



Northwest Indian Fisheries Commission

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February 3, 2026

SEPA Revised Draft EIS for Chehalis Flood Damage Reduction Project
c/o Bobbak Talebi, Southwest Region Office
P.O. Box 47775
Olympia, WA 98504-7775

Re: NWIFC Comments on the SEPA Revised DEIS for the Proposed Chehalis Flood Damage Reduction Project

Dear Mr. Talebi:

Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) Revised Draft Environmental Impact Statement (DEIS) for the Proposed Chehalis River Basin Flood Damage Reduction Project. The Northwest Indian Fisheries Commission (NWIFC) strongly opposes the proposed project due to the considerable and far-reaching detrimental effects to ecosystem function, salmonid populations, and tribal treaty-reserved resources. The construction and operation of the expandable flood retention (FRE) facility on the Chehalis River would set a dangerous precedent in allowing harm to treaty fishing rights and ecological integrity in the basin. The NWIFC supports the advancement of a suite of non-dam alternative actions that will prevent flood damage more broadly in the Chehalis River Basin, while also supporting salmon recovery and community resilience to climate change.

The NWIFC submitted comments on May 27, 2020 for the initial project proposal SEPA DEIS (please see attached). Although the project has been revised, most of the concerns we presented in our 2020 letter are still relevant. As we stated in 2020, constructing a dam on a salmon producing river system represents an outmoded, early 20th century-style solution to the 21st century challenges of climate change and population growth. The complex challenges facing the Chehalis Basin call for innovative and scientifically sound solutions that will work now and into the future.

The NWIFC is composed of the 20 treaty Indian tribes in western Washington, each of which hold inherent and treaty-reserved rights to harvest and manage fish, shellfish, and other First Foods in their ancestral lands.¹ The comments below are intended to support and complement any comments and recommendations that the treaty tribes may submit individually.

¹ The NWIFC member tribes are the Hoh, Jamestown S'Klallam, Lower Elwha Klallam, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, Port Gamble S'Klallam, Puyallup, Quileute, Quinault, Sauk-Suiattle, Skokomish, Squaxin Island, Stillaguamish, Suquamish, Swinomish, Tulalip, and Upper Skagit.

The proposed project runs counter to decades of effort and millions of dollars spent for the recovery of salmon and the ecosystems they rely upon.

Treaty-protected salmon populations not only are foundational to tribal sovereignty and cultural heritage, they are also vitally important to the recovery of the endangered southern resident killer whales (SRKW) and to Washington's economy. Overall salmon populations in the Chehalis Basin have dwindled to less than 50% of historical runs and spring-run chinook are estimated at 23% of historical levels.² Across the basin, 80% to 87% of salmon habitat has been lost.³ Every year, our state, tribal, and local governments invest millions of dollars into salmon recovery in our state. Since 2015, the state has invested over \$72 million on efforts to benefit aquatic species in the Chehalis Basin, restoring 17.1 miles of river and 285 acres of habitat, protecting 295 acres of habitat, and opening 111 miles of river to fish access.⁴ At the national level, an ambitious program funded by the Bipartisan Infrastructure Law and Inflation Reduction Act earmarked \$3 billion for aquatic ecosystem restoration and has already dedicated over \$970 million into 600 aquatic ecosystem restoration and fish passage barrier removal projects. Communities across the country have been removing dams and restoring rivers to natural flow. Between 2012 and 2024, 2,240 dams were removed nationwide.⁵

The proposed FRE works against the collective investments and planning efforts to protect and restore our region's salmon populations and critical habitat. The Chehalis Basin Strategy is intended to advance both aquatic species habitat restoration and flood damage reduction, but the proposed FRE poses significant harm to salmon habitat, aquatic species, and the communities that depend on them. The permanent changes to the mainstem Chehalis that would result from the FRE would limit options for future habitat restoration and integrated floodplain management in the basin. As noted in the revised DEIS, climate change is expected to have devastating effects on already struggling salmon stocks.⁶ This requires more emphasis on meeting salmon recovery needs, not placing additional stressors through the proposed project and the associated habitat loss, migration barriers, and trap-and-transport operations. Projects restoring aquatic connectivity offer a win-win solution, while the proposed FRE represents a step backward for salmon recovery.

