

# Jon Harwood

This Draft EIS is insufficient. Over and over it refers to mitigation plans that are not included. How is the public to judge whether the Draft EIS is adequate when it lacks critical details?

Appendix 1

p.2

Refers to the "revised mitigation plan" prepared by the Applicant. Though the plan was made for the 2020 NEPA and SEPA drafts, it also says the mitigation plan "describes the mitigation measures for the FRE facility and the airport levee that the Applicant is proposing."

If the 2024 mitigation plan is going to be applied to this revised facility, it should be included in this draft so it can be viewed and commented upon. Not including it is like keeping a secret plan for how this is all going to work out – just wait and see.

Over and over again, statements such as the following appear:

P. S-20

"The Applicant has prepared draft mitigation plans. If the agencies determine the plans meet regulatory requirements and the implementation is feasible, then some impacts would be decreased as part of the permitting processes."

Draft EIS, section 5.2, p. 68

"These significant adverse impacts would be unavoidable unless the proposed mitigation plans meet regulatory requirements and implementation is feasible."

Draft EIS, section 5.2, p. 84

"These impacts on fish and aquatic species and habitat would be significant and unavoidable unless the Applicant's proposed Fish and Aquatic Species and Habitat Management Plan and other mitigation plans meet regulatory requirements and implementation is feasible." Without the plans, that leaves us with significant and unavoidable.

Draft EIS, section 5.4, p. 101

"These significant impacts on wildlife species and habitat would be unavoidable unless the Proposed FRE Mitigation Plan, Vegetation Management Plan, and other mitigation plans meet regulatory requirements and implementation is feasible."

Draft EIS, section 5.4.2.4, p. 109

"There is uncertainty around whether mitigation is technically feasible and economically practicable; therefore, the Proposed Action would have significant and unavoidable adverse environmental impacts on wildlife species and habitat...."

"The Applicant has proposed mitigation plans as described above."

Appendix 1, p. 45

"A VMP was developed by the Applicant as part of their mitigation planning." End of section. No reference to a document, or a different section in this document, or any details of what is in that

VMP.

Draft EIS, section 5.5.2, p.118

"There is uncertainty around whether mitigation is technically feasible and economically practicable; therefore, the Proposed Action would have significant and unavoidable adverse environmental impacts on wetlands, wetland buffers, streams, and stream buffers within the temporary reservoir during operations."

Draft EIS, 5.6.2.3, p. 128

"Mitigation measures proposed by the Applicant to avoid, minimize, or reduce impacts to environmental resources are contained within the Proposed FRE Mitigation Plan (FCZD 2024)."

"There is uncertainty around whether mitigation is technically feasible or economically practicable, or would address impacts to Tribal resources."

Draft EIS, 5.7, p. 131

"Mitigation plans are proposed by the Applicant; however, there is uncertainty around whether mitigation for the impacts of the Proposed Action is technically feasible and would result in no net loss of ecological functions throughout the lifetime of the project."

The Proposed FRE Mitigation Plan (2024), and the Vegetation Management Plan are different documents. Yet it seems they contain plans vital to the feasibility of this plan. And this document is the one we are to comment upon. It would be inappropriate for me to comment here about these other plans.

Whether the impacts of this application can be mitigated seems to depend entirely upon whether the applicant can meet the requirements of the various permitting agencies. That is probably why there are no detailed mitigation plans here. Which leaves the public with no choice but to make vague comments of approval or disapproval.

In my case, disapproval.

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Local Action Alternative apparently is all that is needed. Especially when combined with current projects and plans already funded. And if additional LAND projects are fleshed out and approved, more flood mitigation could be the result.

Appendix 1, 5.1, p. 55, Local Action Alternatives

"These actions could approximate the Applicant's objective to reduce flooding from storms in the Willapa Hills through improving floodplain function, land use management actions, buying out at-risk properties or structures, and increasing water storage from Pe Ell to Centralia."

"The Local Actions Alternative does not include actions that are currently permitted, funded, or in progress; these types of actions are included in the No Action Alternative because they are moving forward regardless of whether the Proposed Action is implemented."

So what would the effects be if the "currently permitted, funded, or in progress" actions were

combined with the Local Actions Alternative? Would there possibly be a result that's more than just "approximate the Applicant's objective"?

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Finally, the whole project seems experimental. I presume that if this has ever been done, there would be references to those projects and lessons learned. I could find no such references in this document. The 320 foot long fish passage conduit closely resembles a culvert similar to the culverts being removed from streams and rivers around the state at this very moment. Maybe some lights will be added. Maybe there will be a lid, maybe not (p. 24 of Appendix 1: "The Applicant is considering...").

Appendix E, p. 141

"the actual performance of the low-flow entrance for juvenile salmonid, resident fish, and lamprey is unknown because the design is an untested prototype." How can you assess the environmental impact with an untested prototype? Guess?

Appendix E, p. 172

WDFW proposed that the applicant "provide adequate long-term monitoring, adaptive management, and maintenance, mitigation is proposed for the Applicant to provide detailed, enforceable plans with SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound) performance metrics. The intent is to monitor whether mitigation projects are functioning as designed, and demonstrate whether fish are using the areas as intended. These should include triggers for corrective actions if habitat uplift targets are not met and require monitoring over the full operational duration of the FRE facility."

This relies too much upon trial-and-error. Enforceable SMART performance metrics might provide a benchmark indicating success, or failure. But some failures can't be "adaptively managed." Such as once the fish passage conduit is built, it would be hard to re-do if salmon can't / won't pass through. See previous comment about an "untested prototype."