding Principles, when it refused to provide any alternative projects in the Yakima Plan PEIS?

#### 2. Earth Resources

\* How will the DPEIS evaluate the project’s potential impacts and identify potential mitigation measures for those impacts, such as impacts of filling, soil contamination and erosion; and potential impacts from earthquakes?

#### 3. Air Resources

\* How will the DPEIS evaluate the project’s potential impacts on existing air quality?

\* How will the DPEIS evaluate compliance with the requirements of the Clean Air Act for construction and operation phases?

- \* What would be the project's contribution to climate change gases?
- \* What would be the carbon footprint of the proposed projects?
- \* Will the DPEIS evaluate the impacts on air quality and visibility caused by fugitive and exhaust emissions from construction, traffic, and truck emissions, and all point source emissions? Will the DPEIS analysis include airborne pollutants associated with any built project's day-to-day operations?

#### 4. Water Resources

- \* Will the DPEIS evaluate the effects of a 100-year and 500-year flood on any project site?
- \* What water quality monitoring would be proposed?
- \* Will the DPEIS include a description of the potential for spills of contaminants into waters of the United States and the measures such as an emergency response plan to mitigate impacts?
- \* What is the scope of the water quality analysis? Will the DPEIS disclose which water bodies may be impacted by the project, the nature of the potential impacts, and the specific pollutants likely to impact those waters? Will it also report those water bodies potentially affected by the project that are listed on the State's current 303(d) list and whether the Washington Department of Ecology has developed a water quality restoration plan (Total Maximum Daily Load) for the water bodies and the pollutants of concern? If a Total Maximum Daily Load (TMDL) has not been established for those water bodies on the 303(d) list, in the interim will the DPEIS demonstrate that there will be no net degradation of water quality to these listed waters?
- \* Will the DPEIS explain how anti-degradation provisions of the Clean Water Act would be met for any proposed project?
- \* Will the DPEIS address the effects on water quality from the runoff of pollutants, including fertilizers and pesticides from residential landscaping and from storm water associated with additional impervious surfaces that might result from providing additional water to the City of Leavenworth for new residential construction?

#### 5. Shoreline Habitat

- \* Will any damage to the Alpine Lakes Wilderness Shoreline result from the proposed projects and associated uses in the area?
- \* Will the Biological Assessment required for compliance with Section 7 of the Endangered Species Act be a clearly identifiable section?
- \* Will an assessment of fisheries and benthic impacts specifically address the requirements for an Essential Fish Habitat Assessment per the Magnuson Stevens Act?
- \* Will studies be carried out of an assessment: 1) species type, life stage, and abundance; based upon existing, publicly available information, 2) potential changes to habitat types and sizes; and 3) the potential for fishery population reductions.
- \* Will the DPEIS assess potential indirect impacts to fish and wildlife that may result from changes in water movement, sediment transport, and shoreline erosion?
- \* Will the DPEIS include a Benthic Macroinvertebrate Community Assessment of the nearshore areas of lakes in the Alpine Lakes Wilderness and along Icicle Creek?
- \* Will the DPEIS comprehensively address the interconnections between the

benthic, fisheries and avian resources?

#### 6. Biological Resources

- \* Will the DPEIS analyze potential impacts on fish, wildlife and their habitats from every element of the ICWRMS, along with identification of mitigation measures?
- \* How will the DPEIS consider ecological objectives? Will ecological objectives be designed to protect water quality and to maintain and/or enhance the natural habitats in the Alpine Lakes Wilderness as well as Icicle Creek for the benefit of fish and wildlife resources and the public?
- \* Will the DPEIS address measures that compensate for the loss of habitats of value to fish and wildlife?
- \* Will the DPEIS identify the endangered, threatened, and candidate species under the Endangered Species Act (ESA), and other sensitive species within the proposed project area for each alternative? In addition, will the DPEIS describe the critical habitat for these species and identify any impacts the proposed project will have on these species and their critical habitat?
- \* Will the DPEIS describe the current quality and potential capacity of habitat, its use by fish and wildlife on and near the proposed ICWRMS project area, and identify known fish and wildlife corridors, migration routes, and areas of seasonal fish and wildlife congregation?
- \* Will the DPEIS evaluate effects on fish and wildlife from any habitat removal and alteration, aquatic and terrestrial habitat fragmentation caused by land use and management activities, and human activity? How will endangered species and habitat, including steelhead or salmon in the Alpine Lakes Wilderness and Icicle Creek be protected?
- \* How will Ecology ensure that its decision complies with the Migratory Bird Species Act of 1918, as amended?
- \* What major plant communities are present and affected? Will the DPEIS consider impacts on any sensitive plant species, particularly those endemic to the Alpine Lakes Wilderness and Icicle Creek? How will any sensitive plant species in the vicinity be protected?
- \* How much new impervious surfaces would be developed?

#### 7. Avian Impacts

- \* How will the DPEIS describe any avian impacts to the Alpine Lakes Wilderness and Icicle Creek? How will the DPEIS establish a baseline data set? The species, number, type of use, and spatial and temporal patterns of use must be described. Information derived from other studies, which provides a three-year baseline data set, must be included if available. Information must be based on (1) existing, published and unpublished research results, especially research that describes long-term patterns in use, and (2) new field studies undertaken for this DPEIS. Data on use throughout the year, especially in Spring for migratory species, and under a range of conditions must be collected. Data collection must allow a statistically rigorous analysis of results. Issues needing to be addressed include: (1) bird migration, (2) bird flight during storms, foul weather, and/or fog conditions, (3) food availability, (4) predation, and (5) benthic habitat and benthic food sources.
- \* Will a Biological Assessment be prepared under Section 7 of the Endangered Species Act?

#### 8. Noise and vibrations

- \* How will the DPEIS include an assessment of the magnitude and frequency of underwater noise and vibrations, and the potential for adversely affecting fish and mammal habitats from construction and operation of any facilities? Will the DPEIS include an assessment of fish and

mammal tolerance to noise and vibrations, with particular emphasis on noise and vibration thresholds that may exist for each of the species? Will the DPEIS also include the potential of noise impacts to human activity?

\* How will the DPEIS address identification of existing noise levels and evaluation of the project's potential short-term and long-term noise impacts along with potential mitigation measures?

\* Has a noise contours map been developed for any proposed ICWRMS project and does it show day-night average sound level (DNL)? How will any DNL's that are in excess of local ordinance requirements be mitigated?

\* Will the DPEIS evaluate noise generating activities associated with construction and ongoing operations, including traffic to and from the project site?

#### 9. Environmental Health

\* How will the DPEIS address impacts of any hazardous materials and identification of mitigation measures?

#### 10. Land and Shoreline Use

\* How will the DPEIS address compliance with land use laws, plans and policies?

\* How will the DPEIS address compliance with the State Shoreline Management Act and the Chelan County and City of Leavenworth Shoreline Master Programs?

\* How will the DPEIS address compliance with federal laws governing Wilderness areas?

#### 11. Aesthetics

\* How will the visual impacts be mitigated?

#### 12. Recreation

\* How will the DPEIS address any ICWRMS project impacts on recreational use of the Alpine Lakes Wilderness Area?

#### 13. Transportation

\* How will the DPEIS address the project's potential transportation impacts and identification of mitigation measures?

\* How many vehicle trips will be generated, including trips by employees and service and delivery vehicles?

\* How will the positive effects of alternative fuels and hybrid cars be factored into trip generation projections?

\* Will the DPEIS evaluate the level of service and overall traffic generation from any ICWRMS project activities including: construction traffic; and the level of service and overall traffic generation reasonably expected from project-associated growth in the City of Leavenworth?

\* Will the traffic study calculate road maintenance costs attributable to the project?

\* What is the scope of mitigation of traffic impacts that will be considered in the DPEIS?

\* What is the capacity of surrounding highways, streets, and roads, to accommodate additional traffic associated with any proposed project and additional residential development?

#### 14. Public Services and Utilities

- \* How will be the need for additional public services, including public safety and emergency services, and for infrastructure improvements be met?
- \* Will the effects of induced development, including pressure for urban growth expansions, be considered? What will be the scope of such an analysis? i.e., what communities in Chelan County will be included in the analysis?

#### 15. Cultural Resources

- \* How will the DPEIS address requirements to comply with federal and state laws concerning cultural resources?
- \* Will the scope of the cultural resources analysis include identifying all historic properties or cultural resources potentially impacted by the project or associated offsite development, including traditional cultural properties, other Native cultural resources, and non-Native historic properties? Will the DPEIS evaluate the impacts to any identified historic properties and cultural resources, i.e., what are the impacts of the project and associated off-site development (e.g., housing, amenities)?
- \* How will historical tribal uses of this area be factored in, including effects on sacred sites and fishing grounds?
- \* How will the project affect the cultural heritage of the area?
- \* Will the DPEIS consider Tribal fishery impacts?
- \* How will the DPEIS coordinate with the State Historic Preservation Officer?

#### 16. Environmental Justice

- \* Will the DPEIS consider, based on the experience of such projects elsewhere, effects on levels of poverty?
- \* Will the DPEIS assess whether low income or people of color communities will be impacted by the proposed project and disclose what efforts were taken to meet environmental justice concerns?

#### 17. Socio-Economics

- \* Will a comprehensive economic analysis be undertaken to identify potential effects of the proposed project on Chelan County?
- \* What will be the time frame for the assessment of economic and social impacts; 10, 20, 50 years?
- \* For comparison purposes, will the socioeconomic effects of other similar projects on other communities in the state be examined?
- \* How many jobs will be created; at what wage levels? What percentage of work would be reserved for local contractors? Will prevailing wages be paid?
- \* What will be the consequences on property values and property taxes in Leavenworth and Chelan County?
- \* How will effects on quality of life, including community character, demographics, and small town atmosphere, be assessed?
- \* How will the DPEIS address safety considerations during construction of any project?

#### 18. Other Issues

- \* What tribal consultation would occur with nearby Indian tribes?

- \* How will Washington communities be consulted with and involved in the SEPA process?
- \* What consultation with school districts and other service providers will occur?
- \* What other permits and approvals are required?
- \* Has a geo-tech study been done for any proposed project site? What extra structural precautions will be taken for potential earthquake liquefaction?
  - \* Will any proposed project be affected by seismic faults or fractures?
  - \* Will the DPEIS address the potential for increased litter?

Please send us a copy of the DPEIS if it becomes available.

Sincerely,

*John de Yonge*

PRESIDENT

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Tuesday, May 10, 2016 4:34 PM  
**To:** Jordan Sanford; Meghan O'Brien  
**Cc:** Dan Haller  
**Subject:** FW: Public Comment regarding dams and water-level manipulation in Icicle Creek

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 4:17 PM  
**To:** Tom Walker  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Public Comment regarding dams and water-level manipulation in Icicle Creek

Thanks, Tom, we'll get your comments into the record...Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Tom Walker [<mailto:twalker@nsecomposites.com>]  
**Sent:** Sunday, May 08, 2016 4:24 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Public Comment regarding dams and water-level manipulation in Icicle Creek

To whom it may concern:

I'm appalled to read that there is serious consideration being given to building dams and manipulating water levels in lakes within the Icicle Creek drainage. These lakes are located in the Alpine Lakes Wilderness, and it is my opinion that only pre-existing water rights that are being used for the purposes intended, should supersede

the importance of Wilderness. Specifically, I agree with the key points of the position taken by the Alpine Lakes Protection Society, i.e.,

- The Alpine Lakes Wilderness is a shared natural resource that must be respected and protected.
- The EIS should include a "Wilderness Protection" alternative, which should include an alternation of public purchase (buy-back) of private water rights in the Alpine Lakes.
- The EIS should include a "Water Right Relinquishment" alternative.
- The EIS should include an alternative that recognizes Icicle Working Group members' water rights are limited to the purposes for which they were initially granted, and cannot be redirected to other purposes.
- The EIS should include a "Water Conservation" alternative that emphasizes aggressive water conservation measures by the local water users. This alternative should evaluate a transfer of water rights for IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties. In addition, it should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals.
- The EIS should include a "Water Right Change" alternative.
- The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.
- The EIS should discuss the hydrological and biological impacts of the current drawdown of the lakes, and any proposed changes.
- The EIS should provide a detailed operations, maintenance and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use.
- The EIS should fully explain the purpose and need for the water these projects would provide.
- The EIS should fully explain what human activities caused the degraded conditions that the projects seek to improve.
- The EIS should analyze adequacy of proposed in-stream flows to support spawning, rearing, and migration of steelhead and bull trout.

Again, I strongly urge you to give paramount consideration to the Wilderness aspects of these areas.

Sincerely,

Thomas H. Walker  
3815 Bagley Ave N  
Seattle, WA 98103

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Tuesday, May 10, 2016 4:34 PM  
**To:** Meghan O'Brien; Jordan Sanford  
**Cc:** Dan Haller  
**Subject:** FW: Icicle Work Group PEIS Environmental Review Comment

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
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-----Original Message-----

**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 4:19 PM  
**To:** Carol or Mike Wyant  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Icicle Work Group PEIS Environmental Review Comment

Thanks, Mike, we'll get these into the record and considered....Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

-----Original Message-----

**From:** Carol or Mike Wyant [mailto:cmwyant@charter.net]  
**Sent:** Sunday, May 08, 2016 1:19 PM  
**To:** Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>  
**Subject:** Icicle Work Group PEIS Environmental Review Comment

Director Kaputa,

Please consider the following comments concerning the Icicle Work Group suite of proposals for long term improvement of the water management situation on Icicle Creek.

1. The suite of proposals appears to present a viable path to improving water management and increasing the amount of water that stays in Icicle Creek. However, I am concerned that the projections for water savings to reach flow targets are overly optimistic for two reasons. The first concern is that the projections rely on all of the proposed projects being completed. I believe that it is unlikely that some of the projects can be completed to the extent that they will provide the projected water savings. For example, the proposed efficiencies in the Icicle Irrigation District water system seem to be unlikely to be accomplished in my view. I wish that the suite of proposals included additional options so that meeting the target for flows does not rely on completing all of the projects. I am concerned that flow targets and the proposed positive effects of identified water management strategies are overly optimistic given many of the climate change projections for the next 50 years.

