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Lake Roosevelt Forum

NEWSletter

WINTER 2008

INSide

Guest

Column..... 2

Plan for Lake
Roosevelt

Drawdown 3

Grand Coulee
Dam Celebrates

Her 75th..... 4

All Remains Quiet
on the Superfund

Front..... 5

Lake Cabin Special
Permits Under

Review..... 6

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New Shoreline Management Plan for Lake Roosevelt Peeks into Future

THE NATIONAL PARK SERVICE IS UNDERTAKING AN AMBITIOUS EFFORT to develop a shoreline management plan for the Lake Roosevelt National Recreation Area. The biggest reason: growth. More visitations, more houses being built near park boundaries, increased desires for access, larger and faster boats, and more litter and waste to clean up after.

The plan faces the age old question of whether one person's definition of management is another person's definition of over regulation and lost liberty. For Lake Roosevelt, it's a particularly sensitive subject. Says Andy Dunau, the Forum's Executive Director, "One of the great attractions of the lake is that it's so big and undeveloped that you can happily disappear for a few days. People aren't looking for a long list of what they can and can't do."

Debbie Bird, Recreation Area superintendent agrees. But she also knows the reality of increased use and a few misguided people disturbing the resource in ways that ruin the experience for many more. "We've got beaches," notes Bird, "with litter and human waste that's shocking and pose a health hazard. There are people moving into the area who are confused about why they can't just build a path or road down to the beach. And there are cultural resources and sensitive habitats that need protection."



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Bird's point of view is that trying to balance out competing needs is best done before continued growth and burdens on the recreation area seriously degrade the resources the Park Service is charged with protecting. "The reality is that our budget doesn't grow in a way that matches more visitations and more natural resource needs."

She points to aquatic vegetation as an example. "Some of our best swim areas have been overrun with pond weed. We've brought in experts to help identify what we're dealing with; and we've piloted different ways of containing it to maintain a good experience for visitors. But doing that means taking resources from other areas."

Striking a management balance in a way that is supported by the public and guides future investment decisions is the task at hand.

CONTINUED ON PAGE 7

GUEST COLUMN

A PUBLIC INTEREST PERSPECTIVE ON THE LAKE ROOSEVELT DRAWDOWN PROPOSAL

By *RACHAEL PASCHAL OSBORN*

Executive Director, Center for Environmental Law and Policy

The Center for Environmental Law & Policy (CELP) and Columbia Riverkeeper (CRK) have appealed water rights granted by the Department of Ecology to the U.S. Bureau of Reclamation for the Lake Roosevelt Drawdown. CELP & CRK have also filed suit against the Bureau in federal court. Here's why.

Climate Change: The Climate Impacts Group at the University of Washington has conducted the definitive work to date in applying global climate models to predict future hydrologic responses in the Columbia River Basin. As air temperatures rise in this region, snowpack diminishes. Snowpack is a natural "reservoir" of water that feeds the Columbia River and its tributaries during the summer months. Reduced snowpack translates to reduced stream flow. There is substantial debate about whether precipitation will change in the future. Decreased snowpack will also cause decrease in the quantity of water recharging groundwater systems, resulting in a decrease in groundwater discharge to streams. Rising air temperature and decreased groundwater recharge lead to projections that warming stream temperatures will stress coldwater fishes (e.g., endangered salmon).

Glacial Melt: Moreover, widespread glacial retreat is occurring throughout the region. British Columbian scientists are now predicting a loss of up to 90% of B.C. glaciers over the next 150 years. Glaciers in the Columbia Icefields form the headwaters of the Columbia River. Glacial melt may have a near-term effect of increasing summer flows, but will reduce summer flows in the long-term. Loss of glaciers will profoundly affect when and how the river flows.