² Office of the Chehalis Basin. 2024. Aquatic Species Restoration Program 2024 Project Implementation: Progress and Accomplishments. <https://officeofchehalisbasin.com/aquatic-species-restoration-program-2024-progress/#ProjectImplementation>

³ *Ibid.*

⁴ *Ibid.*

⁵ American Rivers. 2025. 2024 U.S. Dam Removals. https://www.americanrivers.org/wp-content/uploads/2025/03/DamList2024_Summary_03032025_Revised.pdf

⁶ Washington State Department of Ecology, 2025. State Environmental Policy Act Revised Draft Environmental Impact Statement for the Proposed Chehalis River Basin Flood Damage Reduction Project. Publication 25-06-008. Olympia, WA. Exhibit 5.3-5

The proposed project does not address the geographic extent and full range of flood risk in the Chehalis River Basin.

The stated goals of the proposed project are to reduce flooding only in the Chehalis-Centralia area and I-5 corridor. Reduction in flood inundation would diminish downstream of the FRE.⁷ The proposed FRE also only addresses flooding when Chehalis River discharge is at or greater than 38,800 cfs at the Grand Mound stream gauge. However, flooding is a serious concern across the Chehalis Basin and at a range of river flows. For example, days of intense rainfall in western Washington in early December 2025 led to inundated and impassable roads and localized evacuations on the Newaukum, Satsop, and Skookumchuck rivers as well as the Chehalis. This occurred at river discharge below the activation threshold for the FRE. Provisional data at the Grand Mound gauge shows a peak flow during this flood event of 32,000 cfs on December 11, 2025.⁸ A suite of non-dam alternative actions would effectively address flooding more broadly without the damaging effects of constructing and operating the proposed FRE. Watersheds around Washington have been successfully employing floodplain and wetland enhancement projects to enhance salmon recovery and reduce flood risk, for example in the Dungeness, Puyallup, Stillaguamish, and Nooksack watersheds, among others.

Basin-wide, non-dam alternatives are not fully considered in the revised DEIS.

An integrated flood reduction program has the potential to be more effective at limiting flood damage in more of the basin while supporting salmon recovery goals and respecting tribal sovereignty. When Governor Inslee directed the Washington Department of Ecology and Department of Fish and Wildlife to pause work on the proposed Chehalis project in 2020,⁹ he also requested that the Chehalis Basin Board develop and evaluate a basin-wide, non-dam alternative with the help of the Office of the Chehalis Basin.¹⁰ The proposed project cannot be accurately evaluated until the non-dam alternatives are developed further and analyzed.

The revised DEIS eliminates consideration of several actions that are part of the Chehalis Local Action Non-Dam (LAND) Alternative because they are still in the conceptual design stage. The preliminary analysis and design report of the LAND Alternative released in November 2025 found that it would provide substantial flood hazard reduction for the Chehalis Basin while

⁷ Washington State Department of Ecology, 2025. State Environmental Policy Act Revised Draft Environmental Impact Statement for the Proposed Chehalis River Basin Flood Damage Reduction Project. Publication 25-06-008. Olympia, WA. Pg. S-11.

⁸ United States Geological Survey. 2025. USGS 12027500 Chehalis River near Grand Mound, WA. In USGS Water Data for the Nation. <https://waterdata.usgs.gov/monitoring-location/USGS-12027500>

⁹ Inslee, J. 2020. Letter to Laura Watson, Director, Department of Ecology and Kelly Susewind, Director, Department of Fish and Wildlife from Washington State Governor Jay Inslee. July 22, 2020.

¹⁰ Inslee, J. 2020. Letter to the Members of the Chehalis Basin Board from Washington State Governor Jay Inslee. July 22, 2020.

conferring multiple benefits lacking in the proposed FRE project.¹¹ The LAND Alternative allows for a coordinated approach to land use, floodplain management, and other state and local agency actions in the basin. It can be implemented to allow the river room to function by setting levees outside the current FEMA floodway. Giving the river room preserves natural floodplain and ecological processes while protecting infrastructure and communities for long-term sustainability. It can be aligned with the Aquatic Species Restoration Plan (ASRP) that was developed by the Office of the Chehalis Basin to protect against flood damage while enhancing salmon recovery and keeping people out of harm's way.¹² The array of components that make up the LAND Alternative allow for a phased approach to construction. This means that implementation could begin immediately while also allowing adaptation of project designs to uncertain future changes in flood risk due to climate change. This approach would increase the resilience of the projects while protecting more of the basin from a broader range of flood events.