2. Though I consider myself a staunch supporter of wilderness, I am in favor of the proposed changes at the lakes in the Alpine Lakes Wilderness that are managed as water storage reservoirs. I support those changes because maintaining the existence of the reservoirs was grandfathered in when the wilderness was established. It makes sense to use the water in those reservoirs as efficiently as possible, even though doing so intrudes and will continue to intrude on the wilderness experience. I support the reconstruction of Eightmile Lake dam to its original height even though doing so will inundate land that has been above lake level for many years. While raising the height of the original Eightmile Lake dam has been taken off the table by the Icicle Work Group, I understand that it is still in mind for folks at the icicle Irrigation District. I oppose raising the height of the original reservoir because that would represent a change to the agreement to keep the existing reservoirs when the wilderness was established.

3. As each individual project comes up for approval I would like to be assured that sufficient scientific study is in place to make it relatively certain that the project will have the positive effects that are proposed and that the possibility that the project will have unintended negative consequences has been thoroughly considered. I would also like to know that each project that has the potential to impact the icicle ecosystem includes a plan and the resources necessary to study the post-project impacts. Too often it seems that projects are completed with the idea that they will improve an ecosystem when there is no post-project evidence that they actually had the intended effects and that they are not, in fact, having a negative or unintended effect.

Thank you for considering these comments.

Michael Wyant  
12125 Emig Drive  
Leavenworth, WA 98826  
(509) 548 7747

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Tuesday, May 10, 2016 4:35 PM  
**To:** Meghan O'Brien; Jordan Sanford  
**Cc:** Dan Haller  
**Subject:** FW: Dam Building and New Water Rights

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
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-----Original Message-----

From: Mike Kaputa  
Sent: Tuesday, May 10, 2016 4:19 PM  
To: winnie becker  
Cc: Mary Jo Sanborn  
Subject: RE: Dam Building and New Water Rights

Thank you, Winnie, we'll make sure your comments are entered into the record....Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

-----Original Message-----

From: winnie becker [mailto:winnbec@netscape.net]  
Sent: Saturday, May 07, 2016 7:57 PM  
To: Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>  
Subject: Dam Building and New Water Rights

Dear Mike,

Please preserve the Alpine Lakes Wilderness. To build dams and change water rights would not be in keeping with the wilderness.

The EIS should include a "Wilderness Protection" alternative. The increase of water removal from the Alpine Lakes Wilderness is not in keeping with protecting the wilderness which is so very important for generations to come. Water should be obtained from sources outside the Wilderness. The Wilderness Protection alternative should comply with all the provisions in the Forest Service's administrative Alpine Lakes Wilderness Management Plan, including: " Except as provided for in Section 4(D)(4) of the Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge.

The Wilderness Protection alternative should evaluate public purchase (buy-back) of private water rights in the Alpine Lakes, which would allow removal of dams and other structures from the lakes to restore the area to its true natural character.

The EIS should include "Water Right Relinquishment" alternative. The alternative should analyze existing water rights to the Alpine Lakes and acknowledge those rights that have been relinquished or abandoned.

The EIS should include an alternative that recognizes IWG members" water rights are limited to the purposes for which they were initially granted (irrigation is an example) and cannot be redirected to other purposes (such as suburban development).

The EIS should include a "Water Conservation" alternative that emphasizes aggressive water conservation measures by the city of Leavenworth, Icicle-Peshastin Irrigation District, the Leavenworth fish Hatchery and other water users. This alternative should evaluate water markets that facilitate selling and trading of water rights.

The Water Conservation alternative should evaluate a transfer of water rights from IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties.

This alternative should analyze how appropriate reductions in water usage (that is, not using agricultural water quantities for lawn irrigation) would save that would then be available for other Leavenworth needs.

The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals. The alternative should evaluate how this 19th century irrigation practice could be replaced with modern pumping and piping technologies. The EIS should work to reduce water demand as an alternative to water supply.

The EIS should include a "Water Right Change" alternative. This alternative would evaluate improving Icicle Creek flows by moving IPID's point of diversion downstream (to the Wenatchee River). This measure, which would add 100 cfs of water to Icicle Creek every year, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). This alternative should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.

The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and any proposed changes. The analysis should include a review of scientific literature on the impacts of water removals upon wildlife, vegetation, soil and wilderness values.

The EIS should analyze each proposed action's site-specific impacts, past practices and the restoration, mitigation and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.

The EIS should provide a detailed operations, maintenance and environmental monitoring for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions including helicopter use.

The EIS should fully explain the purpose and need for water these projects would provide.

The EIS should fully explain what human activities caused the degraded conditions (such as low instream flows in Icicle Creek) that the projects seek to improve.

The EIS should analyze adequacy of proposed instream flows to support spawning, rearing and migration of steelhead and bull trout.

Thank you for your attention.

Sincerely,

Winnie Becker

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Wednesday, May 11, 2016 10:42 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Alpine Lake Wilderness in Washington

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
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[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

-----Original Message-----

From: Mike Kaputa  
Sent: Tuesday, May 10, 2016 5:35 PM  
To: Dean Effler  
Cc: Mary Jo Sanborn  
Subject: RE: Alpine Lake Wilderness in Washington

Thank you both for your comments, we'll make sure they are entered into the record and considered during the scoping process.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

-----Original Message-----

From: Dean Effler [mailto:[efflerbiz@gmail.com](mailto:efflerbiz@gmail.com)]  
Sent: Thursday, May 05, 2016 8:07 AM  
To: Mike Kaputa <Mike.Kaputa@CO.CHELAN.WA.US>  
Subject: Alpine Lake Wilderness in Washington

Please do not allow any agreement to provide water to commercial or residential users that would impact the hydrology and natural beauty of the Alpine Lakes Wilderness. A wilderness no longer is a wilderness when you drain it's natural resource or flood it's land. Only allow growth in local cities and counties based on water conservation methods rather than tapping into the waters of a protected wilderness.

Sent from my iPad  
Dean and Martha Effler

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Wednesday, May 11, 2016 10:41 AM  
**To:** Meghan O'Brien; Jordan Sanford  
**Cc:** Dan Haller  
**Subject:** FW: Scoping Comments - Icicle Work Group's "Icicle Strategy" Scoping Request

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
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**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 5:33 PM  
**To:** Jena Gilman  
**Cc:** maib461@ecy.wa.gov; Mary Jo Sanborn; (GTEB461@ecy.wa.gov)  
**Subject:** RE: Scoping Comments - Icicle Work Group's "Icicle Strategy" Scoping Request

Jena, thank you for the comments. They will be entered into the record and considered as part of the scoping process.

On your last point, I wanted you to know that we have had and will continue to have meetings in the Seattle area (so far, two at Good Shepherd Center in Wallingford and one at Phinney Neighborhood Association in Phinney Ridge) to broaden our engagement. I will add you to that distribution list.

We are also planning a field visit with the conservation community to Eightmile Lake in late summer, probably September, to view the lakes after they have been drawn down for the irrigation season.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Jena Gilman [<mailto:jena.gilman1@gmail.com>]  
**Sent:** Thursday, May 05, 2016 11:50 AM

To: Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>

Cc: [maib461@ecy.wa.gov](mailto:maib461@ecy.wa.gov)

Subject: Scoping Comments - Icicle Work Group's "Icicle Strategy" Scoping Request

Dear Mike:

The Icicle Work Group's "Icicle Strategy" is a recipe for serious degradation of Alpine Lakes Wilderness lands and waters that are becoming increasingly important to the exploding numbers of hikers and other outdoorspeople throughout our State. Instead of honoring these wilderness values, the "Icicle Strategy" instead celebrates the banality of suburban sprawl and the enshrinement of golf courses as our society's vision of the highest and best use of our water resources.

Any environmental impact statement (EIS) for the water theft and attack on wilderness that the promoters champion in the "Icicle Strategy" must consider the following at minimum:

- 
- The EIS should fully explain the purpose and need for each of the water projects outlined in the "Icicle Strategy".
- The EIS should analyze each of the proposed action's site-specific impacts, past practices, and the restoration, mitigation and funding needed in the future. At each site, proposed construction activities need to be explained and illustrated in detail as well as how wilderness and habitat values will be maintained throughout the period of construction for Wilderness users and the complete array of fauna and flora that inhabit these areas.
- The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes within the Wilderness and the incremental impacts of any proposed changes. The analysis should include the impacts of water removals upon all wildlife, vegetation, soil and wilderness values.
- The EIS should provide detailed operations and maintenance plans for proposed infrastructure and an analysis of the impacts on the wilderness experience of specific maintenance actions, including helicopter operations.
- The EIS should consider a Wilderness Protection Alternative. This alternative would promote wilderness values as set forth in the Wilderness Act of 1964, would not allow new water infrastructure or diversions inside the Alpine Lakes Wilderness, and would require all new water supply to be obtained outside the Alpine Lakes Wilderness.
- The EIS should consider a serious Water Conservation Alternative. This alternative would assess using aggressive water conservation measures by area cities, including restrictions on lawn watering and provision for landscaping that is suited to the climate without irrigation for any new development. This alternative should also assess transfer of water rights from irrigation districts to cities, where orchards have already been torn out and replaced with residential subdivisions. This alternative should also assess agricultural irrigation efficiency, such as replacing open gravity canals with pipes and pumps. This Alternative should also consider water re-use technologies.

- The EIS should consider an Irrigation District Water Right Change Alternative, which would fix Icicle Creek's low flow problem. This alternative would evaluate moving the Icicle-Peshastin Irrigation District's water right diversion, which presently takes 100 cubic feet per second out of Icicle Creek, to the Wenatchee River downstream.
- The EIS should consider a Water Right Relinquishment Alternative. Removal of water from the Alpine Lakes Wilderness is an issue only because the Icicle-Peshastin Irrigation District holds water rights that were grandfathered when the Wilderness was created. When the dam at Eightmile Lake failed the Irrigation District did not fix it because they did not need the water. When a party doesn't use their rights, they lose them. The "Use It Or Lose It" doctrine should govern. The EIS needs to acknowledge this issue.

Please use some common sense in the scoping process. Anything in the "Icicle Strategy" that affects and detracts from the wilderness character of the Alpines Lakes Wilderness on a long-term, short-term, or cumulative basis needs to be fully vetted.

Finally, the Alpine Lakes Wilderness, and particularly the Enchantment Lakes area, is a national asset, important to people far beyond Chelan County. Therefore, public meetings and notices limited to Chelan County will be inadequate to the public's inquiry into the "Icicle Strategy" and its proposed actions within the Wilderness.

Thank you for your attention,

Sincerely,

Jena F. Gilman, P.E. (WA 23673)

1480 SW 10th Street

North Bend, WA 98045

- Born in Yakima 1952
- Raised in Moses Lake (MLHS Class of 1971)
- First sight of Nada and Snow Lakes: July 25-26, 1969



State of Washington  
Department of Fish and Wildlife

Mailing Address: 1550 Alder St NW, Ephrata, WA 98823, (509) 754-4624, TDD (360) 902-2207  
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia WA

May 6, 2016

Tom Tebb, Director  
Office of Columbia River  
Washington State Department of Ecology  
1250 W. Alder St.  
Union Gap, WA 98903

Mike Kaputa, Director  
Chelan County Natural Resources Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

RE: WDFW Scoping Comments – Determination of Significance (DS) and Request for Comments on Scope of State Environmental Policy Act (SEPA) Nonproject Programmatic Environmental Impact Statement (PEIS) for the *Icicle Creek Water Resource Management Strategy* (ICWRMS)

Dear Mr. Tebb and Mr. Kaputa,

The Chelan County Natural Resources Department (CCNRD) has been contracted by the Washington Department of Ecology (Ecology), through the Office of Columbia River (OCR) to develop a Final ICWRMS SEPA PEIS. Since 2007, the Washington Department of Fish and Wildlife (WDFW) has supported Ecology's efforts to fulfill its legislative mandate to, "*aggressively pursue development of new water supplies for instream and out-of-stream uses.*" Our agency is a collaborative partner to ensure natural resource values are adequately reflected in decision-making. Thus, WDFW appreciates the opportunity to provide comments during the public scoping<sup>1</sup> period to assist with the development of the Draft PEIS.

As stated in the DS, the SEPA *Non Project*<sup>2</sup> PEIS is being prepared to *generally* address impacts associated with collectively implementing a suite of projects within the Icicle Creek basin. These projects aim to improve instream flows to protect fish and aquatic habitat, improve water storage and operational flexibility within the Alpine Lakes Wilderness, and reinstate water

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<sup>1</sup> WAC 197-11-455

<sup>2</sup> "Nonproject actions are governmental actions involving decisions on policies, plans, or programs that contain standards controlling use or modification of the environment, or that will govern a series of connected actions. Nonproject review allows agencies to consider the "big picture" by conducting comprehensive analysis, addressing cumulative impacts, possible alternatives, and mitigation measures". SEPA Online Handbook, Ecology.

reserves<sup>3</sup> to accommodate growth within Chelan County. WDFW staff has been involved with the planning process since the Icicle Work Group (IWG) convened in 2012. WDFW Region 2 Director Jim Brown currently serves as the Chair for the IWG Steering Committee to help facilitate the collaborative process and to promote WDFW's interests to protect fish, wildlife, and their habitats in the Icicle Creek basin.

WDFW appreciates the value Ecology and CCRND bring to managing water resources in Icicle Creek for both in-stream and out-of-stream uses. WDFW promotes<sup>4</sup> developing the PEIS in such a way that adequately assesses impacts (beneficial and adverse) for the following suite of projects in Icicle Creek:

- Icicle Peshastin Irrigation District (IPID) Irrigation Efficiency Upgrades
- Cascade Orchards Irrigation Company (COIC) Irrigation Efficiency Upgrades
- Domestic Conservation Efficiency Upgrades
- Alpine Lakes Optimization, Modernization, and Automation
- Leavenworth National Fish Hatchery (LNFH) Conservation and Water Quality Improvements (e.g. Rehabilitate LNFH Intake, Operational Improvements at Structure 2
- Eightmile Lake Restoration Project
- Water Markets
- Habitat Improvements between RM 2.7-4.5 and Land Acquisitions
- Icicle Creek Passage, Tribal Fisheries Improvements
- LNFH/COIC, IPID, and City of Leavenworth Diversion Screening Upgrades
- Instream Flow Rule Amendment (WAC 173-545)

### **WDFW General Scoping Comments**

- 1) It is essential the PEIS describes the sequencing and timing of permissible projects and identifies the beneficiaries of in-stream and out-of-stream flow improvements. WDFW is concerned that water will be allocated for out-of-stream uses before an adequate amount of flow improvements are made in Icicle Creek.
- 2) At the public scoping meeting held in Leavenworth it was stated by Aspect Consulting that the timeframe associated with implementing projects ranged from 5-20 years. In order to "track" flow improvements that may occur over the next 5-20 years, a project implementation schedule should be included in the PEIS so readers can adequately provide comments, mitigation recommendations, and resource protection expectations within the context of "real water" in "real time".
- 3) Please describe the "Alternative Projects" being contemplated for replacing project that may not be feasible. WDFW expectations are that alternative projects would be identified through a collaborative process to replace those benefits and functions intended by the project determined to be infeasible.

