Jeff Rivera, District Ranger February 10th, 2021

Wenatchee River Ranger District

600 Sherbourne

Leavenworth, WA 98826

Dear Mr. Rivera,

**Re: Landowner General Support for the Upper Wenatchee Pilot Project but Opposition to Riparian Habitat Restoration Projects in Reach 3**

We the undersigned are writing to voice our general support for the Upper Wenatchee Pilot Project (UWPP) but opposition to the five riparian habitat restoration projects on River Miles 38.9 – 39.6 (Reach 3) of the Upper Wenatchee River. In addition, all the property owners at the end of River Road state for the record that **we will not provide access through our properties for the five Reach 3 projects identified in Appendix C of the Draft Environmental Assessment (EA).**

We provided detailed comments to Christopher Clemmons of the Yakama Nation Fisheries on September 27th, 2019 concerning the Yakima Nation Deadhorse Tunnel Project (YNDTP) on this same section of the Upper Wenatchee River. We have included those comments in Appendix A of this document. We believe those comments remain valid and while we will not repeat them in any detail in this letter, we do include them as comments on the draft EA.

1. **We support the primary purpose of the UWPP to create a more resilient terrestrial and aquatic landscape**

We agree with the overall direction of the project outlined in the UWPP. We especially support the actions to reduce the risk of wildfire and other disturbances to protect lives, communities, and ecological values and help mitigate risk in the wildland-urban interface while providing for sustainable user access. We also support in general the initiatives to protect and restore watershed conditions that maintain uplands, late-successional habitat and large and old trees, riparian and instream habitat, and water quality and quantity for the benefit of communities and native fish and wildlife.

1. **Continue to question the utility of the five Reach 3 projects identified in Appendix C of the EA**

In our comments on the YNDTP we questioned whether the projects identified would meet the stated objectives of restoring habitat to support fish in Reach 3 of the Upper Wenatchee River and that the proposed project was unable to evaluate whether the project is actually improving habitat. We continue to have those concerns.

1. **The draft EA states that gaining access to Restoration Opportunity R3\_1 and R3\_2 *“may be difficult due to non-US property boundaries”***

We agree with this assessment. The source information for the restoration opportunities identified in Appendix C of the draft EA for the Wenatchee River is the *“Upper Wenatchee River Stream Corridor Assessment And Habitat Restoration Strategy”* prepared in August 2012 by Inter-Fluve, Inc. for the Yakama Nation Fisheries. This source document states that for these two restoration opportunities *“Access may be difficult and have to be obtained from across the river.”* We want to reiterate that the property owners continue to be opposed to accessing their properties to gain access to the Wenatchee River. Therefore, Restoration Opportunity R3\_1 and R3\_2are not accessible.

1. **The draft EA states that gaining access to Restoration Opportunity R3\_3 and R3\_4 *“appears to be difficult due to the lack of nearby roads but could be obtained from decommissioned forest road that connects to River Road on river-right”***

We think the road referenced for these projects is Wenatchee River FS 7906 Road, which is a Forest Service Road. The above statement in Appendix C of the draft EA is incorrect. The end of River Road connects to a private road named Big Jim Lane, which ends at the eastern boundary of Property ID: 66004. Big Jim Lane does not connect to Wenatchee River FS 7906 Road. Therefore, Restoration Opportunity R3\_3 and R3\_4are not accessible. Please see the map in Appendix B of this document for the correct locations of Wenatchee River FS 7906 Road, Big Jim Lane, and River Road.

1. **The draft EA states Restoration Opportunity R3\_5 has *“potential access point on river-right across river off River Road.”***

As stated above, property owners continue to be opposed to accessing their properties to gain access to the Wenatchee River. Therefore, there is no potential access point for Restoration Opportunity R3\_5 on river-right across river off River Road.

1. **Concern with large amount of potential debris**

We understand some of the UWPP riparian restoration opportunities would produce a very large amount of debris. We have two concerns about the management options for debris that would be produced from dredging. If debris is hauled to a disposal site out of the project area, this transportation of debris will generate a large amount of traffic. For River Road, the impacts from this increased traffic is unacceptable to the undersigned representatives of the River Road community.