Columbia River Treaty: Many British Columbians are dissatisfied with the operation of the Canadian reservoirs on the Columbia River, created by the Keenleyside, Revelstoke, and Mica dams. These dams and reservoirs were built and are operated pursuant to the terms of the Columbia River Treaty. The Treaty focuses on



Rachael Paschal Osborn

maximizing power production, which causes wide fluctuations in the B.C. reservoirs. Proposals to amend the Treaty may be forthcoming as soon as 2014. It is reasonable to expect that river operations will change in the future and less water may be released into the United States during low flow periods.

Teck Cominco Superfund Site: Millions of tons of metallic slag and toxic chemicals lie on the bed and banks of Lake Roosevelt, posing threats to human and environmental health. The full extent of the pollution and its impacts is not known. Reservoir drawdown actions that tend to increase exposure have not been analyzed to determine risks to people or aquatic biota.

The Grand Coulee Fulcrum: If less water is available overall in the Columbia River system - due to climate change, treaty amendments, or for other reasons - then stream flows will decrease. If, in response to decreased water availability, Columbia River operators release water to satisfy hydropower, water rights, and/or to augment instream flows, then drawdown in the Lake Roosevelt reservoir may increase. This possibility has not been studied.

Ratepayer & Taxpayer Subsidies: Water diverted from the Columbia River at Grand Coulee is water that does not power the turbines of eleven downstream dams. Further, substantial energy is required to pump water uphill from Lake Roosevelt to Banks Lake. The true costs associated with foregone hydropower and direct energy needs are substantial, and they are not reflected in the price of water used by irrigators - e.g., the Columbia Basin Project. Instead, the public and BPA ratepayers pick up the tab. There has been no analysis of the propriety of reducing Columbia River hydropower generation for the benefit of Lake Roosevelt drawdown beneficiaries.

National Environmental Policy Act (NEPA): The Bureau of Reclamation has conducted no NEPA analysis for the Lake Roosevelt Drawdown project. This despite the fact that "federal agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts. NEPA study procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality.

Plan for Lake Roosevelt Drawdown to Support the Odessa and Downstream Uses Moves Forward

THE WASHINGTON DEPARTMENT OF ECOLOGY (Ecology) has made important progress in using water stored in Lake Roosevelt to meet downstream fishery, agricultural, municipal and industrial needs. One slice of water is designated to replace groundwater farmers currently pump from the Odessa Subarea Aquifer; another slice is for downstream municipal and industrial needs; and a third slice is to improve stream flows for fish. Ecology and the Bureau of Reclamation are also planning additional releases during drought years for irrigation and stream flow for fish. Ecology refers to the proposal as the Lake Roosevelt Incremental Storage Releases Program.

The proposed actions would, each year, result in Lake Roosevelt seeing an additional 12 to 18 inch drop in lake levels in the second half of August. 2009 is the first year these actions would occur.

CHALLENGING ECOLOGY AND THE BUREAU OF RECLAMATION

The Center for Environmental Law and Policy (CELP) and Columbia Riverkeeper has filed two actions that could delay or ultimately stop the proposed actions. In October, they appealed permits that Ecology issued to the Bureau of Reclamation to authorize water slices for the Odessa, municipal and industrial users, and flows for fish. The state's Pollution Control Hearing Board (PCHB) is currently scheduled to begin hearing this appeal on July 27, 2009.

Before Ecology could issue these permits, they first needed to approve a request from the Bureau of Reclamation to use their 1930s water rights to support additional stream flows. This action, called a "report of examination," occurred on September 25th.

In November, CELP filed a federal lawsuit challenging the Bureau of Reclamation's authority to undertake the Lake



Forum houseboat tour participants visit the lake during a drawdown.

Roosevelt drawdown without first conducting an environmental assessment or environmental impact statement under the National Environmental Policy Act. No date for hearing the case has been set.

On December 8, CELP asked the PCHB for a stay of the proceedings and to prevent the release of water until these challenges are heard and decided.

The CELP editorial on page 2 provides the reasoning for these challenges.