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<sup>3</sup> Senate Bill 6513

<sup>4</sup> Per November 19, 2015 WDFW Support Letter to Ecology and CCRND

- 4) As fisheries co-managers for the state of Washington, WDFW does not support waiting 5-20 years to upgrade the Leavenworth Hatchery. We respect Ecology and CCNRD's efforts to find non-litigious solutions to upgrading the hatchery to meet state and federal laws. However, we also want to be clear that though our agency is an active member of the IWG, we are in no way advocating delaying compliance-related upgrades at the hatchery as a result of being a project element of the PEIS. We suggest providing details within the PEIS that "cross-walks" your efforts to solve hatchery issues with the U.S. Bureau of Reclamation and U.S. Fish and Wildlife Service's efforts.
- 5) It is essential that long-term climate change scenarios serve as the "backbone" to developing the PEIS. Refill scenarios for the Alpine Lakes remain uncertain, as do in-stream flows influenced from timing and quantity of annual precipitation. WDFW urges Ecology not to over-commit water for out-of-stream uses made "available" as a result of implementing any of the projects. We would not be doing our job as a resource agency if we did not safeguard stream flows to protect fish and their habitat throughout this PEIS process. We assume the same level of safeguarding will occur from Ecology to protect senior water right holders from harm or avoid project actions that may cause adverse impacts to stream flows or water quality. WDFW expects to see a robust section in the PEIS that evaluates climate change effects on project operational scenarios (e.g. new water management of the Alpine Lakes) and then illustrates how stream flow improvements will be achieved while simultaneously providing additional water for out-of-stream uses (i.e. show the math).
- 6) Ecology and CCNRD have indicated that some of the projects listed above may be described with a higher level of detail within the PEIS than the broader ICWRMS projects, making some projects ready for early implementation. Evaluation of projects considered for early implementation should include an assessment of natural resource costs and benefits as a function of project sequencing/early implementation within a subsequent project-level EIS, as necessary.
- 7) As you are aware, WDFW is actively working on several fish screen and diversion replacement projects in Icicle and Peshastin Creeks<sup>5</sup> to protect fish life; these projects are slated to occur in the near future. WDFW staff will continue to manage these projects and our own environmental compliance process, associated grant awards, and partnerships independent of the Icicle Strategy. However, our WDFW team is always available to assist with project planning and/or provide expertise to support PEIS development.
- 8) Please provide a hardy, water conservation and reduction section in the PEIS. For example, what are some ways CCNRD and Ecology will reduce the current gallon per capita per day as a tool to provide water for future growth and respond to drought effects? How will those endeavors be coordinated with investigating new water supply in the Alpine Lakes? WDFW recommends including a plan in the PEIS by which (1) CCNRD and Ecology will partner with utility providers to offer rebates for using less water, (2) to update local regulations and/or develop ordinances to promote and/or require water savings wherever possible, and (3) to develop water conservation and reduction incentive programs.

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<sup>5</sup> Icicle Irrigation Diversion and City of Leavenworth Diversion as examples.

- 9) WDFW still isn't clear how the Upper Wenatchee Community Lands Plan<sup>6</sup> is linked to the ICWMRS. WDFW habitat and wildlife staff have communicated with CCNRD that parcels identified in the Upper Wenatchee Community Lands Plan for acquisition may modestly add habitat value for wildlife or watershed protection in of itself. WDFW doubts these lands will be sufficient to provide "commensurate compensation for impacts to fish and wildlife resources" in the Icicle Creek basin. In addition to low habitat value, the scope of the Upper Wenatchee Community Plan includes Cashmere to Stevens Pass, with three sub-areas not located in the Icicle Creek Basin including: 1) Blewett Pass/Peshastin, 2) Chumstick Valley, and 3) Nason & Coulter Creek. The Wenatchee Community Lands Plan webpage makes no clear reference to how these "out-of-basin lands" are linked to the ICWRMS. WDFW recommends Ecology and CCNRD work with resource experts to assess lands for acquisition and/or enhancement within the Icicle Creek basin that can provide valuable fish and wildlife habitat. As you are aware, mitigation should be similar to the resource values lost through project development; out-of-place and/or out-of-kind mitigation is only appropriate when all other in-place mitigation opportunities have been exhausted<sup>7</sup>.
- 10) WDFW encourages Ecology and CCNRD to identify a lead federal agency to undertake the NEPA process as soon as possible. WDFW is unclear if federal participation on the IWG and dedication of time and personnel constitutes a "major federal action" within the meaning of NEPA. WDFW suggests delineating projects in the PEIS that cannot proceed until NEPA has been fulfilled. This will ensure local, state, and federal agencies, tribes, and other stakeholder groups have a clear understanding of project implementation timelines and associated in-stream flow benefits for each project (i.e. when will the water be in Icicle Creek and how much).

## **Fish, Wildlife, and Habitat Resource Considerations and Information Needs**

### ***Wildlife***

- The WDFW Priority Habitat and Species (PHS) data layers are a tool for planning purposes. These data sources cannot be assumed complete or exhaustive in expanses of wilderness considered in the PEIS. Lack of information for any species does not indicate a lack of presence. If the U.S. Forest Service (USFS) does not have species presence/absence surveys, WDFW recommends terrestrial surveys be completed for species likely to occur within the project footprint.
- Project activities requiring the use of helicopters pose a significant disturbance threat to mountain goats in the Alpine Lakes Wilderness - flying over mountain goats is considered to be a direct disturbance. WDFW recommends conducting surveys for concentrations of mountain goats for PEIS development. Specific consideration should be made for the timing of helicopter use to avoid the period when females are giving birth and following weeks when raising young.

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<sup>6</sup> Upper Wenatchee Community Lands Plan, CCNRD, Trust for Public Lands, the Nature Conservancy, and the Chelan-Douglas Land Trust (2015), funded through OCR.

<sup>7</sup> WDFW Mitigation Policy M5002<sup>7</sup> guides our agency to "achieve no net loss of habitat functions and values" when reviewing or permitting projects. WDFW preferred alternative is to mitigate for natural resource impacts within the Icicle Creek basin by implementing habitat protection, conservation, and restoration actions in-place and in-kind or secondarily in-place and out-of-kind.

- Golden eagles, peregrine falcons, northern goshawks, and northern spotted owls all occupy, nest, and rear young in associated habitats in the wilderness and may be located within the project footprint. WDFW recommends conducting surveys within the project footprint so a plan can be developed to avoid disturbing nest sites, particularly until young have fledged. The high elevation and colder conditions of the wilderness will extend fledging dates into the summer later than warmer low elevation habitats.
- WDFW recommends conducting surveys for pika within the project footprint and to work closely with WDFW and the USFS to avoid impacts to this species at the project planning stage.
- Any open water habitat included within the project footprint should be surveyed for common loon nesting. The potential for direct impacts to loon nests is high for any project activities that would result in a rise of water elevation on any lakes.
- The USFS and WDFW are coordinating in summer of 2016 to conduct amphibian and reptile surveys at wetlands, lakes, ponds or streams located within and whereas water-levels or flows are impacted by the package of projects in the PEIS. Data collected and information in the final report should be used to develop the Final PEIS and for future, subsequent EISs.

### ***Habitat***

- Installation of a flow meter, with access to the data should be made publicly available to confirm proposed minimum instream flows designated for the Historic Channel in Icicle Creek are being met.
- WDFW support CCNRDs efforts to fund and install meters on all diversions.
- The water market being developed for Icicle Creek will need to be coordinated annually with fisheries co-managers to avoid seasonal harm to instream flows, including winter flows to protect fish life.

### ***Fish***

- Fish passage improvements should include flow as an important component to ensure riffles are passable to upstream migrating salmonids.
- WDFW can provide fish stocking data for the Alpine Lakes if requested. Our agency has a vested interest in ensuring changes in operations at the lakes do not adversely impact fish
- Modeling flow scenarios out of each and/or all of the Alpine Lakes being contemplated in the PEIS will help prioritize flows scenarios that maximize benefits to fish at each relevant life stage. Focal species and relevant life stages include Steelhead (adult, rearing), Rainbow trout (adult, rearing), Bull Trout (adult/sub-adult, rearing), Cutthroat Trout (adult, rearing), and Lamprey (adult).
- Bringing fish screening associated with diversions into compliance with state and federal requirements should be a nondiscretionary “early action” item of the PEIS; this action should be funded and pursued in the immediate future as a priority of the ICWRMS.

### **Closing Remarks**

Flows in Icicle Creek need to be restored to avoid extinction of trout and steelhead populations. Withdrawing additional water from Icicle Creek cannot occur until fisheries experts agree that flow is sufficient to protect fish at all life stages and there is “wiggle” room to allocate water for out-of-stream uses. WDFW looks forward to working toward water resource solutions that embody a balance of public interests with natural resource protection for the benefit of all! If you have questions or concerns regarding our comments, please feel free to contact me directly by email at [carmen.andonaegui@dfw.wa.gov](mailto:carmen.andonaegui@dfw.wa.gov) or by phone at (509) 754-4624 ext. 212.

Sincerely,



Carmen Andonaegui  
WDFW, Region 2 Habitat Program Manager

cc: Jim Brown, WDFW Region 2 Director  
Amy Windrope, WDFW Ecosystem Services Division Manager  
Jeff Korth, WDFW Region 2 Fish Program Manager  
Matt Monday, WDFW Region 2 Wildlife Program Manager  
Charity Davidson, WDFW Environmental Planning Coordinator

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Wednesday, May 11, 2016 10:43 AM  
**To:** Meghan O'Brien; Jordan Sanford  
**Cc:** Dan Haller  
**Subject:** FW: Formal Comment: Icicle Work Group's "Icicle Strategy."

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 5:55 PM  
**To:** Doug Scott  
**Cc:** George Nickas; John Gilroy; Mary Jo Sanborn  
**Subject:** RE: Formal Comment: Icicle Work Group's "Icicle Strategy."

Doug, thank you for your comments. We will make sure they are entered into the record and considered during scoping.

I did recently talk with Rep. McCormack about the "in-holders" in the wilderness area who held ownership rights prior to the wilderness being established. By "in-holders" I am referring to Pack River, Icicle Irrigation District and Burlington Northern Santa Fe Railways. Given your role in establishing the wilderness, any input you could provide on how those "in-holders" were to be addressed post-wilderness designation would be appreciated.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

**From:** Doug Scott [<mailto:scottdoug959@gmail.com>]  
**Sent:** Friday, May 06, 2016 1:11 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>

Cc: George Nickas <[gnickas@wildernesswatch.org](mailto:gnickas@wildernesswatch.org)>; John Gilroy <[jgilroy@pewtrusts.org](mailto:jgilroy@pewtrusts.org)>

Subject: Formal Comment: Icicle Work Group's "Icicle Strategy."

Mr. Kapula --

On behalf of my company, Doug Scott Wilderness Consulting, I wish to comment on your proposed Icicle Work Group's Icicle Strategy.

As background, in the mid-1970s I was the Northwest Representative of the Sierra Club based in Seattle. As such, I represented the large coalition of organizations (local, state, and national) which sought the designation of the Alpine Lakes Wilderness Area. I testified at the U.S. Forest Service hearings in Seattle and Wenatchee, at the congressional field hearings, and at the hearings before both the Senate and House committees in Washington, DC.

I worked closely with the sponsors of the legislation that designated the wilderness area, notably Representatives Lloyd Meeds, Joel Pritchard, and Mike McCormack, who represented the Wenatchee side of the wilderness area, and with Senators Henry M. Jackson and Warren Magnuson, as well as the many congressional committee members involved. I worked closely with leaders of the U.S. Forest Service, including the chief, and with officials in the Department of Agriculture and the White House.

I attended and was recognized at the Forest Service's celebration of the new wilderness area in 1976 at Snoqualmie Pass.

I have often visited the Icicle, including the hike up the Snow Lake Trail to the Enchantments area at the eastern end of the wilderness area. I was involved in the enactment of the amendment which added 22,172 acres in the lower valley of the Middle Fork, Snoqualmie River sponsored by Representative Xxxxx Xxxxx and Senators Xxxxx Xxxxx and Maria Cantrell. I attended and was recognized at the celebration of this addition held near the new boundary.

The Alpine Lakes Wilderness Area is a beloved part of America's National Wilderness Preservation System:

The wilderness area--every acre of it -- is protected with the full strength of the 1964 Wilderness Act.

The building of new dams or water diversions, however “minor” you may think they would be, is illegal.

Were your proposal to succeed, it would constitute a very serious and unacceptable precedent.

I can assure you that any such final decision will, on the day it is issue, bring you before a federal judge and will be prosecuted with the full resources of the national wilderness movement and with the well-regarded legal skills of the top environmental attorneys practicing today.

Prior to that, you are obligated legally to produce and reveal a complete and thorough environmental impact statement to cover your proposal and - - as you have indicated you will do -- to include the mandatory full range of alternatives to your proposed action.

This include the non-action alternative -- leaving well enough alone without violating the wilderness area.

Every alternative -- every -- that would achieve your goal without violating the wilderness area.

Three notable facts:

The father of the Alpine Lakes Wilderness Area in the U.S. Senate was Senator Henry M. Jackson who was also chairman of the committee which produced the area. Senator Jackson was also the

father of the National Environmental Policy Act. It would be a slur on his memory for you to cut corners in any way in meeting your obligations under his statute. A lawsuit is certain.

Senator Jackson chaired the meeting of the entire Washington congressional delegation in which final issues of the boundaries and wording of the Alpine Lakes Area Management Act of 1976.

I represented the coalition of supporting organizations in presenting to this private meeting the results of final negotiations which I carried out with Bill Ruckelshaus, then of Weyerhaeuser Company, who acted on behalf of the timber industry coalition, including local governments -- including Wenatchee County. Mr. Ruckelshaus was, of course, the first administrator of the U.S. Environmental Protection Agency which oversees the environmental impact statement process.

You have similar but separate obligations under statutes of the State of Washington.

Issues of impacts on the interests and needs of Native American Tribes and on anadromous fisheries are mandatory topics you must cover in complete detail.