Parts of the LAND Alternative are included in the Local Action Alternatives (LAA) for the revised DEIS. The impacts to long-term geomorphic processes, fish species and habitat, wildlife species and habitat, and tribal resources from the LAA were less than significant, especially if they are designed with restorative elements such as riparian restoration, floodplain reforestation, and large wood placement. In order to properly evaluate the proposed project, the non-dam alternative should be further refined with continued collaboration with tribes to ensure it is respectful of treaty rights and cultural resources.¹³ Evaluation of the non-dam alternative requires engineering, geotechnical, construction, and risk analysis as well as investigation of opportunities for floodplain restoration and off channel flood storage to reduce flooding during events that would not be addressed by the FRE.

Cost estimates for the proposed project are not provided in the revised DEIS, while some non-dam alternatives were omitted from consideration due to their cost.

The revised DEIS does not provide cost estimates for the construction, operation, maintenance, and mitigation of the proposed project, including contingencies for construction schedule and budget overruns. In a July 2, 2024 analysis conducted for the Chehalis Basin Board, the FRE alone was estimated to cost \$975 million to \$1.69 billion, not including costs for the additional

¹¹ Moffatt & Nichol. 2025. Chehalis Basin Local Actions Non-Dam (LAND) Alternative Conceptual Alternatives Analysis Report. Prepared for the Office of Chehalis Basin. Washington State Department of Ecology Publication 25-13-015. Olympia, WA.

¹² Office of Chehalis Basin. 2019. Chehalis Basin Strategy Aquatic Species Restoration Plan - Phase 1 document. Washington State Department of Ecology Publication #19-06-009. Olympia, WA.

¹³ Johnston, Tyson. September 16, 2024. Response to the April 2024 Revised Project Description Report (RPDR) for the Flood Retention Expandable (FRE) proposed dam circulated by the Chehalis River Basin Flood Control Zone District (FCZD). Letter to the Chehalis Basin Board and Jeff Zenk, Director of the Office of Chehalis Basin from Tyson Johnston, Quinault Indian Nation Councilman and Chehalis Basin Spokesperson.

technical studies, engineering, design, permitting, and mitigation actions required.¹⁴ A 2026 project fact sheet presents a general cost estimate of \$1.3 to \$2.3 billion for construction of the FRE, levee improvements around the Chehalis-Centralia Airport, and mitigation measures.¹⁵

Prohibitive cost is cited as part of the reason why some non-dam alternatives were not included in the LAA for the revised DEIS. For example, I-5 infrastructure changes and building I-5 levees and floodwalls to prevent flood closures were dismissed as not economically feasible partly based on analysis by the Washington State Department of Transportation (WSDOT). However, a 2014 report produced by WSDOT concluded that if a dam on the Chehalis is not built, a combination of raising and widening I-5 along with earthen levees and structural walls would provide robust, reliable protection of I-5 and efficient use of public funds.¹⁶

The 2025 cost estimate for the LAND Alternative ranges from \$850 million to \$1.5 billion, including a 55 percent contingency.¹⁷ This covers costs for engineering, design, levees, floodwalls, raising roads, temporary closure structures, conveyance, bridges, and real estate acquisition. Without a detailed cost estimate for the proposed project, meaningful comparisons with non-dam actions, including I-5 infrastructure changes, are not possible and reliable non-dam alternatives cannot be ruled out.

Mitigation measures proposed are not sufficient to address the widespread detrimental effects of the proposed project to the environment and tribal resources.

