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APR 07 2008

DEPARTMENT OF ECOLOGY
OFFICE OF DIRECTOR

April 4, 2008

Mr. Jay Manning, Director
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

Re: Nonconsumptive Water Right: Blackbird Island Steelhead
Acclimation Pond

Dear Director Manning;

Attached is an application for a Nonconsumptive Water Right submitted by the Icicle Chapter of Trout Unlimited and the City of Leavenworth, Washington. The primary purpose of the application is to provide water for use as an acclimation pond to assist in the recovery of an Endangered Species Act listed steelhead. It will also serve to facilitate the operation an "Kids" fishing pond that due to low oxygen can not be operated. The water requested would facilitate both of these activities at the same existing pond.

This project is supported by the Washington State Department of Fish and Wildlife, NOAA Fisheries, US Fish and Wildlife, Chelan County PUD, Chelan County Department of Natural Resources, the Yakima Tribal Nation, the Colville Confederated Tribes, and the City of Leavenworth (see attached letters of support and 4/3/08 WENATCHEE DAILY WORLD article).

Please pass this application and payment to the appropriate receiving/reviewing bodies. We would like to thank your Yakima staff for their guidance of this application.

Sincerely,

Norm Warford, President

Icicle Chapter of Trout Unlimited (ICTU)

Bob Stroup, Dan Davies, Jan Carpenter, Rollie Schmitten ICTU Board

CC: Sen. Linda Parlette

RFJ Joe

This application is for a nonconsumptive water right.

Attached are letters of support from:

- **Federal NOAA Fisheries**
- **Federal US Fish and Wildlife**
- **Washington State Department of Fish and Wildlife**
- **Yakima Tribal Nation**
- **Colville Confederation Tribes**
- **Chelan County Public Utility District**
- **City of Leavenworth, Washington**

Not attached but supportive:

Chelan County Department of Natural Resources



1423 3rd Avenue, Suite 300
Seattle, WA 98101
Phone 206.287.9130
Fax 206.287.9131
www.anchorenv.com

April 2, 2008

Mr. Jay Manning, Director
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

Mr. Ken Slattery
Water Resources Program Manager
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

Re: Water Right: Blackbird Island Steelhead Acclimation Pond

Gentlemen:

I am writing on behalf of the members of the Rocky Reach and Rock Island Habitat Conservation Plan (HCP) Hatchery Committees in support of the Icicle Chapter of Trout Unlimited application for a non-consumptive water right for a proposed steelhead acclimation pond on Blackbird Island, near Leavenworth, Washington. The parties to the HCPs include the Washington Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Confederated Tribes of the Colville Reservation, the Yakama Nation, and Chelan County Public Utility District.

The Blackbird Island Pond Project is intended as a conservation measure to aid in the recovery of Endangered Species Act (ESA) listed Upper Columbia River steelhead. The already existing pond will serve as a holding facility for juvenile steelhead during the last few months of rearing, and is designed to improve the imprinting of these fish to the Wenatchee River in this area prior to their release.

The HCP Hatchery Committee members have been briefed on this project and support it. Further, the Committee members support the Icicle Chapter of Trout Unlimited request for an expedited review of their application for a non-consumptive water right so that the required modification to the pond can occur during low water in 2008 and be ready for fish occupancy in early 2009.

Thank you for this consideration. Please feel free to contact me at 206-287-9130 if you have any questions about this request.

Sincerely,

Michael Schiewe, PhD
Chair, HCP Hatchery Committee

cc: Kirk Truscott, Washington Department of Fish and Wildlife
David Carie, US Fish and Wildlife Service
Kristine Petersen, National Marine Fisheries Service
Jerry Marco, Colville Tribes
Tom Scribner, Yakama Nation
Shaun Seaman, Chelan PUD
Rollie Schmitten, Trout Unlimited





*City
Of
Leavenworth*

700 Highway 2 / Post Office Box 287
Leavenworth, Washington 98826
(509) 548-5275 / Fax: (509) 548-6429

City Council
Rob Eaton – *Mayor*
Peter D. DeVries
Tibor Lak
Lucky Moore
Cathy Miller
Chris Rader
Michael Molohon
Elmer Larsen

Rich Brinkman - *City Administrator*

March 27, 2008

To Whom It May Concern:

The City of Leavenworth would like to lend their support for the proposed Blackbird Island endangered steelhead acclimation pond, sponsored by the Leavenworth, non-profit, Icicle Chapter of Trout Unlimited.

