

RLC 12/14/93



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December 14, 1993

Department of Ecology  
Attn: Darci Teel  
7601 West Clearwater, Suite 102  
Kennewick, WA 99336



Dear Ms. Teel:

We are in a desperate battle to prevent 51 miles of the Columbia River from being given a "Wild and Scenic" designation, and around 90,000 acres of land from becoming a wildlife refuge controlled by the U.S. Fish and Wildlife Service. We, the citizens and elected officials of Adams, Benton, Franklin, and Grant Counties feel that we are fighting a losing battle, especially since Governor Lowry went on television recently, without consulting with anyone except the Audubon Society, The Nature Conservancy, the Columbia River United, and the U.S. Fish and Wildlife Service, (no County Commissioners, no State Legislators, and no Congressmen), stating "It is the position of the State of Washington that this stretch of the Columbia River shall be designated a Wild and Scenic River, and all of the 90,000 acres North of the Columbia River shall be designated a wildlife preserve to be managed by the U.S. Fish and Wildlife Service. He also stated that we would propose to include all of the lands along the River currently in private ownership". We have also found a letter from our Governor to our Congressman dated April 30, 1993, stating these same things. This letter was included as an appendix to the document we are considering tonight. We consider this to be a "takings" issue.

In 1943, the Federal Government (War Department, Atomic Energy Commission) "took" more than 90,000 acres of land, North and East of the Columbia River for a buffer zone for the Hanford Nuclear Reservation, at the time the atom bombs were being built. This land had been homesteaded since the 1800's, and at the time was in irrigated agriculture and grazing, and also included the town of Wahluke. The irrigated portions were rill irrigated from deep wells, as this predated the Columbia Basin Irrigation Project. When the government "took over", the farmers and land owners were removed from the land in such haste, many had to leave animals and farm equipment behind. The government then made haste to completely obliterate all signs of former habitation. It was ten years before financial settlements were made on the former property owners, and each case had to be settled in court.

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No property taxes have been received by the Counties and their Junior taxing districts since 1943, even though the Counties are responsible for fire and police protection. The school districts are hardest hit, having such vast acreage in their districts, without even an "in lieu" tax being collected, such as other State and Federal agencies pay.

In 1957, an agreement was signed by the Atomic Energy Commission and the Bureau of Reclamation, (the developers of the Columbia Basin Project), declaring that when the Atomic Energy Commission no longer needed said land for Control Zone purposes, it would revert back to previous ownership. In that agreement, it was acknowledged that the Bureau of Reclamation has a continued interest in the ultimate development of the irrigable lands of the entire Wahluke Slope, as a part of the Columbia Basin Irrigation Project.

In about 1961 when the Bureau of Reclamation was surveying the route for the Wahluke Slope Canal, the Atomic Energy Commission made the decision to have them alter the proposed route from Radar Hill to Ringold, to run instead along the face of the Wahluke Slope, and helped to finance the survey, and the building of the canal as it exists today. The Bureau of Reclamation did ultimately build the canal, which bisects the 66,000 acres in Grant County, and is currently irrigating the West portion of the Wahluke Slope. The canal has the potential to also irrigate portions of the 66,000 acres. (We figure between 30,000 and 40,000 acres are irrigable—see Wahluke 2000 plan enclosed.) There are many young farmers who have been unable to own their own farms due to the unavailability of farmable land.

In 1988, Congress authorized the study of the stretch of the Columbia River known as the Hanford Reach. This study was originally to have included the River and 1/4 mile on either side, to consider the potential for the "Wild and Scenic" designation. The study was heavily weighted with Government agencies, who refused the private citizen's request to consider economic concerns, and the history or culture of the area, and digressed from the congressional mandate to study only the 51 mile stretch of the River plus the 1/4 mile on either side, and instead included all of the aforementioned lands. The land is often mentioned as "pristine", which of course it is not. Sage brush has returned, tho much was burned off in a fire last summer. Our various fire districts had to fight the fire, and the federal government has refused to pay the bill, claiming they pay "in lieu" taxes, but they do not pay on that property.