You are on notice. Your agency and its constituents are apparently not aware of what you are doing, for you court an enormous waste of your time, the time of many other agencies, organizations, and individuals, and the money the taxpayers who pay for your efforts. And it will be for naught. You will learn this as have those who attempted much smaller dams and diversions within the Selway-Bitterroot Wilderness Area, Montana.

You will end up empty handed and ... with our thanks, the author of yet another strong pro-wilderness precedent.

Think again!

Doug Scott  
Principle

Doug Scott Wilderness Consulting  
1723 18th Avenue, Suite 25  
Seattle, WA 98122  
[www.wilderness-resources.net](http://www.wilderness-resources.net)

Doug Scott, a forester by training, is recipient of the highest honor of the national Sierra Club, the John Muir Award.

cc:

George Nickas, Executive Director, Wilderness Watch  
John Gilroy, Assistant Director, Campaign for America's Wilderness, U.S.  
Lands, The Pew Charitable Trusts

**Alpine Lakes Protection Society • Alpine Lakes Foundation  
Alliance for the Wild Rockies • American Whitewater • Aqua Permanente  
Center for Environmental Law & Policy • Conservation Congress  
El Sendero • Endangered Species Coalition • Federation of Western Outdoor Clubs  
Friends of the Bitterroot • Friends of Bumping Lake • Friends of the Clearwater  
Friends of the Enchantments • Friends of Lake Kachess • Friends of Wild Sky  
Great Old Broads for Wilderness • Issaquah Alps Trails Club  
Kachess Homeowners Association • Kachess Ridge Maintenance Association  
Kittitas Audubon Society • Kittitas County Fire District #8 • The Mazamas  
Middle Fork Recreation Coalition • North Cascades Conservation Council  
North Central Washington Audubon Society • Olympic Forest Coalition  
River Runners For Wilderness • Save Our Sky Blue Waters • Seattle Audubon Society  
Sierra Club • Spokane Mountaineers • Spring Family Trust for Trails  
Washington Native Plant Society • Washington Wild • Western Lands Project  
Wilderness Watch • Wild Fish Conservancy**

May 11, 2016

*Via email to: [mike.kaputa@co.chelan.wa.us](mailto:mike.kaputa@co.chelan.wa.us)*

Chelan County Natural Resources Department  
Attention: Mike Kaputa, Director  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

**RE: Icicle Creek Water Resource Management Strategy – SEPA scoping**

Dear Director Kaputa:

Thank you for the opportunity to provide scoping comments on the Icicle Creek Water Resource Management Strategy. As non-profit organizations focused on conservation and recreation with members who live, work and play in the project area, we have a strong interest in current and future management activities in the Icicle Creek watershed and the Alpine Lakes Wilderness. Many of our organizations attended the informational and scoping meetings held in 2013-2016 regarding this proposal, and some of us have participated in Icicle Work Group meetings and have submitted comment letters previously. We appreciate the difficult challenge to provide instream flows and supply water for historic agricultural uses. There are impacts inherent in this, and Chelan County should work to minimize such impacts by prioritizing water conservation measures that are not detrimental to wilderness values. We are willing to work towards a solution. We support the tribes' insistence that any solution ensure adequate instream flows for fish. However, we are very concerned about the substantial impact of current and proposed water management activities on the lakes in the Wilderness, and the proposal to increase water diversions from seven lakes in the Alpine Lakes Wilderness that flow into Icicle Creek: Colchuck, Eightmile, Upper and Lower Snow, Nada, Lower Klonaqua and Square Lakes.

Chelan County and the Washington State Department of Ecology jointly issued a SEPA Determination of Significance, determining that a Programmatic Environmental Impact Statement (PEIS) is required, due to the proposal's probable significant environmental impacts. We agree with that determination, and we support the decision to prepare an EIS, given the scope and severity of the potential environmental impacts associated with the proposal.

After reading through the materials you published online, we offer the following comments:

### **Full range of alternatives**

Key to the effectiveness of the EIS is presenting a full range of alternatives. “The range of alternatives considered in an EIS must be sufficient to permit a reasoned choice.”<sup>1</sup> The proposed action and a “No Action” alternative do not present a sufficient range of alternatives, especially given the large scope of the overall proposal. Furthermore, the EIS cannot be constrained solely by the set of principles agreed to by the Icicle Work Group, as that would be contrary to law. “[A]n agency violates SEPA by shaping the details of a project before completing an EIS, effectively turning administrative approval into a ‘yes or no’ vote on that project as detailed, rather than allowing for the development and consideration of alternatives after the EIS is completed.”<sup>2</sup> The large amounts of money that the Work Group has expended on the proposed action cannot be used to justify foreclosure of other reasonable alternatives.<sup>3</sup>

We suggest several other reasonable alternatives below to fully evaluate the project opportunities, impacts and needed mitigation. We believe that the alternatives below are reasonable and can “feasibly attain or approximate a proposal’s objectives, but at a lower environmental cost or decreased level of environmental degradation.”<sup>4</sup>

### **Wilderness Protection alternative**

The Alpine Lakes Wilderness is a shared natural resource that many people use and care about; it must be respected and protected. It is the Wilderness area nearest to the millions of people who live in the Puget Sound metropolitan area, and is one of the most popular Wilderness areas in the United States. Alpine Lakes Wilderness has operated under a permit system for decades because of the popularity of this Wilderness with the people of Washington State. It has national importance as part of the National Wilderness Preservation System, and it is owned and visited by people from all over the country. It took many years of struggle and hard work by members of our non-profit organizations to establish the Wilderness.

The EIS should include a “Wilderness Protection” alternative. This alternative should promote Wilderness values in keeping with the Wilderness classification of the Alpine Lakes Wilderness area, while simultaneously meeting the objectives of the proposal. This alternative should not increase the amount of water removed from the Alpine Lakes Wilderness; not expand easements; not encroach on wilderness lands; not use mechanical transport; and not build any structure or

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<sup>1</sup> *Solid Waste Alternative Proponents v. Okanogan County*, 66 Wn.App. 439, 445, 832 P.2d 503 (1992).

<sup>2</sup> *Columbia Riverkeeper v. Port of Vancouver USA*, 189 Wn.App. 800, 818-19, 357 P.3d 710 (2015).

<sup>3</sup> *Id.*

<sup>4</sup> WAC 197-11-440(5)(b).

installation in the Wilderness. Rather, under the Wilderness Protection alternative, any new water supplies should be obtained from application of conservation measures and from sources outside the Wilderness, and use non-Wilderness options for improving instream flows (for example, the Icicle-Peshastin Irrigation District change in diversion point discussed below). The Wilderness Protection alternative should comply with all provisions in the Forest Service's administrative Alpine Lakes Area Land Management Plan, including: "Except as provided for in Section 4(d)(4) of the Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge."

The EIS list of relevant laws, rules and plans should include the Wilderness Act of 1964; the Alpine Lakes Area Management Act of 1976, the Alpine Lakes Area Land Management Plan (1981), and the Wenatchee NF Forest Plan (1990) as amended.

The Wilderness Protection alternative should evaluate public purchase (buy-back) of private water rights in the Alpine Lakes, which would allow removal of dams and other structures from the lakes to restore the Wilderness area to its true natural character.

The Icicle Work Group's guiding principle on Wilderness should be stated as a separate principle, and not subsumed or merged or blended into the other principles. Most of the Icicle Creek watershed is within the Alpine Lakes Wilderness.

### **Water Right Relinquishment alternative**

We appreciate the irrigators' need for water to irrigate their orchards and keep them productive. We do not object to the exercise of valid, existing water rights of the Icicle-Peshastin Irrigation District, but we question any assertion of water rights that have been relinquished or are otherwise invalid.

The EIS should include a "Water Right Relinquishment" alternative. This alternative should analyze existing water rights to the Alpine Lakes and acknowledge those rights that have been relinquished or abandoned. Further, to the extent that relinquishment of water rights affects the basis of other alternatives, a relinquishment analysis should be part of each alternative considered. For example, has the Icicle-Peshastin Irrigation District (IPID) relinquished through non-use any part of the Eightmile Lake water right on which the dam rebuilding scheme is predicated? If so, it would be improper to analyze an alternative that is based upon the invalid assumption that IPID has valid water rights that would be needed to pursue the project.

The EIS should include an alternative that recognizes Icicle Work Group members' water rights are limited to the purposes for which they were initially granted (for example, agricultural irrigation) and cannot be redirected to other purposes (such as suburban development). Furthermore, all alternatives should be assessed for compliance with all applicable provisions of the Water Code, RCW 90.03.

### **Water Conservation alternative**

The EIS should include a “Water Conservation” alternative that emphasizes aggressive water conservation measures by the City of Leavenworth, Icicle-Peshastin Irrigation District, the Leavenworth Fish Hatchery and other water users as a means to achieve the proposal’s objectives. This alternative should consider the adoption of conservation measures (such as restrictions on watering lawns) that have been implemented in the Seattle area, where water consumption actually declined while the population increased. This alternative should also evaluate water markets that facilitate selling and trading of water rights.

The Water Conservation alternative should evaluate a transfer of water rights from IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties. This alternative should analyze how appropriate reductions in water usage (that is, not using agricultural water quantities for lawn irrigation) would save water that would then be available for other Leavenworth needs.

The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals. This alternative should evaluate how this 19<sup>th</sup> century irrigation practice (which was required to ensure water made it to the furthestmost customers) could be replaced with modern pumping and piping technologies constructed outside of the Wilderness Area. The EIS should consider the resulting reduction in water demand as an alternative water supply.

A strong water conservation program can and should be a part of all the action alternatives, and should be compared to current practices (the No Action alternative).

### **Water Right Change alternative**

The EIS should include a “Water Right Change” alternative. This alternative would evaluate improving Icicle Creek flows by moving IPID’s point of diversion downstream (to the Wenatchee River). This measure, which would add 100 cfs of water to Icicle Creek every year, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). This alternative should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric. Options for changing the point of diversion have already been studied and information on their feasibility and costs is available.

### **Relationship Between NEPA & SEPA Review**

The involvement of several federal agencies and the likelihood of significant environmental impacts justify a finding of significance under NEPA.<sup>5</sup> Therefore, it is imperative that the Forest Service, as the federal land manager of the Wilderness, take a hard look at the Wilderness impacts associated with the proposed projects.<sup>6</sup> If the proposed SEPA EIS is “programmatic” and contains no federal decisions, the SEPA EIS should say so explicitly and note that any project that requires a federal decision will require NEPA analysis and cannot rely solely on this

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<sup>5</sup> 42 U.S.C. § 4332.

<sup>6</sup> *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 349 (1989).

SEPA EIS. It is unclear, from the documents produced thus far, how the SEPA and NEPA analyses will be related, if at all. Given the fact that the Wilderness Area is federally managed, the relationship between these two different review processes should be disclosed.

### **Climate Change Impacts Must Be Considered**

The impact of each alternative on Icicle Creek’s resilience to climate change, particularly with regard to changes in amount or timing of precipitation and instream flow, should be evaluated.<sup>7</sup> According to Ecology:

*Climate Change will increase the variability – widening the range – of future supply and demand of water. As climate change shifts the timing and volume of streamflow and reduces snowpack, lower flows during the summer will make it more difficult to maintain an adequate supply of water for communities, agriculture, and fish and wildlife. Lower summer flows and higher stream temperatures will continue to degrade our water quality and place stress on salmon.<sup>8</sup>*

These impacts are foreseeable and must be assessed as part of the EIS.

### **Impacts of Water Withdrawal Must Be Analyzed**

The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and how the proposed changes will affect the current situation. The analysis should include a review of scientific literature on the impacts of water removals upon wildlife, vegetation, soil and wilderness values.

### **Operations, Maintenance & Environmental Monitoring Analysis**

The EIS should provide a detailed operations, maintenance and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use. The EIS should also provide a detailed accounting of budgets and funding sources for these items.

### **The Purpose & Need of the Project Should Be Identified**

The EIS should fully explain the purpose and need for the water these projects would provide. We understand the need to increase instream flows in Icicle Creek, but what are the additional

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<sup>7</sup> RCW 43.21C.030(f) (SEPA is to be implemented in a fashion that “recognize[s] the worldwide and long-range character of environmental problems and, where consistent with state policy, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of the world environment.”); WAC 197-11-444; *Rech v. San Juan Cnty*, 2008 WL 5510438 (Wash. Shorelines Hearings Bd.) (June 12, 2008) at \*12 n.8 (“We further note an emerging trend in the case law under the National Environmental Policy Act (“NEPA”) and state NEPA analogues in which courts are increasingly requiring agencies to analyze climate change impacts during environmental assessments.”).

<sup>8</sup> Ecology, Preparing for a Changing Climate: Washington State’s Integrated Climate Response Strategy (April 2012) at 101-102; *id.* at 103 (stating that climate change will lead to “increases in winter precipitation, posing additional challenges for managing reservoirs for flood control, fish, and hydropower.”).

out-of-stream uses to be served by these projects? To what beneficial use will the additional water be put?

The EIS should fully explain what human activities caused the degraded conditions (such as low instream flows in Icicle Creek) that the projects seek to improve. We should not be repeating the mistakes of the past and this information is highly relevant as to the purpose and need of the projects in the first place.

### **Direct, Indirect & Cumulative Impacts Must Be Assessed**

The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that would be needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.

The direct, indirect and cumulative impacts of all proposed projects must be assessed.<sup>9</sup> Cumulative impacts include "the impact from the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions."<sup>10</sup> "A cumulative impact analysis need only occur when there is some evidence that the project under review will facilitate future action that will result in additional impacts."<sup>11</sup> Here, all of the projects are being analyzed in one EIS, are not speculative, and thus must be assessed in a holistic fashion. In addition, if the projects are going to be implemented in phases, that must be described and done in a manner that does not improperly segment the environmental impacts of all proposed projects.

### **Instream Flow Impacts on Fish and ESA Consultation**

The EIS should analyze the adequacy of proposed instream flows to support spawning, rearing and migration of steelhead, salmon and bull trout. Each project's impacts on instream flows and the species likely to be affected should be identified. Under the Endangered Species Act, the Upper Columbia River distinct population segment of steelhead is listed as a threatened species, and the Upper Columbia River spring-run Chinook salmon evolutionary significant unit is listed as endangered. Therefore, consultation under the Endangered Species Act must be required. Icicle Creek contains some of the last remaining nearly pristine habitat available to these fish. Icicle Creek is designated critical habitat for the Upper Columbia River steelhead and contains spawning, rearing, and migration habitat for this species. Upper Columbia River spring-run Chinook salmon also spawn in Icicle Creek. However, human activities have lowered instream flows and devastated these fish in Icicle Creek.