The City owns the property where the Trout Unlimited pond is located, and the non-consumptive water right that Icicle Trout Unlimited is applying for will not impact the City of Leavenworth water right. It appears to be a very worthwhile project for imprinting ESA steelhead, and therefore, we would support this project as presented, and as supported by the Washington State Department of Fish and Wildlife (WSDFW) and other agencies without hesitation.

I can be reached for further information at (509) 548-5275.

Sincerely,

Robert Eaton
Mayor

Group looks to reopen pond closed to fishing since 2003

BY JAY PATRICK
World staff writer

LEAVENWORTH — A group of fishing enthusiasts is trying to re-establish a kids' fishing pond and build a significant steelhead trout-rearing location right off the Wenatchee River. The big problem is there's no water to do it.

The Icicle Valley Chapter of Trout Unlimited in 2000 landed an approximately \$300,000 state grant to build a recreational fishing pond for kids at two old gravel pits left over from lumbering days in the early 1900s, about 50 feet from the Wenatchee River in downtown Leavenworth. For three years the pond supported trout and kids were able to fish, but in 2003 that changed. Trout Unlimited officials and the state Department of Fish and Wildlife discovered that the oxygen level in the approximately 1-acre, 20-foot-deep pond had dropped below a point where it could support fish. Biologists surmise that leaves falling from surrounding cottonwood trees created a mat on the bottom of the pond that prevented fresh water from the Wenatchee River from seeping in through the ground, delivering oxygen. The pond closed to fishing in 2003.

Now, Trout Unlimited, with the backing of the city of Leavenworth, is trying to restore

the pond and make it a suitable spot to raise 53,000 steelhead per year in cooperation with the Chelan County PUD. All Trout Unlimited needs is a pipeline feeder from the nearby Wenatchee River to provide a constant stream of fresh water. To do that, the group needs permission from the state Department of Ecology through the approval of a water rights application, which the group is submitting. Leavenworth Mayor Rob Eaton has endorsed the application with a letter of support.

"We are 100 percent behind the project," Eaton said, speaking for himself and the Leavenworth City Council. "I think it's a great opportunity for residents to learn about fish, to learn about nature. ... It's a wonderful project. In the past it has been a great attribute."

The city could transfer water rights from a city-owned golf course to the Trout Unlimited pond, but Eaton said the direct application of Trout Unlimited to the state provides the "quickest and cleanest" way of bringing water to the pond. Dealing with the transfer of city water rights from the golf course to the pond would entail a longer, more complicated process, Eaton said. Plus, the city and its golf course may end up needing the water rights already granted by the state.

Trout Unlimited has already

"We are 100 percent behind the project."

ROB EATON
Leavenworth mayor

paid for bringing power to the site to run pumps and other amenities needed to maintain the pond in its earlier efforts.