On the other hand, the option to leave debris on the riverbank is also a concern to the River Road community because of the potential impacts on the river ecology, recreational navigation, and impact to landowners

1. **Petition to close the eastern section of Wenatchee River FS 7906 Road**

We support the UWPP objective to reduce road densities. We petition the United States Forest Service (USFS) to close the eastern portion of Wenatchee River FS 7906 Road. As can be seen in Appendix B of this document, the eastern end of Wenatchee River FS 7906 Road is a dead end. In addition, the eastern end of Wenatchee River FS 7906 Road terminates at a slide area, which has eroded to a point where the road is impassable. This erosion is identified in the draft EA on page 2-26, Figure 2.2-5.

Given there is no access to Wenatchee River FS 7906 Road from Big Jim Lane and, given the road is impassible, and given the high severity of erosion, we believe USFS should close the eastern portion of Wenatchee River FS 7906 Road and restore the site delivering sediment to a stream by planting native vegetation.

In conclusion, we support the overall intention of the UWPP with the exception of the areas highlighted above and in our comments in Appendix A. Also, as stated above, we do not believe there is access for each of the five Reach 3 projects identified in Appendix C of the Draft EA. Either landowners will not provide access through our properties to implement these restoration opportunities, or there is no access available from River Road, or both. Finally, we support a reduction in road densities.

Thank you for the opportunity to provide comments on the UWPP Draft Environmental Assessment. If you have specific questions please feel free to contact Dave Dellarco, Dan Erker, Dave Croxton, or Michael Cox. We are also happy to meet in person to discuss our concerns.

Dave Dellarco and Lauris Davies Dave Croxton and Claire Hong

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Ron Fisher and Sandy Lewis Stan and Mary Morgan

15948 River Road 16301 River Road

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Teresa and John Peterson Michelle Mottaz

15930 River Road 15979 River Road

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Amy and Doug Schutt Tara McCauley and Joe Mattheys

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Amber Wolpers and Matt Johnson Gloria Brady

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Mark Murray and Melinda Williams

15991 River Road

Leavenworth, WA

**Appendix A: Letter to Christopher Clemons**

Christopher Clemons September 27th, 2019  
Yakama Nation Fisheries

Habitat Biologist II  
1885 S. Wenatchee Ave.  
Wenatchee, WA.  98801

Dear Mr. Clemons,

**Re: Landowner Opposition to Yakama Nation Deadhorse Tunnel Project**

We the undersigned are writing to voice our opposition to the Yakima Nation Deadhorse Tunnel Project (YNDTP) on River Miles 38.9 – 39.6 of the Wenatchee River. In addition, all the property owners at the end of River Road state for the record that we will not provide access through our properties for your project.

We are in opposition to this project because while "The Stream Corridor Assessment and Habitat Restoration Strategy" details the opportunities for aquatic habitat restoration, it is completely devoid of any assessment of the impacts to private landowners and people from its identified project opportunities.

Our primary opposition to the Yakama Nation’s reach 3 project proposal is based on impacts to private landowners and people. Our secondary opposition is due to the uncertainty underlying the proposed actions themselves. Each of our specific reasons for opposing the reach 3 project proposal is identified and explained below.

1. **It is uncertain the proposed project will meet the stated objectives of restoring habitat to support fish in reach 3 of the Wenatchee River**

Reach 3 of the Upper Wenatchee River currently possesses moderate-to-high function with its deep pools, gravel riverbed, steep gradient, and cool water temperature. Data from the Department of Ecology’s 2005 “Wenatchee River Temperature Total Maximum Daily Load Study” points to the aquatic health of reach 3. At present, Chelan County Department of Natural Resources is conducting a project called, “Thermal Refuge Assessment in Wenatchee and Entiat”. A report for this project is due for release in early 2020. We anticipate this report will add further evidence reach 3 is well functioning by already providing thermal refuge habitat.

The Yakama Nation has presented no scientific evidence that the large woody debris (LWD) treatments and other actions that you are proposing would incrementally or significantly improve the aquatic habitat in this reach of the Wenatchee beyond its current conditions. We all support improving fish habitat but question whether this is the best use of limited resources, especially when the adverse impacts this proposed project creates for private landowners and people are taken into account.

We understand Chelan County Department of Natural Resources (CCDNR) is currently developing conceptual designs for reach 1 and 2 projects. These projects are intended to address issues related to incision and entrenchment based on historical logging activities. We support the USFS’s independent decision to include or exclude these reach 1 and 2 projects in the Upper Wenatchee Pilot Project (UWPP).