### **Information on Existing Diversions Is Needed**

The EIS should include maps, diagrams and photos to clearly show the current situation (including the place of diversion and amount of water diverted) at each of the lakes and other project locations and how that would change under the proposed action(s) under each alternative.

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<sup>9</sup> WAC 193-11-060(4).

<sup>10</sup> 40 C.F.R. § 1508.7.

<sup>11</sup> *Boehm v. City of Vancouver*, 111 Wn.App. 711, 720, 47 P.3d 137 (2002).

Thank you for considering these comments.

Sincerely,

Karl Forsgaard, President  
Alpine Lakes Protection Society (ALPS)

Trish Rolfe, Executive Director  
Center for Environmental Law & Policy

Harry Romberg, National Forests Chair  
Washington State Chapter  
Sierra Club

Mark Boyar, President  
Middle Fork Recreation Coalition (MidFORC)

John Spring, Manager  
Spring Family Trust for Trails

Brock Evans, President  
Endangered Species Coalition

Dave Kappler, President  
Issaquah Alps Trails Club

Shelley Spalding, Climate Action Liaison  
Great Old Broads for Wilderness

Kathi & Greg Shannon, Steering Comm members  
Friends of the Enchantments

Mike Garrity, Executive Director  
Alliance for the Wild Rockies

Denise Boggs, Executive Director  
Conservation Congress

Gary Macfarlane, Ecosystem Defense Director  
Friends of the Clearwater

Lee Davis, Executive Director  
The Mazamas

Tom Uniack, Executive Director  
Washington Wild

Rachael Osborn  
former member, Icicle Work Group

Gus Bekker, President  
El Sendero  
Backcountry Ski and Snowshoe Club

Mike Town, President  
Friends of Wild Sky

Tom Hammond, President  
North Cascades Conservation Council

Chris Maykut, President  
Friends of Bumping Lake

William Beyers, President  
Alpine Lakes Foundation

George Nickas, Executive Director  
Wilderness Watch

George Milne, President  
Federation of Western Outdoor Clubs

Tom Martin, Council Member  
River Runners For Wilderness

Larry Campbell, Conservation Director  
Friends of the Bitterroot

Kurt Beardslee, Executive Director  
Wild Fish Conservancy

Tom Gauron, President  
Kittitas Audubon Society

Janine Blaeloch, Executive Director  
Western Lands Project

Doug Scott, Principal  
Doug Scott Wilderness Consulting

Lori Andresen, President  
Save Our Sky Blue Waters

Robert Angrisano, President  
Kachess Homeowners Association

Terry Montoya, President  
Kachess Ridge Maintenance Association

Thomas O'Keefe, PhD  
Pacific Northwest Stewardship Director  
American Whitewater

Melissa Bates, President  
Aqua Permanente

Art Campbell, President  
North Central Washington Audubon Society

Bill Campbell, President  
Friends of Lake Kachess

Jerry Watts, Chair  
Board of Fire Commissioners  
Kittitas County Fire District #8

Brian Hoots, President  
Spokane Mountaineers

Clay Antieau, President  
Washington Native Plant Society

John Brosnan, Executive Director  
Seattle Audubon Society

Connie Gallant, President  
Olympic Forest Coalition

Cc: Tom Tebb, Department of Ecology  
other Icicle Work Group members  
Governor Jay Inslee  
U.S. Senator Patty Murray  
U.S. Senator Maria Cantwell  
U.S. Representative Dave Reichert  
U.S. Interior Secretary Sally Jewell  
U.S. Bureau of Reclamation Commissioner Michael Connor  
U.S. Forest Service, Regional Forester Jim Pena  
Okanogan-Wenatchee National Forest Supervisor Mike Williams  
Wenatchee River District Ranger Jeff Rivera



May 11, 2016

Mike Kaputa  
Chelan County Natural Resource Dept.  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

**SUBJECT: Icicle Creek Water Resource Management Strategy**

We've searched the Natural Heritage Information System for information on rare plants or rare and/or high quality ecological communities in the vicinity of your project. A summary of this information accompanies this letter (Excel file; GIS shapefile). In your planning, please consider protection of these significant natural features, and feel free to contact us for consultation.

The information provided by the Washington Natural Heritage Program is based solely on existing information in the database. There may be significant natural features in your study area of which we are not aware. These data are being provided to you for informational and planning purposes only - the Natural Heritage Program has no regulatory authority. This information is for your use only for environmental assessment and is not to be redistributed. Others interested in this information should be directed to contact the Natural Heritage Program.

The Washington Natural Heritage Program is responsible for information on the state's rare plants as well as high quality ecosystems. For information on animal species of concern, please contact Priority Habitats and Species, Washington Department of Fish and Wildlife, 600 Capitol Way N, Olympia WA 98501-1091, or by phone (360) 902-2543.

For more information on the Natural Heritage Program, please visit our website at <http://www.dnr.wa.gov/natural-heritage-program>. Species lists and fact sheets, as well as rare plant survey guidelines are available for download from the site. For the self-service system, please follow the Reference Desk link to Location Search. Please feel free to call us at (360) 902-1667 if you have any questions, or e-mail us at [natural\\_heritage\\_program@dnr.wa.gov](mailto:natural_heritage_program@dnr.wa.gov).

Sincerely,

Jasa Holt, Data Specialist

Washington Natural Heritage Program  
Forest Resources and Conservation Division



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

### Washington Fish and Wildlife Office

Central Washington Field Office  
215 Melody Lane, Suite 103  
Wenatchee, Washington 98801

May 11, 2016

#### **In Reply Refer To:**

USFWS Reference: 01EWF00-2016-TA-0800

Hydrologic Unit Codes: 17-02-00-11-04

Tom Tebb  
Director, Office of Columbia River  
Washington State Department of Ecology  
1250 West Alder Street  
Union Gap, WA 98903-0009

Mike Kaputa  
Director, Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

RE: Scoping Comments on the Programmatic Environmental Impact Statement (PEIS) for the Icicle Creek Water Resource Management Strategy

Dear Mr. Tebb and Mr. Kaputa:

This responds to your request for scoping comments to assist with the development of a Draft State Environmental Policy Act (SEPA) PEIS for the Icicle Creek Water Resource Management Strategy (ICWRMS). The U.S. Fish and Wildlife Service's (Service) Central Washington Field Office has participated periodically in the Icicle Work Group (IWG) meetings with a focus on implementation, consultation, and recovery planning issues surrounding the ICWRMS. The Service supports developing the PEIS to assess projects that could provide a more secure water supply for agricultural and municipal uses as well as advancing the conservation of species. The Service encourages continued coordination and collaboration with federal stakeholders as site-specific projects are developed and packaged for National Environmental Policy Act (NEPA) review, consultation in accordance with Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), and for the implementation of priority recovery actions associated with Section 7(a)(1) of the ESA.

**General Comments**

1. Many of these proposed actions appear to be a “water resource development” as defined by the Fish and Wildlife Coordination Act (FWCA), as amended (16 U.S.C. 661 *et seq.*). The FWCA was developed to ensure that fish and wildlife resources receive equal consideration as other aspects of a water resource development project. The FWCA requires the federal agencies involved to consult with the Service and the state fish and wildlife agency (Washington Department of Fish and Wildlife, WDFW) to request a Coordination Act Report (CAR). The CAR assesses the effects of the action, considers the fish and wildlife resources at risk, and recommends measures to protect, develop, and improve these habitats. Although not binding, the federal agency must strongly consider the recommendations of the CAR to prevent loss or damage to fish and wildlife resources and to mitigate any unavoidable impacts.

Although the ICWRMS is a non-federal effort not directly bound by the FWCA, many or perhaps all of the subsequent steps of implementation appear to have at least one federal agency involved. Rather than conducting several individual CARs for each successive step implementing the ICWRMS, the Service recommends a more comprehensive and efficient approach. The Service recommends a single CAR be produced for the entire ICWRMS in collaboration with the Department of Ecology, Chelan County Natural Resources Department, WDFW, and the Service. We look forward to future discussions regarding this possibility.

2. Please describe the sequencing and timing of projects, and how increased instream flows will be metered out among the beneficiaries of flow increases, as projects are implemented. This will ensure that all stakeholder groups have a clear understanding of project implementation timelines and associated instream benefits for each projects (i.e. when and how much water will be in Icicle Creek and over what timeframe). Similarly, develop a phased implementation schedule to facilitate Section 7(a)(2) consultation with the Service to assess individual and cumulative impacts of implementing projects under the ICWRMS.
3. To improve and expedite any Section 7(a)(2) consultation for individual ICWRMS projects, please insure appropriate coordination with the Service’s Central Washington Field Office and federal partners (especially land management agencies such as the Forest Service) occurs early in the planning and implementation schedule. Early and often coordination and engagement with the Service is the single best way to foster an efficient consultation environment.
4. The Service encourages the Department of Ecology and Chelan County Department of Natural Resources to identify a single federal agency to lead the Section 7(a)(2) consultation and NEPA processes. At the April 20, 2016, ICWRMS open house, it appeared that some individual projects could have several federal agencies involved. In these cases, we recommend that the federal agency with the higher NEPA standards be the lead action agency (i.e., so one NEPA document can meet both agencies standards).

5. We have also reviewed scoping comments prepared by the WDFW on the ICWRMS. We find the WDFW comments to be very thoughtful and detailed, and we hope they are carefully considered. Although the WDFW comments extend to areas outside of the Service's purview, we endorse the spirit and content of their comments that all reflect a clear desire to protect fish and wildlife resources.

Thank you for your assistance in the conservation of listed species. If you have any questions or comments regarding this letter, please contact Jeff Krupka at the Central Washington Field Office in Wenatchee at (509)665-3508, extension 2008, or via e-mail at [jeff\\_krupka@fws.gov](mailto:jeff_krupka@fws.gov).

Sincerely,

A handwritten signature in cursive script that reads "Eric V. Rickerson".

Eric V. Rickerson, State Supervisor  
Washington Fish and Wildlife Office

cc: Via e-mail;

Carmen Andonaegui, WDFW, Region 2 Habitat Program Manager  
Charity Davidson, WDFW Environmental Planning Coordinator  
Dave Irving, USFWS, Leavenworth Fisheries Complex  
Jeff Rivera, OWNF, Wenatchee River Ranger District

American Rivers | The Wilderness Society  
Washington Trails Association

May 11, 2016

Tom Tebb  
Director, Office of Columbia River  
Washington Department of Ecology  
1250 Alder Street  
Union Gap, WA 98903

Mike Kaputa  
Director, Chelan County Natural Resources Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

*Submitted electronically on May 11, 2016 to Mike Kaputa.*

RE: Request for Comments on the Scope of the Programmatic Environmental Impact Statement (PEIS) for the Icicle Creek Water Resource Management Strategy (Icicle Strategy)

Dear Directors Tebb and Kaputa:

Thank you for the opportunity to provide scoping comments on the Icicle Creek Water Resource Management Strategy (Icicle Strategy). The Washington State Department of Ecology (Ecology) directed the Chelan County Natural Resource Department (CCNRD) to develop a PEIS for the Icicle Strategy. Scoping comments gathered on the potential project package established by the Icicle Work Group (IWG) will be used to inform a draft State Environmental Policy Act (SEPA) PEIS for the Icicle Strategy. Our organizations appreciate the opportunity to provide feedback on the current proposal.

The project area of the Icicle Strategy proposal encompasses one of the most iconic - and treasured - wilderness areas and one of the most visited valleys in the state. Thousands of hikers and adventurers explore the Alpine Lakes Wilderness each year, and the Enchantments Lakes Region specifically. Our organizations and members have great interest in the management and stewardship of these lands, and are committed to working to ensure wilderness, recreation, and scenic values are protected into the future.

## **SEPA Purpose**

The purpose of the SEPA PEIS is to address probable significant adverse impacts associated with implementation of a suite of projects within the Icicle Creek basin aimed at enhancing streamflow and habitat conditions for fisheries and other aquatic organisms, improving operational flexibility and water storage at high-alpine lakes within the Alpine Lakes Wilderness, maintaining water security and supply reliability for out-of-stream users of Icicle Creek water, and reinstating water reserves that will facilitate growth and development in Chelan County. The primary purpose of the SEPA PEIS is to help clarify resources and information that will inform programmatic environmental review for the Icicle Strategy as well as individual environmental review processes for each project.

The undersigned organizations understand that current suite of projects proposed by the IWG for public comment does not necessarily represent the final project package nor approval of individual projects in the PEIS. We do hope the concerns and comments provided below will inform further refinement of the current suite of projects.

## **Concerns and Comments**

The undersigned organizations are pleased to share the following concerns and comments that should be addressed during the SEPA review and PEIS development.

### **1. Alpine Lakes Wilderness Area Compliance and Impacts**

Icicle Creek is a major tributary to the Wenatchee River in Chelan County, and the Icicle Creek watershed encompasses an area of approximately 212 square miles, most of which is designated as the Alpine Lakes Wilderness (ALW) and currently managed by the U.S. Forest Service. The 920,000-acre ALW was designated in 1976 to protect some of the most wild, rugged, scenic, and beloved lands in the Central Cascade Mountains.

One of the seven guiding principles cited in the Icicle Strategy is to “comply with State and Federal Law, and Wilderness Acts.” Several layers of law are relevant to the projects and actions proposed in the Icicle Strategy, and in many ways, the interpretation of those laws will determine the viability of the projects proposed at the wilderness lakes, specifically the restoration/repair at Eightmile Lake as well as automation and optimization efforts. It is our understanding that the U.S. Forest Service has participated in the IWG, but has not provided any specific guidance on the projects proposed and how such proposals comply with current management agreements with the Icicle-Peshastin Irrigation District or the suite of wilderness laws relevant in this situation, including the 1964 Wilderness Act, 1976 Alpine Lakes Area Management Act, and the 1981 Alpine Lakes Wilderness Management Plan (ALWMP). Such interpretation and guidance from the U.S. Forest Service is imperative, and should happen as a part of the SEPA process. Relevant direction from these laws is cited below and requires federal interpretation and development of guidance for federal actions in relation to the Icicle Strategy.