The project proponent has provided a Proposed FRE Mitigation Plan and Vegetation Management Plan that are conceptual in nature, so the revised DEIS cannot evaluate their technical and financial feasibility. Mitigation measures have not been identified, may not be feasible, or require acquisition of properties that may not be available for purchase. Significant and unavoidable adverse environmental impacts would occur for the following resources where proposed mitigation actions could not eliminate adverse effects:

1. Tribal resources, including harvest and cultural use of wildlife, vegetation, and fish;
2. Cultural resources, archeological sites, and traditional tribal cultural places;

¹⁴ Ken Ghilambor, Ross Strategic to Chehalis Basin Board, "Long-Term Strategy Work Element Discussion at July Board Meeting," July 2, 2024.

¹⁵ Office of the Chehalis Basin. 2026. The Chehalis River Flow-Through Dam for Flood Control Proposed by the Chehalis River Basin Flood Control Zone District Fact Sheet. Updated January 2026. <https://officeofchehalisbasin.com/wp-content/uploads/2026/01/LTS-Flow-Through-Dam-fact-sheet-Nov25.pdf>

¹⁶ WSDOT, 2014. Chehalis River Basin I-5 Flood Protection near Centralia and Chehalis. Final Report. November 26, 2014. Olympia, WA. Page 22.

¹⁷ Moffatt & Nichol. 2025. Chehalis Basin Local Actions Non-Dam (LAND) Alternative Conceptual Alternatives Analysis Report. Prepared for the Office of Chehalis Basin. Washington State Department of Ecology Publication 25-13-015. Olympia, WA.

3. Spring-run chinook, fall-run chinook, coho, and steelhead populations, including reduced abundance, productivity, genetic diversity, and spatial structure;
4. Other native fish, including Pacific lamprey, largescale sucker, mountain whitefish, and speckled dace;
5. Freshwater mussels and aquatic macroinvertebrates;
6. Aquatic habitat, streams, and stream buffers;
7. Wetlands, wetland buffers, and riparian habitat;
8. Wildlife, including amphibians, reptiles, nesting birds, small mammals, and insects;
9. Terrestrial habitat;
10. Surface water quality due to increased water temperatures, increased turbidity levels, and decreased dissolved oxygen;
11. Water uses and rights;
12. Large woody debris and channel forming processes;
13. Sediment transport and river substrate characteristics;
14. Earthquake hazards from catastrophic failure of the FRE structure when the reservoir is holding water, leading to loss of human life and extensive damage to property, infrastructure, livestock, and the environment;
15. Landslide hazards from both deep-seated and shallow mass movement;
16. Environmental justice;
17. Environmental health and safety;
18. Recreation;
19. Land use; and
20. Public services and utilities.

Given the magnitude of unavoidable significant impacts, it is unlikely that mitigation will be sufficient to prevent extensive harm to the environment and to treaty-protected species and habitats. For example, the Proposed FRE Mitigation Plan provides conceptual designs for only 16 measures to enhance fish and aquatic habitat over 3.36 miles of mainstem and 2.3 miles of tributary habitat.¹⁸ In contrast, the FRE impoundment will alter up to 5.6 miles of the river upstream and the detrimental effects of the FRE, particularly for hydrological and geomorphic processes, would extend downstream as well. In addition, there are limited suitable spawning locations that are deep enough and have appropriate gravel substrate for spring-run chinook in the tributaries of the upper basin.¹⁹ The spring- and fall-run chinook salmon populations that

¹⁸ Chehalis Basin Flood Control Zone District. 2024. Chehalis Basin Strategy Proposed FRE Mitigation Plan: Reducing Flood Damage and Restoring Aquatic Species Habitat. July 3, 2024.

¹⁹ DeVries, P. and K. Steimle. 2024. Technical Memorandum to Matt Dillin, Chehalis River Basin Flood Control Zone District Re: Mapping of Chinook Salmon Spawning Habitat in the Mainstem Upper Chehalis River in 2023. May 31, 2024. *In* Chehalis Basin Strategy Proposed FRE Mitigation Plan: Appendix B. Spawning Habitat Assessment.

spawn upstream of Pe Ell would be eliminated by the construction and operation of the FRE and adverse effects would extend to spawning locations far downstream of the FRE.²⁰

Mitigation measures cannot be evaluated accurately if the detrimental effects have not been quantified for the proposed project. For example, detailed hydraulic and geomorphic analysis is needed for the proposed fish passage conduits at the base of the FRE. The project proponent claims that the five 320-foot-long conduits that merge into three outlets that then pass into a 110-foot-long stilling basin will be able to replicate the natural function of a free-flowing river. It is doubtful that the river could maintain hydrological, geomorphic, and ecological processes under those conditions. There also is limited information on how well the conduits will be able to function long-term as sediment moves through and as boulders and cobbles that could block fish passage accumulate on the conduit trash racks. According the revised DEIS, upstream fish passage survival rates through the proposed FRE during non-flood conditions are expected to range from 34% to 69%.