DROUGHT RELIEF

Whether Lake Roosevelt sees a 12 vs. 18 inch lake level decline is based on drought relief. The permits issued so far would result in a 12 inch draw down.

Under the Federal Drought Relief Act, the Bureau of Reclamation is seeking to release water that would, under drought conditions, result in additional stream flows for fish and supplemental diversions for downstream interruptible water rights. The Bureau has not completed this action. And once complete, Ecology has not issued a time line for issuing permits that would enable this additional 6 inch draw down to occur.

GETTING THE WATER TO FARMERS, INDUSTRY AND MUNICIPALITIES

Unless CELP's stay is granted, Ecology plans to release 52,500 acre feet of water (12 inch draw down) in 2009 to "perfect" the water right and place water in state trust.

When the water releases will actually be available for use by Odessa farmers and downstream interests is not clear. The Bureau foresees a need to develop additional infrastructure to carry more water to the Odessa. Once there, the farmers that hook up to the Lake Roosevelt water will need to agree to discontinue pumping from wells.

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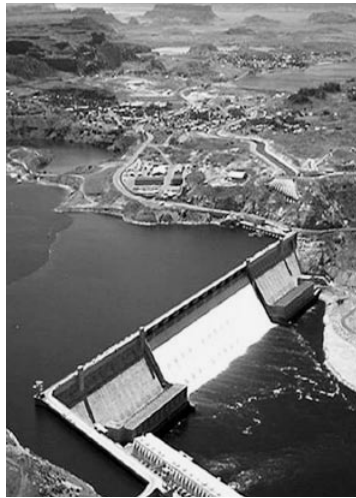
The Grand Coulee Dam Celebrates Her 75th

GRAND COULEE DAM CELEBRATED ITS 75TH ANNIVERSARY THIS SUMMER. Reclamation Commissioner Robert Johnson, BPA administrator Steve Wright and other dignitaries led a low key celebration for about 100 people.

Construction of the dam is considered one of the great engineering achievements of its time. There was great human risk (81 people died) and much debate about not just the best way to build the project, but what its true value would be. Many, for instance, thought the notion that people would want to buy power from the dam a laughable proposition.

The results continue to be breathtaking:

- Grand Coulee is still the largest dam in the United States (6th largest in the world);
- Behind the dam lies Lake Roosevelt, stretching over 150 miles and providing over 600 miles of shoreline that is largely untouched.
- Of the 8,500 megawatts of electricity generated by Columbia River dams, Grand Coulee accounts for almost a third;
- Water behind the dam is pumped into Banks Lake to irrigate thousands of acres of land by traveling through 300 miles of main canals, 2,000 miles of laterals, and 3,500 miles of drains and waterways;



Grand Coulee Dam

- Annual draw downs of Lake Roosevelt act as an insurance policy against downstream flooding that could cost lives and billions of dollars; and
 - 1.5 million people visit the lake to recreate each year.

These benefits are, in many ways, taken for granted by today's generation. Other than the summer laser light show across the mile-wide face of the dam, there is little flash and dash to this enormous concrete structure.

For many, of course, the dam represents a dimmer cornerstone. Thousands of years of cultural ways, migration of salmon, and a free flowing river were lost forever when the gates closed and the waters rose 380 feet.

For its 75th birthday, however, Scott Hunter, editor of the local paper and president of the Grand Coulee Area Chamber of Commerce, provided a fitting tribute to the times and people that built the dam. Writes Hunter, "It is the most tangible evidence possible of the American ingenuity of our past that continues to provide benefits, inspiration and power for our future." 🌟

Note: This article drew from an article written by Dean Boyer for the newsletter Connections, which is published by the Washington PUD Association.

Plan for Lake Roosevelt Drawdown CONTINUED FROM PAGE 3

Some additional downstream municipal and industrial infrastructure projects will be needed to use the water from the Columbia River that was released from Lake Roosevelt. Until these are complete, water released from Lake Roosevelt would be counted as stream flow water for fish. Once these infrastructure projects are complete, however, they will serve as mitigation for municipal and industrial withdrawals.