From the 1964 Wilderness Act, Section 4(d)(4), related to the requirement of Presidential approval of facilities, including water resources, that are not compliant with wilderness regulations:

*Within Wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest . . . upon his determination that such use or uses in the specific area will better service the interests of the United States and the people thereof than will its denial... [emphasis added]*

From the 1964 Wilderness Act, Section 4(c), related to the concept of Minimum Requirements, and applicable to activities related to special provisions mandated by the Wilderness Act such as access to inholdings and maintenance of water developments:

*Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area. [emphasis added]*

From the 1981 ALWMP, related to specific management guidance for water resources:

*Management Objective: to preserve water bodies and stream courses in a natural state with minimal modification or human-caused contaminants. . .*

*Management Direction: (1) except as provided for in Section 4(d)(4) of the Wilderness Act, watershed will not be altered or managed to provide increased water quantity, quality or timing of discharge. . . (2) . . . long-term weather modification programs producing repeated or prolonged changes in the weather during any part of success years and having substantial impacts on the Wilderness resource will not be permitted. Prior to any weather management modification activity within the Alpine Lakes Wilderness, formal application must be filed and approved by the Chief of the Forest Service. The proponents must, through an environmental analysis accompanying their applications, provide reasonable, scientifically supportable assurance that their activities will not produce permanent or substantial changes in natural conditions, nor will they include any feature that might reasonably be expected to produce conditions incompatible in appearance with the environment or reduce the values for which the Wilderness was created. [emphasis added]*

Because of the constraints related to water resource management in wilderness established by federal law, our organizations recommend the IWG explore non-Wilderness options for improving instream flows (for example, the IPID change in diversion point discussed below).

## **2. Recreation Impacts**

The Alpine Lakes Wilderness and the lands surrounding the wilderness are one of the most popular recreation destinations in the state for hikers, climbers, backcountry skiers, snowshoers and others who enjoy getting out on our public lands. The Enchantment Lakes region is considered one of Washington's iconic areas, filled with crystal-clear blue lakes, subalpine meadows and rocky spires. Thousands of people come from all over the world to visit this area. The Enchantment Lakes region is so popular and fragile due to its higher elevation that the Forest Service instigated a backcountry camping permit system years ago, and has since expanded the season during which permits are required. Now, the Enchantment Lakes sees hundreds of people visiting for a day hike, alpine climb or week-long backpacking trip each summer.

We are very concerned by the potential negative impacts to recreation in the Enchantment Lakes region. These impacts should be identified through the PEIS and alternatives should be provided that avoid all negative impacts to this fragile and beloved area. Impacts to aesthetics, user experience, trails, access and camping should be included in the analysis and alternatives provided that result in no net loss of recreational access and experience.

## **3. Water Rights Issues**

Our organizations understand and appreciate the need for water to irrigate orchards and keep them productive. We do not object to the use of valid, existing water rights in the Icicle-Peshastin Irrigation District. However, we are concerned that the scope of the Icicle Strategy may extend beyond the valid, existing water rights as limited by relinquishment and recorded agreements. We recommend that all water rights be analyzed for valid use.

## **4. Water Right Change**

As part of the PEIS, our organizations recommend the evaluation of improving Icicle Creek flows by moving the Icicle-Peshastin Irrigation District's point of diversion downstream to the Wenatchee River. Our organizations support the alternatives analysis provided by Trout Unlimited for moving the IPID downstream.

## **5. National Environmental Policy Act**

Our organizations understand that the National Environmental Policy (NEPA) process must be undertaken by a lead federal agency. At this time no lead agency has been identified. We recommend identification of a federal agency that will serve as the lead during NEPA processes. If any of the proposed projects cannot proceed until NEPA is completed, we recommend that these projects be identified so that interested stakeholders understand the timelines associated with project implementation.

## **6. Range of Projects**

We understand that the success of the Icicle Strategy hinges on implementation of the full suite of proposed projects. However, it is unclear what projects have been identified to replace those in the proposed package should any one become unattainable due to logistics, lack of public support,

unanticipated expenses, or other reason(s). Our organizations recommend the development of a list of proposed project alternatives that will meet the Guiding Principles established by the IWG and that are practical, feasible and implementable. In addition to identifying potential replacement projects should one of the proposed projects drop from the final package, a comprehensive list of project alternatives will also demonstrate that the final package contains projects that have the greatest conservation benefit for the most effective cost.

Thank you for the opportunity to provide scoping comments on the Icicle Strategy. Our organizations support collaborative efforts to develop innovative and sound approaches to water and natural resource management for Icicle Creek and the greater Wenatchee basin and appreciate the commitment of member organizations, tribes, agencies, and individuals to this important endeavor. As we face a certain future of increased demands on limited water resources, such collaborative efforts will be required to balance the range of competing needs. Broad-based community involvement and support as well as transparency and trust are critical ingredients for success. Please feel free to contact representatives from the organizations listed below for further comments or questions.

Sincerely,

Andrea Imler Advocacy Director Washington Trails Association	Kitty Craig Washington State Deputy Director The Wilderness Society
John Seebach Vice President for River Basin Conservation American Rivers	Katherine Hollis Conservation and Advocacy Director The Mountaineers

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 8:59 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Public comment

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

---

**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 4:56 PM  
**To:** Robert Welsh  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Public comment

Thank you, Bob and Linda. We'll get your comments into the record and considered during scoping. Appreciate the input.....Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Robert Welsh [<mailto:welshrp@comcast.net>]  
**Sent:** Monday, May 09, 2016 9:29 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Public comment

Please be aware the Alpine Lakes Wilderness is a shared natural resource that must be respected and protected. Please do not seek any increase in the amount of water removed from the Alpine Lakes Wilderness area. The Wilderness protection alternative should comply with all provisions in the Forest Service's administrative Alpine Lakes Wilderness Management Plan, including: "except as provided for in Section 4 (d) )4) of the Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge. The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several

of its canals. The EIS should include a Water Right Change alternative . This would evaluate improving Icicle Creek flows by moving IPIDs point of divethe EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, land any proposed changes actions downstream . The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation, and funding that are needed in the future. The EIS should provide a detailed operations maintenance and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of the specific maintenance actions including helicopter use. The EIS should fully explain the purpose and need for the water these projects would provide. The EIS should fully explain what human activities caused the degraded conditions that the projects seek to improve. WE SHOULD NOT BE REPEATING THE MISTAKES OF THE PAST. Thank You. Bob and Linda Welsh

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:08 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: comments concerning the Icicle Work Group's "Icicle Strategy"

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 5:01 PM  
**To:** Chester Marler  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: comments concerning the Icicle Work Group's "Icicle Strategy"

Thanks, Chester, we'll get your comments into the record and considered during scoping. Much appreciated.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Chester Marler [<mailto:northfork@nwi.net>]  
**Sent:** Wednesday, May 11, 2016 4:18 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** comments concerning the Icicle Work Group's "Icicle Strategy"

Hello Mike—pleased to see Chelan County and DOE initiating this collaborative effort. A few comments follow:

- ? Eightmile Lake restoration—would like to have the PEIS uncover the documentation that establishes the historic high water line. I was unaware it was so high, rather surprised. Also I assume some adverse affects to recreation values from both the raising of the lake in the spring and lowering to levels below current drawdown. Mitigation might include some trail re-routing around the lake, constructing new campsites on higher ground, softening the

appearance of vegetation removal for the higher reservoir, etc. PEIS need to acknowledge the goal of protecting Wilderness values, not simply meet the letter of the law—acknowledge the feelings of Wilderness enthusiasts.

- ? Optimization and modernization of the flow from the lakes are great—should have been accomplished long ago.
- ? Water conservation by IPID and COIC does not appear as robust as it could. This should be more specific—not so many “mays” or “coulds”. Both districts need to address the non-agricultural use of a significant portion of their water—watering of extravagant and very large “lawns”. This tends to lessen the public image of the districts, and makes one wonder if legislative changes to the state’s water rights laws are in order. Better to address the issue without regulation and use common sense ethics instead. As we all know water will be increasingly precious in the decades to come.

At some point in the future the pressure on water resources will be much greater and I would not be surprised to see many responsible citizens asking for fundamental changes to water law. This could include reducing water rights when lands change from agricultural use to suburban. A time will come in the NW when agriculture will need to use water much more sparingly—not more open canals and watering on windy, hot daytime periods. Perhaps the PEIS could look ahead and at least discuss how some of these issues will require being more flexible and creative in finding solutions.

Chester Marler  
Leavenworth

May 11, 2016

Chelan County Natural Resources Department  
Attention: Mike Kaputa, Director  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

*Via email to: [mike.kaputa@co.chelan.wa.us](mailto:mike.kaputa@co.chelan.wa.us)*

**RE: Icicle Creek Water Resource Management Strategy – SEPA scoping**

Dear Mr. Kaputa:

I have visited the Alpine Lakes multiple times every year since 1969. In the 70s and early 80s my activity was primarily in the Icicle Creek drainage. This is a captivating place. I found that there were a lot of people who shared my attraction. Over time I spread my attention to other parts of the Alpine Lakes making room for others in the increasingly popular Icicle. Overall, my visits to the Wilderness have been a highly meaningful part of my life.

For the most part I would consider myself an outdoor recreationist (climbing, backcountry skiing, hiking, kayaking among others). Occasionally, I have been motivated toward an activist role interacting with the USFS concerning their management of the Alpine Lakes Wilderness and surrounding areas. The “Icicle Creek Water Resource Management Strategy” generated by the Icicle Creek Working Group (ICWG) now draws my attention because of its significance locally for the Alpine Lakes Wilderness and potentially nationally for precedence with regard to the National Wilderness Act. I agree that a PEIS is needed and here respond to the request for comments on its scope.

My comments that follow are based on the public information at:  
<http://www.co.chelan.wa.us/natural-resources/pages/icicle-work-group>

**Range of Alternatives.** The PEIS needs to present a range of alternatives with significantly more extensive analysis than given in the present information for scoping. The issues are complex and significant. A single preferred-action proposal from a consensus group of stakeholders is inadequate.

**Recognition of Wilderness values.** All alternatives need to account for the special circumstances for construction and maintenance of structures in Wilderness Areas. The “SEPA Determination of Significance” does not even mention the Alpine Lakes Wilderness Area even though the “Primary Development Area” involved with the “Base Package of Projects” involves a significant footprint in the Wilderness. PEIS must recognize that the Alpine Lakes Wilderness is a community natural resource that must be respected and protected. Correspondingly, historical management of the seven natural lakes that have served as storage reservoirs and associated legally-standing water rights must also be respected as important to the identity and economic well-being of the local community. However, that does not justify nor does the Wilderness Act allow expansion of storage facilities beyond actual traditional use without highest level decisions at the National level. Environmental analysis must include the direct biological and hydrological effects on lakes, surrounding terrain and outlet streams associated

with management of the lakes in the past and future for all alternatives. The PEIS list of relevant laws, rules and plans should include the Wilderness Act of 1964; the Alpine Lakes Area Management Act of 1976, the Alpine Lakes Area Land Management Plan (1981), and the Wenatchee NF Forest Plan (1990) as amended.

**Reduction of Wilderness footprint.** The 7 managed lakes encompass the largest lakes and a significant fraction of the total lake area in the Icicle Creek drainage. That is a lot of impact for an area in the Cascades named for its unique lakes. Some alternatives (at least one and perhaps all) should include the aim to enhance Wilderness values through reduction in footprint, appearance of structures and the mode of maintaining them. What is the cost benefit ratio for each of the 7 managed lakes? Could one or more of them be returned to a natural condition without significant loss of flexibility or dependability? Could there be public buyback of associated water right to enable compensating adjustment on the user end? An alternative should explore this possibility.

**Clarity about water rights and priority for in-stream flow.** The PEIS needs to give historical background on actual water withdrawal and use and a clear explanation of corresponding water rights including identification of purposes for which they were granted. This background is needed for understanding the strategy (a preferred alternative?) presented by the ICWG. “The Projects” page for the present SEPA scoping proposes “the adoption of an integrated package of projects to meet agricultural and domestic water supply needs while increasing the amount of in-stream flow required to maintain healthy fish populations.” The stated “Metrics” indicate significant gains for in-stream flow. Sounds good, but what is the actual priority when the inevitable water-availability crunches occur. In-stream water flow has generally been on the losing end. Given that the total water rights at times exceed the total flow, there must be some sort of relinquishment of priority to in-stream flows to make this work. This issue is especially important since increases in releasable water storage in the ICWG plan are associated with a specific water right holder (IPID) and corresponding specific use. Please make this explicit and more clear in the PEIS for the ICWG strategy and other alternatives, including one that does not increase storage in the Alpine Lakes.

**Alternative diversion points.** A pivotal issue for Icicle Creek in-stream flow appears to be the Boulder Field and the traditional stream bed downstream from the Irrigation Districts' diversion points. The most direct approach to enhancing in-stream flow in these sections would be to have diversion points farther downstream, possibly from the Wenatchee River and at multiple places. This is obviously unattractive since new infrastructure and pumping would be required. In order to minimize these requirements, this (these) diversion point(s) could be active only during drought conditions and withdraw only the amount needed to support the in-stream flow in the critical reaches between it and the normal-continuously operating, gravity flow diversion point upstream. Perhaps there would be a mechanism for in-stream flow to buy the gravity flow loss that the IPID would incur. (This raises a question in my mind: Does the IPID have a right to the potential energy of the water that it withdraws?)

**Aggressive Conservation.** Conservation is the only way to achieve a sustainable future. There is not more water. The ICWG discussion concerns manipulation of the timing of run off to maintain availability during the dry part of the year. This becomes more true with the

page 3

disappearance of perennial snow and ice from the watershed. Some alternative(s) should put heavy emphasis on conservation and multiple (recycled) use.

Thank you for considering these comments.

Sincerely,

Charles Raymond  
3798 NE 97<sup>th</sup> St.  
Seattle, WA 98115

(206) 522-3798  
cfr98115@gmail.com

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:16 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Alpine Lakes Wilderness comment

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 9:53 PM  
**To:** Patty D  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Alpine Lakes Wilderness comment

Thank you, Patty, we'll get your comments into the scoping process. I appreciate what you are saying.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

**From:** Patty D [<mailto:pattyd777@gmail.com>]  
**Sent:** Wednesday, May 11, 2016 8:35 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Alpine Lakes Wilderness comment

Dear Mr. Kaputa,

Alpine Lakes Wilderness provides a majestic, peaceful, and awe inspiring place for humans to be with nature. It provides a relatively undisturbed and pristine habitat for wild animals. Wilderness areas need to remain WILD. The short sighted efforts of some people to encroach on these shrinking areas of wilderness

baffles me. We need to protect the area AND its water for the health of the earth, which provides for the health of the animals and the health of the humans. If we are to leave anything kind of habitable earth left for future generations, we must start protecting our environment and wild places NOW, not selling them out to the highest bidder.