Our support of aquatic habitat restoration in reaches 1 and 2 is because, as the stream corridor assessment accurately points out, reaches 1 and 2 are "bordered primarily by forested public lands managed by the US Forest Service." As a result, there are no impacts to private landowners, nor risks to inhabitants. We encourage and support the Yakama Nation working with the USFS to identify other potential aquatic habitat restoration projects in reaches 1 and 2.

Finally, we are concerned that many of the funds for the YNDTP are public funds and we question whether this is the best use of those funds for accomplishing the stated outcome of the project.

1. **The proposed project is unable to evaluate whether the project is improving habitat**

Our understanding is the proposed reach 3 project does not include any before or after monitoring to evaluate whether the actions being proposed will achieve the stated objectives of the project. A monitoring program identifies specific indicators/parameters/benchmarks to measure against established baseline conditions providing an ability to measure change over time.

It does not appear the Yakama Nation will do this type of monitoring. Without this type of monitoring there is no rational way to determine if the project is successful, or not.

1. **The construction of the different treatments may in themselves cause in-stream disturbances to fish and other aquatic life in the River.**

There is no in-stream assessment or Environmental Impact Assessment evaluating the potential impacts on in-stream life. With no evaluation of potential impacts on aquatic life from the construction of the LWD treatments and other actions, we cannot support this proposed project.

1. **The proposed project will create risk to recreational boaters and floaters and increase liability to property owners.**

During the peak season there are many recreational boaters and floaters on this stretch of the Wenatchee River including property owners on this section of the Wenatchee. We believe the LWD treatments will present a real and significant danger to these users including ourselves. Many of the boaters and floaters are not experienced and we can imagine them becoming entrapped in the LWD treatments.

The Yakama Nation has presented no evidence that these treatments will not impede recreational use of the River and that they do not present a potential risk to these boaters and floaters including property owners on this section of the Wenatchee.

Also, we are concerned with the potential liability to property owners along this section of the River if an accident did occur. Neither the Yakama Nation nor the USFS have the ability to protect and shield private property owners from legal liability for injury or death suffered because of the LWD treatments and other actions from the proposed project.

1. **Traffic and disturbances caused by the project are unacceptable by the River Road Community**

We understand the YNDTP would produce a very large amount of debris that would be hauled to a disposal site near Lake Wenatchee. This transportation of debris will generate a large amount of traffic on River Road. The impacts from this increased traffic is unacceptable to we the undersigned representatives of the River Road community.

1. **We are concerned with the potential impacts from the unintended consequences of the project to our properties**

Over the next several decades it is anticipated that we will have more extreme precipitation events. We are concerned that the YNDTP may alter the flow of the Wenatchee and with more extreme events this may increase the potential for flooding our properties.

The Yakama Nation has not provided any evidence about how the proposed actions might alter flooding of our properties and the projects impacts in the future. We understand that projecting impacts in the future is difficult, but we believe any project with the potential to contribute to an increased risk of flooding now and into the future cannot be supported.

1. **We are concerned that the YNDTP may have a substantial impact on our ability to sell our properties and the property values for residents in the project area.**

Several of the property owners who have signed this letter are in the process of selling portions of their land. A real estate attorney has advised these landowners that they need to provide in a seller’s disclosure statement the Yakama Nation’s proposed project for aquatic habitat restoration on this reach of the Wenatchee River. This required disclosure has an adverse impact on potential sales as it introduces an element of uncertainty unacceptable to potential buyers. As such, we petition USFS and the Yakama Nation to withdraw the Yakama Nation’s application to incorporate the proposed reach 3 proposed project in the UWPP.

We have also been advised by a realtor to anticipate a reduction in property values, if the Yakama Nation’s reach 3 proposed project is implemented. Shoreline impacts from installation of LWD treatments and dredging and increased river hazard for recreation are two examples of outcomes from the implementation of the reach 3 proposed project that will devalue private properties within reach 3.

In conclusion, we advise the Yakama Nation not to move forward with a project on this section of the Wenatchee River. As stated above, **we will not provide access** through our properties to complete the YNDTP. Further, we will evaluate all possible options to have the project removed from the UWPP should you decide to move forward with your proposed project

If you have specific questions please feel free to contact Michael Cox, Dave Dellarco, or Dan Erker. We are also happy to meet in person to discuss our concerns.

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**Appendix B: Map Showing Wenatchee River FS 7906 Road, Big Jim Lane, and River Road**