PARK SERVICE AND COUNTY MITIGATION

Lincoln, Ferry, Stevens, Okanogan and Pend Oreille counties each received a one time, \$400,000 (two million dollars total) appropriation from the legislature to mitigate the effects of the drawdown to their communities.

A study was also done by KPFF consulting engineers to determine the effects of the proposed drawdown on the Lake Roosevelt National Recreation area public-use facilities.

This includes 26 public campgrounds and boat-in campgrounds, 11 designated swimming beaches, and three marinas. The report identified over \$500,000 of existing facilities that should be retrofitted to mitigate drawdown effects. The Park Service reports that Ecology will fund this retrofitting over a number of years, with the first retrofits being scheduled in 2009 at Seven Bays Marina.

UPDATES

The April 2009 conference will feature a session updating the Lake Roosevelt Incremental Storage Releases Program. There will also be a session reviewing the progress of grants Ecology released this fall to identify additional water supply development in the region. 🌟

All Remains Quiet on the Superfund Front

IT HAS BEEN TWO AND A HALF YEARS since EPA and Teck signed an agreement to determine the nature and extent of contamination in the Upper Columbia River, including releases of hazardous substance from the Teck facility in Trail, B.C. Since the agreement was signed, no new study work has been accomplished because Teck must first submit, and EPA must approve, a work plan for the Remedial Investigation and Feasibility Study (RI/FS).

The RI/FS Work Plan is the guiding document for carrying out future studies and eventually reaching conclusions about human health and ecological risks. The work plan and RI/FS are based on standards set by Superfund law. Since the agreement was signed Teck has submitted two draft work plans to EPA.

In order to facilitate completion of the work plan and move forward with the project, EPA decided to modify the second draft Work Plan and finalize the document rather than providing additional comments to Teck to address. Teck will be receiving EPA's disapproval of the second draft Work Plan, accompanied by the final Work Plan, by the end of December. In accordance with the Settlement Agreement, Teck will be required to implement the Work Plan as modified by EPA.

The RI/FS Work Plan will include a schedule for the development and approval of sampling plans for testing surface water, fish tissue, plankton, beaches and other media. Beach sampling and fish tissue work would build on data collected by EPA in 2005.

Marko Adzic, Environmental Engineering Manager for Teck, is upbeat about progress, saying "Teck and EPA are working cooperatively, both technically and administratively."

INTERGOVERNMENTAL COORDINATION IS CRITICAL

State, federal, and tribal governmental organizations are closely coordinating with EPA to ensure proper oversight. Specifically, EPA has cooperative agreements with the Washington Department of Ecology, the Confederated

Tribes of the Colville Reservation, and the Spokane Tribe of Indians. EPA also has an interagency agreement with the U.S. Department of Interior. This group is referred to as the Participating Parties. This past summer EPA and the Participating Parties refined their coordination procedures to improve the dissemination of RI/FS technical documents and for receiving input. EPA remains the final authority for approving and requiring studies, approval of reports, and issuing a record of decision.

NATURAL RESOURCE TRUSTEES

On another front, the Upper Columbia River Natural Resource Trustees have begun efforts to evaluate the need to restore natural resources that have been impacted by the release of hazardous substances. The Trustees follow a process known as Natural Resource Damage Assessment (NRDA),

which is commonly conducted at CERCLA sites and at oil spills throughout the country.

The Natural Resource Trustees include the Colville Tribe, Spokane Tribe, State of Washington and Department of the Interior. While EPA has the lead on the current RI/FS, they only play a coordination role in Trustee activities. EPA is not considered a trustee and has no decision making authority regarding the outcome of Trustee activities. However, close coordination among EPA (RI/FS) and the Trustees (NRDA) allows for efficient use of information generated during the RI/FS to help determine if natural resources have been injured and require restoration efforts beyond proposed clean-up efforts.