I am sure that you will receive many letters with all the more technical points of concern highlighted about this proposed plan to dam and drain the alpine lakes, so I don't need to repeat all that. This appeal comes from the heart. Please, please, please use your position and ability to protect this gem of a wilderness area. The process must also include input from environmentalists and the people who value and visit softly this beautiful land. The time has come to limit human impact on these places. If there is not enough water for the humans, then limit the human expansion in the area. Don't drain and destroy the wilderness!

Thank you!

Sincerely,

Patricia Danner

Spokane County and Washington State lifelong resident and registered voter

Alpine Lakes Wilderness Hiker

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:17 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Icicle Basin water plan

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
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**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 9:56 PM  
**To:** Andy Zahn  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Icicle Basin water plan

Thanks, Andy, we'll consider your comments during the scoping process. I appreciate that you took the time to put these together.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

**From:** Andy Zahn [<mailto:cmotdibbler5@gmail.com>]  
**Sent:** Wednesday, May 11, 2016 1:26 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Icicle Basin water plan

Hello,

I am writing to comment on the Icicle basin water plan. I am especially opposed to the reconstruction of the Eightmile lake dam and any new construction on Klonaqua lakes. The Eightmile dam was destroyed so long ago that to rebuild the dam would be equivalent to constructing a dam on a lake where a dam has never existed

before. This is a popular hiking destination, and the destruction of the shoreline would make it an unattractive place to visit. It would also be disruptive to the ecosystem, and overall a severe detriment to one of Washington's finest natural treasures. I feel the same regarding the proposed actions at Klonqua lakes. Such projects are not compatible with the primeval character of wilderness. These are the two parts of the proposal with which I take the most issue, but I would like to express my disapproval of most everything else it contains. I would see all the Icicle Basin dams on alpine lakes removed and the region restored to its natural state. These structures are an ugly blemish on an otherwise pristine and spectacular region. Please explore other options such as water conservation rather than cause further degradation of the Alpine Lakes Wilderness.

Sincerely,  
Andy Zahn,  
Toutle, WA

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:17 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Icicle Creek Water Resource Management Strategy – SEPA scoping

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
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**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 9:57 PM  
**To:** Laurel Schandelmier  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Icicle Creek Water Resource Management Strategy – SEPA scoping

Thanks, Laurel, received and will be considered during the scoping process.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

**From:** Laurel Schandelmier [<mailto:lschandelmier@gmail.com>]  
**Sent:** Tuesday, May 10, 2016 10:20 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Icicle Creek Water Resource Management Strategy – SEPA scoping

To whom it may concern,

Thank you for the opportunity to provide scoping comments on the Icicle Creek Water Resource Management Strategy. I am a concerned citizen who enjoys the fact that our Washington wilderness area and its natural

resources are able to be shared by all. I understand that managing the resources in a fair and equitable way can be challenging, but I'd like to share my thoughts on this proposed plan.

I think the public would appreciate a better understanding of the purpose and intent of making these proposed changes to improve instream flows. Is the intent primarily to address current water rights that are not being satisfied? Are new water rights being issued? Who primarily stands to benefit from these increased flows? I would ask that other alternatives be considered in an effort to minimize, or even reverse damage to existing wilderness area.

A "Wilderness Protection" alternative that would not increase the amount of water removed from the Alpine Lakes Wilderness, not create a disturbance or encroach on wilderness lands, and not expand easements should be considered. Any new water supplies would ideally be obtained from non-wilderness sources and use non-wilderness options for improving instream flows. Additionally, evaluating the feasibility of purchasing back private water rights to the Alpine Lakes to allow removal of dams and other structures to restore the wilderness to its pre-developed state would be most preferred. If this is not possible, I agree that installing remotely controllable valves to allow for the controlled drawdown of lake levels over a season, responding to current weather patterns and water needs, would add flexibility and robustness to the system.

Alternatively, a "Water Right Relinquishment" option could analyze existing water rights to the Alpine Lakes if any have been relinquished or abandoned. Water rights should be limited to the purposes for which they were originally granted, such as for irrigation, and should not be redirected for other purposes, including suburban development. A "Water Conservation" option emphasizing aggressive water conservation measures by the City of Leavenworth and other water uses could analyze markets available for selling and trading water rights. For example, if some properties have been converted from orchards to residential properties, the water rights could be sold or traded accordingly. This option would have an "efficiency first" mentality: first, reduce the sources of water demand before looking to bringing in additional capacity. Aggressive reductions in water usage for non-agricultural purposes, such as watering lawns, could be encouraged through such measures as low-flow fixtures, drip irrigation, planting native species in gardens that require no or little irrigation, greywater recycling, and rainwater harvesting.

Additionally, the EIS should analyze each proposed action's site-specific impacts, past practices, and any restoration, mitigation, or funding needed in the future. For each site, proposed construction activities and water diversions should be laid out in detail. The EIS should discuss the hydrological and biological impacts of the current level of lake drawdown, as well as any proposed future changes. The analysis should include a review of scientific literature on how water removals impact wildlife, vegetation, soil, and overall ecosystems. A detailed operations, maintenance, and environmental monitoring plan for the water infrastructure alongside an analysis of wilderness impacts of specific maintenance actions should be included. The EIS should include maps, diagrams and photos to clearly show the current situation at each of the lakes and other project locations and how that would change under the proposed actions. The EIS should fully and completely explain the need for the water these projects would provide. What human activities caused the degraded conditions - i.e., low instream flows in Icicle Creek - should be identified, avoided in future, and ideally mitigated.

Thank you for considering these comments.

Regards,

Laurel Schandelmier

## Jordan Sanford

---

**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:17 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Subject:** FW: Icicle strategy comment

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
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-----Original Message-----

From: Mike Kaputa  
Sent: Wednesday, May 11, 2016 10:00 PM  
To: Philip Fenner  
Cc: Mary Jo Sanborn  
Subject: RE: Icicle strategy comment

Thank you, Philip, comments received and will be considered during scoping.

We will have another Seattle meeting this summer and possibly a hike to Eightmile in September so hope you can continue participate.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

-----Original Message-----

From: Philip Fenner [mailto:[pfitech.seanet.com@gmail.com](mailto:pfitech.seanet.com@gmail.com)]  
Sent: Tuesday, May 10, 2016 8:18 PM  
To: Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>

Subject: Icicle strategy comment

I attended your meeting in Seattle and wanted to thank you for coming here to tell us what you'd like to do in Alpine Lakes Wilderness.

I understand the rationale behind your proposal to revive the old dams on some of the lakes there. I can see why you would like to do it. But I don't think you should. Doing that ought to be the absolute LAST thing you consider if water in the Wenatchee basin runs low. And here's why: Alpine Lakes Wilderness is a sacred place, in many ways to many people. It should not be subjected to artificial manipulation - period. Just because it was manipulated in the past is no reason to start manipulating it again now.

Those old decrepit dams should be left to deteriorate naturally as they have been, to keep the current lake levels as unchanged as nature allows. Just the sheer amount of motorized incursions into Wilderness there to rebuild those dams and associated infrastructure is in itself anathema to what Wilderness is and represents - the last enclave of natural processes "untrammled by man." Chopping-in concrete and construction equipment would be as appropriate there as in the Sistine Chapel! No, come to your senses and if you're short on water do EVERYTHING else first, starting with a ban on lawn watering and taking other such water conservation measures. And the fish hatchery is a big water waster, fix that first. It just makes NO sense to damage a natural area if anything else could be done beforehand to see if the water equation could work without damaging Wilderness.

We're in the Age of Elwha now, we're looking at taking out dams and restoring natural waters. The last thing we should be doing (literally) is building up old dams anywhere.

You started your talk by saying you didn't understand why you hadn't made any progress getting this Icicle Creek watershed management plan done for so long.... Maybe it's because so many people don't want you to touch Wilderness. It's probably as simple as that.

Philip Fenner  
Seattle

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:18 AM  
**To:** Meghan O'Brien; Jordan Sanford  
**Subject:** FW: IWG comments from public on PEIS

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
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**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 10:04 PM  
**To:** GW Shannon  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: IWG comments from public on PEIS

Thanks, Greg, we'll get these comments into the record.

Are you related to Kathi Rivers-Shannon? I wanted to reach out to her and discuss the effort to look at recreation impacts and how the Icicle Work Group efforts might be integrated with that one.

Thanks.

Mike

**From:** GW Shannon [<mailto:gwshannon@gmail.com>]  
**Sent:** Tuesday, May 10, 2016 6:10 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** IWG comments from public on PEIS

Mike Kaputa, Director

[Mike.kaputa@co.chelan.wa.us](mailto:Mike.kaputa@co.chelan.wa.us)

Chelan County

411 Washington Street, Ste. 201

Wenatchee, WA 98801

Re: Icicle Work Group; Comments on the scope of the PEIS

Dear Mr. Kaputa:

I have concerns about the collaborative efforts by members of the Icicle Working Group and the agency participation in the study. It seems awkward or unprofessional to have agencies commit to a number of projects with either a yes or no in advance of public and environmental review on specific projects. The premise the IWG has in regards to the project goals, second paragraph, also seems flawed “*If a project is determined to be fatally flawed, it must be replaced or modified to ensure all guiding principles are met.*” How can IWG be realistically committed to that goal without specific project and environmental assessments. It sounds as if successful projects with proper funding and meeting public and environmental review could be jeopardized or delayed because other projects were cancelled.

The process feels to me like backroom politics, especially with a \$2,885,000 budget since 2012. For example, Icicle-Peshastin Irrigation District’s manager said to me in person at the meeting that if they accessed water (either tunnel or pipe) from Upper Klonaqua Lake, they would give that water to the Department of Ecology for fish purposes. I wonder what the Irrigation District will get in return from the Department of Ecology? I am under the impression that water the irrigation district utilizes shall only be used for irrigation purposes.

I also have a concern about increasing water for development (transfer of water rights) without having a detailed PEIS alternative to look at major conservation of water by all users. Even though the amount seems minimal, is the water coming from Icicle-Peshastin Irrigation District’s increased flow through optimization or from reduced use of water by the Leavenworth Fish Hatchery, or other source? Why is the hatchery’s participation even needed in the working group as they already have federal mandates to reduce water usage and their funding will come from federal sources?

Is it true that the US Forest Service is not a voting member of the IWG? If they aren’t a voting member, it seems that they should be to represent the Alpine Lakes Wilderness. Many of the projects take place in wilderness and those wilderness impacts and considerations are not being considered. The Alpine Lakes Wilderness is more than a reservoir. It is a unique wilderness with many shared natural resources used by the public. The Forest Service has a mandate to protect wilderness resources even though Icicle-Peshastin Irrigation District has water rights for irrigation purposes. As stated in the Forest Service’s policy:

*In wildernesses where the establishing legislation permits resource uses and activities that are nonconforming exceptions to the definition of wilderness as described in the Wilderness Act, manage these nonconforming uses and activities in such a manner as to minimize their effect on the wilderness resource.*

In fact, are there not water right issues that are involved at Eight-Mile Lake that have not be resolved or will need to be resolved in the courts? Any impacts in the Alpine Lakes Wilderness should be addressed in a specific alternative. In looking at the estimated cost of optimization at the seven lakes (reservoirs) which is estimated at \$680,000.00, has the IWG looked at the Alpine Lakes Wilderness Management Plan in that regard? In Section 4(d)(4) of that plan, it states “*watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge.*”

Why are the releases set infrequently under current management? It seems you could hire a couple high school graduates to camp out part of the summer with a radio at different lakes to gain a level optimization close to what the irrigation district is to trying to achieve at a much lower cost. The irrigation district would still have maintenance and monitoring costs associated with any optimization of the dams.

Thank you for this opportunity to comment on the Icicle Work Group’s anaylsis.

Greg Shannon

313 Olive Street

Cashmere, WA 98815

c. Governor Jay Inslee

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Thursday, May 12, 2016 9:19 AM  
**To:** Meghan O'Brien; Jordan Sanford  
**Subject:** FW: Uphold the water rights of Icicle-Peshastin Irrigation District

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
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**From:** Mike Kaputa  
**Sent:** Wednesday, May 11, 2016 10:05 PM  
**To:** Mary Jo Sanborn  
**Subject:** FW: Uphold the water rights of Icicle-Peshastin Irrigation District

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**From:** [rmullins3316@frontier.com](mailto:rmullins3316@frontier.com) [<mailto:rmullins3316@frontier.com>]  
**Sent:** Friday, May 06, 2016 1:22 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Uphold the water rights of Icicle-Peshastin Irrigation District

Chelan County Natural Resources Department  
Attention: Mike Kaputa, Director

cc: Alpine Lakes Protection Society, El Sendero, Wilderness Watch.

My name is Robert Mullins. I am a resident and property owner in Leavenworth, WA. I have resided in Leavenworth and Chelan County since 1980.

This email is to comment in re the SEPA and any other consideration involving the rights of Icicle-Peshastin Irrigation District water rights and resultant uses in the areas overlaid by Alpine Lakes Wilderness.

I support, actually I demand, that Icicle-Peshastin Irrigation District will fully and completely use its water rights including any related construction, transportation, use of aircraft, use of power equipment, use of all legitimate activity, equipment, and construction related to full implementation of Icicle-Peshastin Irrigation District water rights and resultant uses in the Alpine Lakes Wilderness as existed before the creation of the Alpine Lakes Wilderness. These rights pre-exist- by many decades (!) - and are more important than the Alpine Lakes Wilderness and any uses of any visitors to the Alpine Lakes Wilderness.

Of interest, I have worked in advocacy in protection of Wilderness with those organizations copied above. I am a user of Wilderness. In advocacy, along with the above mentioned, in the cause of Wilderness Protection.

Specifically in the Alpine Lakes Wilderness, we have vigorously implored the protection of the Alpine Lakes Wilderness according to the 1964 Wilderness Act.

According to Law, per the 1964 Wilderness Act, the water rights of Icicle-Peshastin Irrigation District and all related equipment and activity are established. These organizations opposing complete and full implementation of the water rights of icicle-Peshastin Irrigation District are making demands contrary to Law, specifically contrary to the 1964 Wilderness Act.