Cumulative effects of operation of the proposed FRE could be greater than described in the revised DEIS.

The revised DEIS evaluates the impacts of a flood retention structure and a temporary reservoir, but the facilities evaluated in the Programmatic EIS included a Flood Retention Flow Augmentation facility with a permanent reservoir. If the FRE is constructed with the intention of future expansion of the structure and permanent use of the reservoir, then that scenario must also be considered during the environmental impact analysis and not at a later date.

The revised DEIS refers to the 38,800 cfs threshold for FRE operation as the 7-year recurrence interval, then states that this level of flow is expected to occur every 7 years.²¹ It also suggests that under future climate conditions, this level of discharge would occur once every 2.7 to 3.7 years in the mid-21st century and once every 2.1 to 3 years in the late- 21st century.²² However, the recurrence interval is an expression of the probability that a flow event will occur or be exceeded in a given year.²³ It represents the average number of years between floods of a certain size. The actual frequency of a flow event varies due to the interannual variability of climate conditions. Floods happen irregularly and an unusually large flood does not reduce the probability of another equally large or larger flood occurring again the next year or even in the same year.

²⁰ Lestelle, L. 2024. Technical Review of the Revised Project Description for the Flood Retention Expandable Structure -Fish Passage-Related Aspects. Prepared for the Quinault Indian Nation. August 23, 2024.

²¹ Washington State Department of Ecology, 2025. State Environmental Policy Act Revised Draft Environmental Impact Statement for the Proposed Chehalis River Basin Flood Damage Reduction Project. Publication 25-06-008. Olympia, WA. Pg. 18.

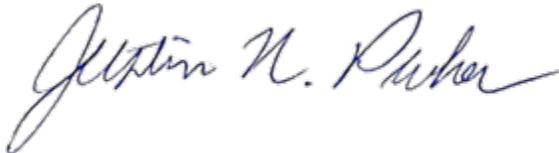
²² *Ibid.* Pg. 56.

²³ Interagency Advisory Committee on Water Data. 1982. Guidelines for Determining Flood Flow Frequency. Bulletin 17B, U.S. Department of the Interior, Geological Survey, Office of Water Data, Reston, VA.

Multiple flow events that trigger FRE operation could happen in succession, drastically increasing the drawdown time and disruption to fish migration. If large events trigger FRE operation in consecutive years, the adverse impacts to salmon populations and the environment would be cumulative and mitigation measures proposed for the impoundment area when not in use would be less effective. The revised DEIS states that the reservoir would take up to 32 days to be emptied, during which fish would have to be moved upstream using a fish ladder and a trap-and-transport process. If a major flood occurs during this time, the trap-and-transport system would be in place even longer, potentially up to 60 days, extending the negative effects of the impoundment and the risks of fish mortality during transport.

In conclusion, a proposed project with significant and unavoidable adverse impacts of this magnitude requires ongoing meaningful government-to-government consultation to ensure that all legal responsibilities to tribes are met. Engagement with tribes, both as domestic sovereigns with treaty-protected rights and as communities with environmental justice concerns, should continue, both through the formal government-to-government process and informally through community feedback. We look forward to working together to protect our shared resources and the habitats that they depend upon. If you have any questions, please do not hesitate to contact me or our Climate Scientist, Eliza Ghitis, at eghitis@nwifc.org (360) 438-1180 ext. 377.

Sincerely,

A handwritten signature in blue ink that reads "Justin R. Parker". The signature is written in a cursive, flowing style.

Justin R. Parker
Executive Director

cc: Tyson Johnston, 4th Councilman and Chehalis Basin Spokesperson, Quinault Indian Nation

Attachment