Trustee activities often include the funding and participation of potential responsible parties at CERCLA sites and oil spills. The Trustees have invited Teck to fund and participate in the NRDA process at the Upper Columbia River site. Teck, however, has currently declined the invitation.

CONFERENCE UPDATE

All superfund related activities will be updated during sessions at the April LRF conference. ☺



Lake Cabin Special Permits Under Review

THIS IS THE STORY OF HOW 26 LAKE CABINS ON LAKE ROOSEVELT BECAME PART OF A NATION-WIDE REVIEW of special use permits issued by the National Park Service.

WHAT STARTED THE RUCKUS?

In 2007, the Department of Interior's Office of Inspector General issued a report finding that "NPS has allowed private parties or exclusive clubs to monopolize desirable locations near urban areas for decades and has improperly retained millions of dollars that should have been remitted to the U.S. Treasury."

This unfortunate circumstance was achieved by NPS providing special permits that enabled private parties and clubs to enjoy "exclusive rights to public lands through restrictive and costly memberships that deny the general public the same benefits."

Further, the report found that permits were renewed without ensuring environmental safety.

To help remedy this situation, NPS agreed to the following:

- 1) All park units would provide "... a list of long-term special park use permits issued to an individual, group or organization that limit or have the potential of limiting public access to park lands."
- 2) Permits would be reviewed to assure their legal authority to limit or potentially limit access to park lands.
- 3) Ensure field offices and park units perform appropriate National Environmental Policy Act (NEPA) reviews before issuing or renewing permits.

WHAT'S THIS GOT TO DO WITH LAKE ROOSEVELT?

In 1946 the Secretary of the Interior designated the National Park Service as the manager for what is now called the Lake Roosevelt National Recreation Area. Through the use of special permits, 26 summer cabins were built in 1952 on property managed by the Park Service. They are located along two quarter mile stretches. Ricky Point cabins are just south of Kettle Falls Marina, and the Sherman Creek cabins are across the lake from the marina.

As is often the case, many of these cabins have been passed down from generation to generation. Over the years, some have been rebuilt and remodeled after fires or as part of upgrading plumbing, electrical, decks and other amenities. In some cases, summer cabins turned into year round residences.

This sleepy and generally uncontroversial circumstance is now part of the national review process.

LAKE ROOSEVELT NATIONAL RECREATION AREA RESPONDS

In response to the national survey, Debbie Bird, the Lake Roosevelt National Recreation Area (LRNA) superintendent, reported the special use permits supporting continued use of the cabins. This triggered LRNA initiating an environmental assessment as required under the

National Environmental Policy Act. The environmental assessment, as stated by LRNA, "will look at a range of alternatives for the permitting of private vacation cabins to address public expectations and the protection of park resources."

In simple terms, the preferred alternative needs to assure that the cabins:

- are consistent with the purposes of the recreation area,
- do not unreasonably interfere with visitation,
- do not pose an unreasonable danger to public health and safety, and
- do not conflict with protecting natural and cultural resources.

The first step in the environmental assessment was to solicit public input in May, 2008. In September, a brief summary of the 128 comments was distributed to the public. This month NPS provided cabin owners two year leases, giving LRNA sufficient time to complete the environmental assessment.

Currently, LRNA is designing the environmental assessment. As part of this process, LRNA will be seeking input from the counties and affected stakeholders. A newsletter updating the situation is expected in late December or January. For updates and documents, visit <http://parkplanning.nps.gov/laro>. 🌐



26 cabins have special permits to be on Lake Roosevelt shoreline.

New Shoreline Management Plan

CONTINUED FROM PAGE 1

Toward this end, the shoreline management plan has seven areas of focus: public access to shoreline, human health and water quality, visitor and resource protection, changes in visitor use, lake levels, impacts to cultural and natural resources, and agency coordination.