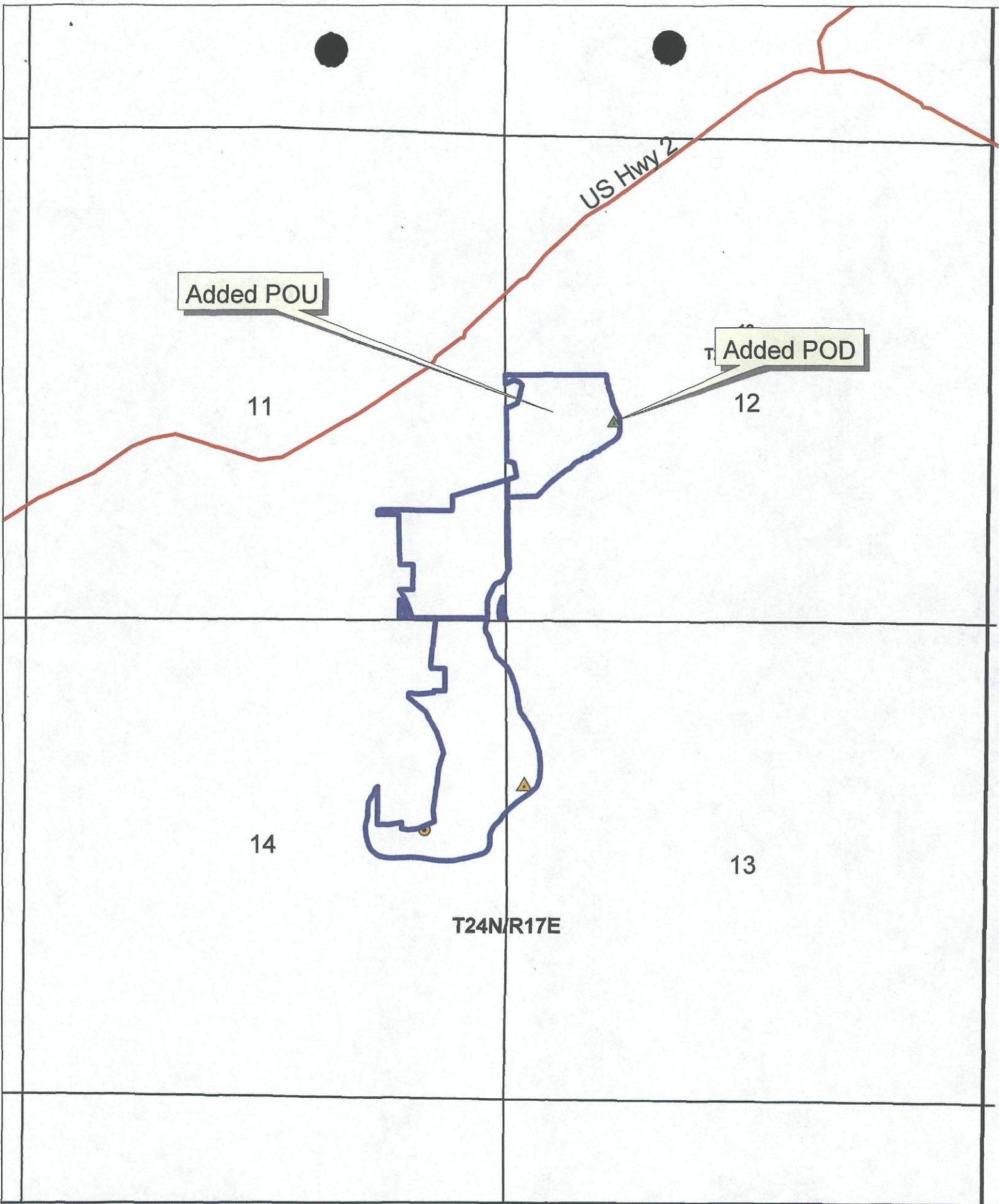
"Once we receive water we are on our way," said Norm Warford, president of the Icicle Chapter of Trout Unlimited.

"The goal of the facility is to hold steelhead ... on Wenatchee River water for a sufficient time for the imprinting process to take place (one to two months)," according to Trout Unlimited's Web site. "Returning adult steelhead will be a major factor in reopening the Wenatchee River for sports fishing."

After the steelhead are released, the pond would open to children for recreational fishing in the summer, if all goes according to Trout Unlimited's plans. The Chelan County PUD is on board, said Chuck Peven, the PUD's senior fisheries biologist.

The application for water rights could take eight months to a year to process, Eaton said.

Jay Patrick: 664-7155
patrick@wenworld.com



Map of current and added POD and POU

683 0 683 1366 Feet



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2006 Aerial Photos of the propoed ponds
NW1/4 SW1/4 Section 12, T. 24 N., R 17 E.W.M.