I have hiked, camped, fished, skied, climbed throughout the lakes and areas surrounding the reservoir high lakes of the Icicle-Peshastin Irrigation District. I understand the water rights, my family and I are dependent on that water. I will point out that the negative impacts to be defined correctly are from the Wilderness tourists that enter the area or advocates who attempt to reduce or diminish the water rights of Icicle-Peshastin Irrigation District and all related equipment and activity. In other words. users of the Alpine Lakes Wilderness have been allowed to travel into the areas of the water rights of Icicle-Peshastin Irrigation District, Wilderness is an overlay of pre-existing water rights. Numerous examples exist of watersheds being closed to public entry in order to protect the resource.

I would invite the Wilderness users and advocates offended by this more important lawful water right to please stay near their own home and do not enter the area of the Alpine Lakes Wilderness that was overlaid on the the water rights of Icicle-Peshastin Irrigation District. If there is any conflict, the pre-existing entity, the water rights of Icicle-Peshastin Irrigation District and all related equipment and activity , must be protected, and therefore any unauthorized visitors to these areas must be prohibited from entry.

Sincerely,

Robert Mullins  
234 Mine St.  
Leavenworth, WA

Ann Fink  
201 Mine Street  
Leavenworth, WA 98826  
[northfork@nwi.net](mailto:northfork@nwi.net)  
May 11, 2016

Mike Kaputa  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

RE: Icicle Working Group Proposals

Dear Mr. Kaputa:

Impacts to Recreational Use at Eightmile Lakes and other Lakes.

The Irrigation districts has easements on only 2 of the 4 sections that underlie Eightmile Lake. The other two sections are wilderness and don't appear to have "easements". Please explain how the IWG can flood congressionally designated wilderness lands without involving the U.S. Forest Service in these discussions. I do not see any consultation with the Forest Service listed in section 9 of your SEPA checklist until the point of obtaining permits is reached. Now is the time to address these issues.

I see that the question of water rights has been raised within the working groups. It has been suggested that since the district did not use all their rights in the Eightmile drainage that they might be forfeit. I do know that in the last 40 years of my activities in the Alpine Lakes Wilderness, I have never seen any drawdown of the reservoir. Admittedly, this anecdotal observation is highly sporadic, but, the question needs to be addressed. The Icicle Irrigation District should provide its records regarding its use of water from this lake.

Eightmile Lake is a very popular destination in the Alpine Lakes Wilderness Area. While Icicle Irrigation has rights to its existing dam and reservoir, the operation of these facilities will greatly impact the experiences of many, many wilderness users who use this area. I would like to see a discussion of how the Irrigation District and its partners will mitigate some of the ugly visual effects of raising the level of the lake and then lowering well below current levels. The effects to plants and wildlife need to also be addressed. Improvements at other lakes also need to consider the visual and ecological effects to

Remote monitoring and control of existing facilities appear to be a good modern option if the equipment needed for this activity can be blended into the surroundings without intruding on wilderness values.

Conservation:

The proposal includes many possible projects that include water conservation principals. But these projects are not definite and are described as might occur and maybes. Water conservation for the Leavenworth City Area is proposed but other water district users need to reduce their consumption of water. Agricultural practices need to be more efficient and reduce their water intake. The most egregious cases in point the emerald green lawns in the Ski Hill Area and Icicle Valley. While the Fish Hatchery has a legal mandate, it too needs to produce a

water savings with more efficient equipment and fish rearing techniques. These need to be “will happen” projects and not “mights” and “maybes”.

As we are all aware, the world of water availability is changing and we can no longer continue to be efficient under existing water laws. While these laws will not change for this project, the Icicle Working Groups needs to champion conservation measures and improved facilities (non-leaky) water distribution systems) for rational and equitable water distribution.

Sincerely,

Ann L. Fink

May 11, 2016

Chelan County Natural Resources Department  
Attention: Mike Kaputa, Director  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

Dear Mr. Kaputa,

I am writing to express my concerns about the proposed Icicle Creek Water Resource Management Strategy.

My first concern is that this project is being segmented to avoid a full environmental review under the National Environmental Policy Act (NEPA). The proposed project will affect an immense area and will require federal approval in the form of permits such as Clean Water Act National Pollutant Discharge Elimination System and § 404 permits and a special use permit from the Forest Service. To comply with NEPA, the environmental impacts of large projects requiring federal approval or using federal funding must be analyzed before the project begins.

My second concern is with the County's approach to tiered environmental review. During the public meeting in Seattle, you explained that Chelan County is not planning to conduct a programmatic NEPA analysis because it is conducting a programmatic State Environmental Policy Act (SEPA) review. Both the federal and state laws anticipate a tiered review for large and complex proposals such as the Icicle Creek Water Resource Management Strategy. To comply with NEPA the County must conduct a programmatic environmental review in addition to project specific analysis. Analysis under state law is a separate requirement and does not substitute for NEPA analysis. To comply with SEPA the County must also conduct a programmatic environmental review and project specific analysis.

My third and final concern is that the County has not adequately considered the federally designated wilderness that would be affected by the proposed project. The Wilderness Act restricts the activities that can occur, the structures that can be built, and the tolerable impacts in wilderness areas. It is troubling that the proposal and the public presentations contained no explanation of how the County intends to comply with the Wilderness Act. The public presentations implied that the County is trying to balance the need for water with the need for wilderness when Congress struck that balance over fifty years ago and established non-negotiable limits on wilderness use. When discussing compliance with the Wilderness Act the proposal is only to "identify and engage regulators in the process." The proposal would violate the Wilderness Act because it would install permanent fixtures in a designated wilderness. Simply engaging regulators does not remedy such a blatant violation of the Wilderness Act. The lack of consideration for required wilderness protection is a fatal flaw in the proposed Icicle Creek Water Resource Management Strategy.

I urge the county to consult the applicable federal laws, including NEPA, the Wilderness Act, and the Endangered Species Act, and to reconsider the proposed project before proceeding to violate them.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberly Wells', written in a cursive style.

Kimberly Wells

## Jordan Sanford

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Tuesday, May 10, 2016 4:31 PM  
**To:** Jordan Sanford; Meghan O'Brien  
**Cc:** Dan Haller  
**Subject:** FW: Subject: Comments on Damming and Water Rights in Alpine Lakes Wilderness

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Tuesday, May 10, 2016 4:07 PM  
**To:** Jerry Bodine  
**Cc:** Mary Jo Sanborn  
**Subject:** RE: Subject: Comments on Damming and Water Rights in Alpine Lakes Wilderness

Thanks, Jerry, we'll make sure your comments are entered in to the record. We plan on having another Seattle-area meeting and tour of Eightmile Lake so hope that you will be able to join us.

Mike

Mike Kaputa, Director  
Chelan County Natural Resource Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801  
Phone: (509) 670-6935

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**From:** Jerry Bodine [<mailto:jbodine.bwphotog@yahoo.com>]  
**Sent:** Monday, May 09, 2016 3:01 PM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Subject: Comments on Damming and Water Rights in Alpine Lakes Wilderness

Dear Mr. Kaputa,

I want to provide my input to the subject issues. As a member of the Alpine Lakes Protection Society (ALPS) for decades, I have very strong feelings about these proposed activities; I expended a great deal of effort in supporting ALPS' activities leading to the Wilderness designation for this area in the first place. My personal attitude, without delving deeply into the politics of policing the requirements of the Wilderness Act of 1964, is that those requirements are NON-DEBATABLE. PERIOD. Now, we are faced with a designated working group (IWG) that seems oblivious to those requirements and refuses to recognize them. For example, re-naming our beloved lakes as "reservoirs" really raised the hair on my neck, as well as other indications of their lack of caring about the preservation of Nature's "systems." Therefore, lacking a legal background or knowledge of the history of amendments to the "ACT" since its inception, I can only offer my support of ALPS' effort to resist IWG's proposals. With all this in mind, then, I offer a number of comments:

The Alpine Lakes Wilderness is a shared natural resource that must be respected and protected.

The EIS should include a "Wilderness Protection" alternative. This alternative should promote Wilderness values by not seeking any increase in the amount of water removed from the Alpine Lakes Wilderness; not expanding easements; not encroaching on wilderness lands; not using mechanical transport; and not building any structure or installation in the Wilderness. Under the Wilderness Protection alternative, any new water supplies should be obtained from sources outside the Wilderness, and use non-Wilderness options for improving instream flows (for example, the IPID change in diversion point discussed below). The Wilderness Protection alternative should comply with all provisions in the Forest Service's administrative Alpine Lakes Wilderness Management Plan, including: "Except as provided for in Section 4(d)(4) of the Wilderness Act, watersheds will not be altered or managed to provide increased water quantity, quality or timing of discharge."

The Wilderness Protection alternative should evaluate public purchase (buy-back) of private water rights in the Alpine Lakes, which would allow removal of dams and other structures from the lakes to restore the Wilderness area to its true natural character.

The EIS should include a "Water Right Relinquishment" alternative. This alternative should analyze existing water rights to the Alpine Lakes and acknowledge those rights that have been relinquished or abandoned.

The EIS should include an alternative that recognizes IWG members' water rights are limited to the purposes for which they were initially granted (for example, irrigation) and cannot be redirected to other purposes (such as suburban development).

The EIS should include a "Water Conservation" alternative that emphasizes aggressive water conservation measures by the City of Leavenworth, Icicle-Peshastin Irrigation District, the Leavenworth Fish Hatchery and other water users. This alternative should evaluate water markets that facilitate selling and trading of water rights.

The Water Conservation alternative should evaluate a transfer of water rights from IPID to Leavenworth for properties within the city limits that have now converted from orchards to residential properties. This alternative should analyze how appropriate reductions in water usage (that is, not using agricultural water quantities for lawn irrigation) would save water that would then be available for other Leavenworth needs.

The Water Conservation alternative should evaluate how IPID spills large quantities of water back into the Wenatchee River at the end of several of its canals. This alternative should evaluate how this 19th century irrigation practice (which was required to ensure water made it to the furthestmost customers) could be replaced with modern pumping and piping technologies. The EIS should consider the resulting reduction in water demand as an alternative water supply.

The EIS should include a "Water Right Change" alternative. This alternative would evaluate improving Icicle Creek flows by moving IPID's point of diversion downstream (to the Wenatchee River). This measure, which would add 100 cfs of water to Icicle Creek every year, would convert the IPID diversion from gravity flow to pumping (requiring electrical power). This alternative should therefore analyze renewable energy options to supply that power, including solar, wind and in-canal hydroelectric.

The EIS should analyze each proposed action's site-specific impacts, past practices, and the restoration, mitigation and funding that are needed in the future. At each site, proposed construction activities and proposed water diversions need to be spelled out in detail.

The EIS should discuss the hydrological and biological impacts of the current drawdowns of the lakes, and any proposed changes. The analysis should include a review of scientific literature on the impacts of water removals upon wildlife, vegetation, soil and wilderness values.

The EIS should provide a detailed operations, maintenance and environmental monitoring plan for the water infrastructure, and analysis of the wilderness impacts of specific maintenance actions, including helicopter use.

The EIS should fully explain the purpose and need for the water these projects would provide.

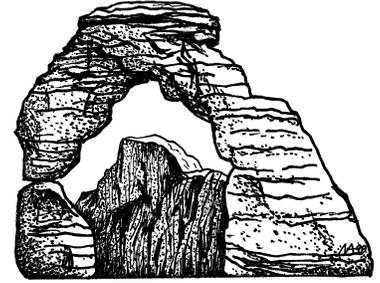
The EIS should fully explain what human activities caused the degraded conditions (such as low instream flows in Icicle Creek) that the projects seek to improve. We should not be repeating the mistakes of the past.

The EIS should analyze adequacy of proposed instream flows to support spawning, rearing and migration of steelhead and bull trout.

Sincerely,  
Jerry Bodine  
585 SW Mt. Cedar Dr.  
Issaquah, WA 98027

# Californians for Western Wilderness

A project of Resource Renewal Institute



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## *Coordinator*

Michael J. Painter  
(415) 752-3911

P.O. Box 210474  
San Francisco  
CA 94121-0474

e-mail:  
info@caluwild.org

May 17, 2016

Mr. Mike Kaputa, Director  
Chelan County Natural Resources Department  
411 Washington Street, Suite 201  
Wenatchee, WA 98801

**Re: Icicle Creek Water Resource Management Strategy – SEPA  
scoping**

Dear Mr. Kaputa:

I am writing on behalf of the more than 830 members and supporters of Californians for Western Wilderness (CalUWild), a citizens organization dedicated to encouraging and facilitating citizen participation in legislative and administrative actions affecting wilderness and other public lands in the West. Our members use and enjoy the public lands all over the West.

Although the formal deadline for submitting scoping comments has passed, CalUWild fully endorses the comments submitted by the Alpine Lakes Protection Society and 39 other organizations, dated May 11, 2016.

Thank you for your positive consideration.

Sincerely,

Michael J. Painter  
Coordinator

## Meghan O'Brien

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**From:** Mary Jo Sanborn <MaryJo.Sanborn@CO.CHELAN.WA.US>  
**Sent:** Tuesday, May 17, 2016 8:53 AM  
**To:** Jordan Sanford; Meghan O'Brien  
**Cc:** Dan Haller  
**Subject:** FW: Icycle watershed

This one came in after the 11<sup>th</sup>...

Mary Jo Sanborn  
Water Resource Manager  
Chelan County Natural Resource Department  
411 Washington St., Suite 201  
Wenatchee, WA 98801  
Desk: (509)-667-6532  
Cell: (509)-860-2135  
[www.co.chelan.wa.us/nr](http://www.co.chelan.wa.us/nr)

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**From:** Mike Kaputa  
**Sent:** Monday, May 16, 2016 9:29 AM  
**To:** Mary Jo Sanborn; dhaller@aspectconsulting.com  
**Subject:** FW: Icycle watershed

One more comment.

**From:** Kayt Hoch [<mailto:kayt@kaythoch.com>]  
**Sent:** Monday, May 16, 2016 9:15 AM  
**To:** Mike Kaputa <[Mike.Kaputa@CO.CHELAN.WA.US](mailto:Mike.Kaputa@CO.CHELAN.WA.US)>  
**Subject:** Icycle watershed

Hi Mike,

Anne and I both read the watershed working group information and had meant to write earlier. The proposed plan looks like a good approach to us as it seems to have minimal impact for a great benefit to the region. After reading the Sunday paper, I certainly hope there isn't going to be negative fall-out from the Puget Sound group.

The only curiosity I have is if you all have some construction impact estimations/projections re the dam rebuild at Eight Mile lake that you could share. After our personal experience with the quick recovery of our own property after the impacts from the bridge project I'm not concerned, just curious if you have any info.

Thanks for all the great work you and your department is doing!

Best always,  
Kayt