(Many of the County Commissioners also served on a "Future Site Uses Working Group" which identified any and all future uses for all of the Hanford Reservation. This study was two years long, and was paid for by the Department of Energy, which is the new name for the Atomic Energy Commission. The Wahluke 2000 Plan is one of the alternatives accepted by this group. You will see that it is a well balanced plan, which

identifies which land could be farmed, which land would best be left in wildlife habitat, states that Indian tribal burial grounds should be left untouched, and that the river should be left free flowing through the Hanford Reach with no new dams and no dredging. We think the plan is well rounded and has something for everyone.)

In 1992, the National Park Service presented a draft environmental impact statement. They scheduled hearings in Seattle, Portland, and Richland, but none locally for the folks who have the vested interest. We had to force the issue, to get them to hold one local hearing. They heard what they wanted to hear in the big cities, where even school children testified on what they'd been taught in school. Our people testified that they felt the study to be seriously flawed, in that the study had digressed from their original charge to study just the river. The Draft EIS supports the Wild and Scenic designation, and the wildlife refuge.

The Grant County Public Utility District (PUD) has built, and owns and maintains two hydroelectric dams on the Columbia River. They also own a fish hatchery in conjunction with one of the facilities. They have been required to spill great quantities of water at times, to enable fingerling salmon to escape. (They also maintain fish ladders and fish counting at both facilities. There are many salmon spawning beds below the lower dam, in that free flowing section of the river, which is the primary reason everyone agrees that stretch of River should remain undeveloped. But—the U.S. Fish and Wildlife Service is doing a tremendous disservice to this entire ecosystem, by encouraging such nonindigenous birds as pelicans, which are feeding on the fingerling salmon, both in the spawning beds, and below the dams. I've watched them, when the river is black with fingerlings, scooping them up by the bucket full. We feel they should be required to eliminate/re-locate the Pelicans, immediately! The spilling of that much water reduces both generating capacity and irrigation capacity, and it seems ludicrous to destroy the very purpose, while threatening to make the salmon another "endangered species."

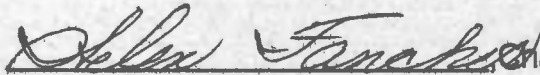
Our most fervent request is that the Department of Energy, be instructed to do whatever is necessary to clean the aforementioned land for unrestricted use, so that the appropriate sections can once again be used for agriculture. We feel that the dollar amounts to do this clean up mentioned in the Department of Energy's "North Slope Expedited Response Action Proposal", are exaggerated and completely unrealistic.

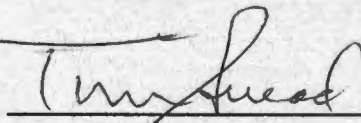
We wonder if the Department of Energy is the appropriate agency to be placed in charge of this cleanup, rather than the army itself. We know that the army had many bases throughout the state of Washington, many of them located in city parks in and around Seattle. They moved in very rapidly, with radar bases which were protected by "anti aircraft guns", and with hundreds of soldiers being bivouacked in the mud, for several years. When the war ended, the military moved out, just as rapidly as they arrived, and obviously, the parks were left clean enough for unrestricted use.

We are particularly concerned about the Governors's attitude, as also reflected in his April 30, 1993 letter to Congressman Inslee, which absolutely flies in the face of an April 8, 1993 memorial to Congress with copies to the President and the Secretary of Interior, and signed by 28 Eastern Washington State Legislators.

We are hopeful that you will carefully consider our concerns and do what you can to require the Department of Energy to restore this damaged land to a condition which will allow it to be used for farming as well as the other planned uses and resolve this matter in a way that will be fair to all concerned parties.

Sincerely,

  
Chairman

  
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HF/pg

**CORRESPONDENCE DISTRIBUTION COVERSHEET**

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County Commissioners

Admin. Record, WHC

Incoming: 94063052<sup>91</sup>

subject: USE OF COLUMBIA RIVER AND 90,000 ACRES OF LAND

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