CREATING THE PLAN AND PUBLIC INPUT

The Park Service recognizes that any plan for Lake Roosevelt needs public support to be successful. To accomplish this, the Park Service created an interdisciplinary team by inviting the surrounding counties to participate as cooperating agencies. Further, The Spokane Indian Tribe, Colville Confederated Tribes, and Bureau of Reclamation were invited to join the interdisciplinary team as cooperating partners under the Five Party Agreement. With assistance from the interdisciplinary team, the Park Service developed the seven focus areas and identified priority concerns for each area.

The Park Service then hosted four public meetings in September where input from citizens was sought. Citizen comments were very diverse. Some called for new facilities, while others wanted to focus on improving existing facilities; some wanted stricter regulations, while others wanted better enforcement of existing regulations; some advocated for a permit system to support beach camping, others like the current system; some

wanted regulations between the park service and tribes to be more consistent, others don't see this as a problem. There were also a number of innovative suggestions for private and public entities to work together.

WHAT'S NEXT

The interdisciplinary team is scheduled to meet on December 17th and 18th to draft alternatives that address the issues identified by the public. The alternatives will contain individual action items and management strategies to address these issues. The different alternatives will represent the full spectrum of management options available to the Park Service.

The public will then have an opportunity to review the alternatives, comment and make additional suggestions. Only then will the Park Service select a preferred alternative for the shoreline management plan.

The current time line of activity shows completion of the plan in winter, 2009. To view documents and notices, go to <http://parkplanning.nps.gov/laro>.

In addition, the Park Service will provide an update and take questions about the shoreline management plan at the April, 2009 Forum conference. 🌐

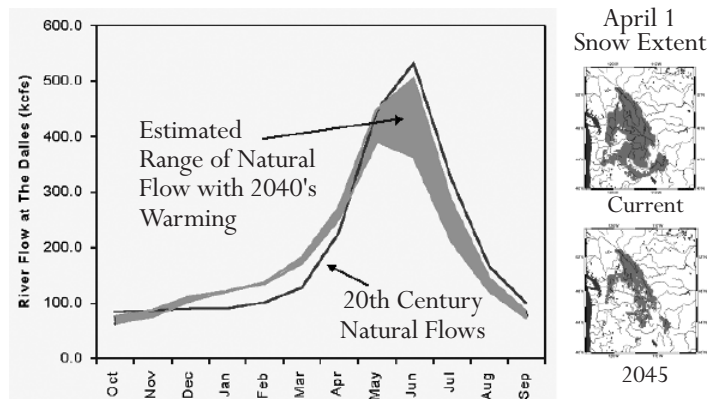
Guest Column: A Public Interest Perspective

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Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA" (quoting NEPA regulations issued by the Council on Environmental Quality).

Climate change holds the potential for creating large impacts on freshwater biodiversity in the Columbia River, especially when considering the baseline of existing cumulative and disruptive impacts, such as water withdrawals, water quality degradation, loss of habitat, and loss of connectivity within the system.

Columbia River Flow Changes ~ Current vs. Future



Source: University of Washington Climate Impacts Group

The public trust doctrine holds that water resources are to be protected for the common good. The precautionary principle suggests that actions or policies that might cause substantial harm to the public or the environment should not be taken, even in the absence of absolute proof of harm. Environmental justice principles mandate a public right to ethical and sustainable management of natural resources and to universal protection from toxic wastes that threaten clean air, water, land and food. None of these fundamental principles has been taken into consideration in devising and implementing the Lake Roosevelt Drawdown project. 🌐

Rachael Paschal Osborn is executive director of the Center for Environmental Law & Policy, a non-profit organization dedicated to the protection of freshwater resources in the Columbia River basin. More information about CELP can be found at www.celp.org. Columbia Riverkeeper is a non-profit citizens group dedicated to restoring and protecting the water quality of the Columbia River and all life connected to it, from the headwaters to the Pacific Ocean. More information about CRK can be found at www.columbiariverkeeper.org.

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