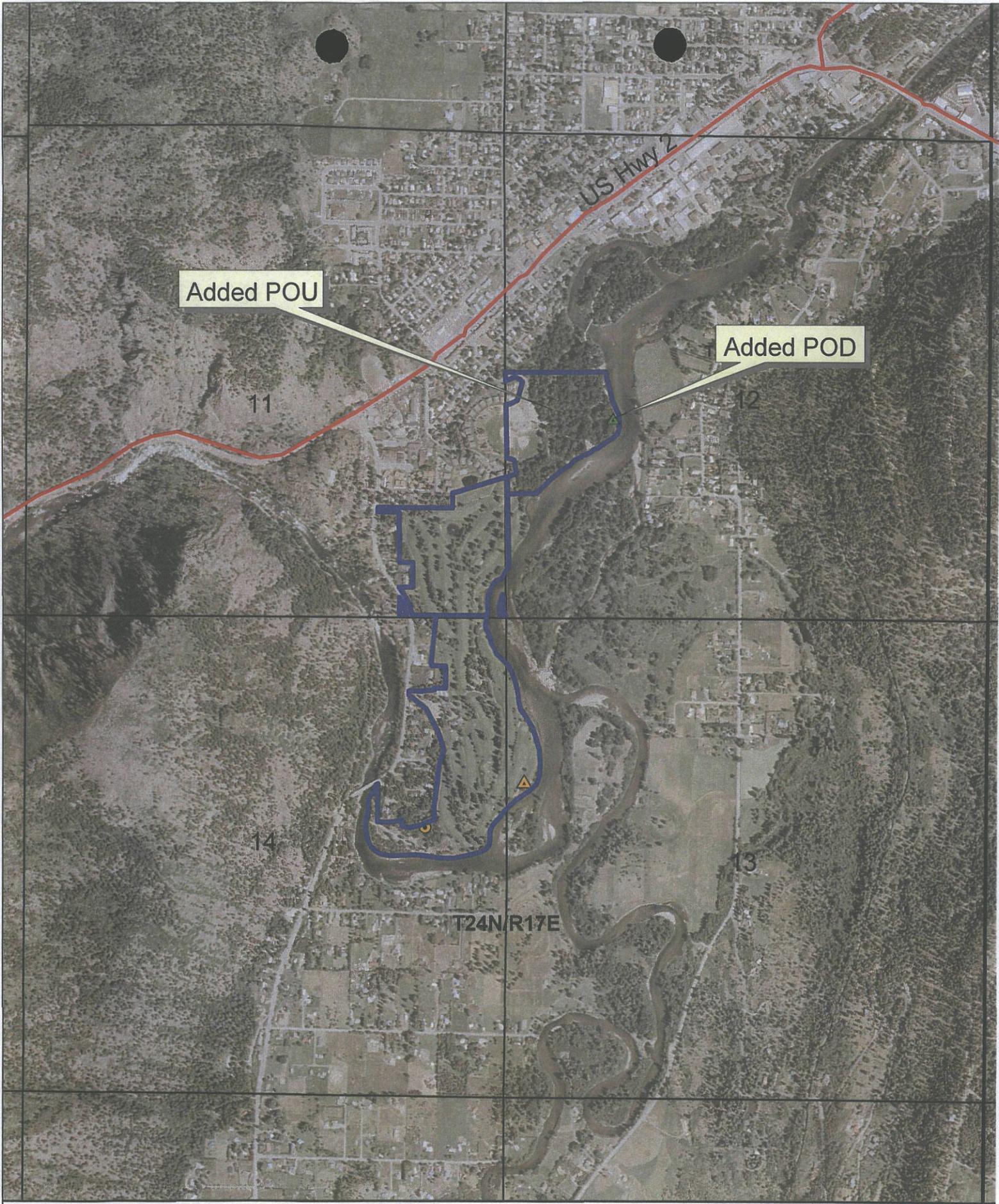
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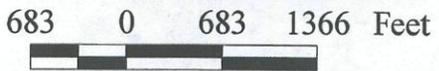
1:2433

Map printed 1/14/2008





Map of current and added POD and POU
2006 Aerial Photo



1:16400





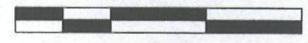
Map of current and added POD and POU

2006 Aerial Photo

Section 12, T. 24 N., R. 17 EWM

Map printed 1/14/2008

333 0 333 666 Feet



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