

Comments re Draft Mitchell Act EIS by Irene Martin, 9/11/2010. P.O. Box 83,  
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The comments below relate solely to the Environmental Justice Section 4.4, pp. 4-159 through 4-174 and their attendant reference pages.

This section begins: “This analysis of environmental justice effects is based on evaluating environmental justice communities and groups of concern,” p. 4-161. Unfortunately, much of the documentation regarding many of those communities and groups was omitted from this section of the DEIS. I must add that since this portion of the document was not adequately foot-noted and there is no complete final bibliography, tracking sources for data, citations and statements is well-nigh impossible, and certainly doesn’t meet acceptable academic or scientific standards. Page numbers are not given; complete citations, including publisher, place and date, are lacking. Titles mentioned in the text are not listed in the references. I also note that some other sections do contain this information, although it may not be consistent. The Wildlife section, for example, sometimes contains page numbers and, generally, has fuller citations. Websites referred to should be accompanied by information that says when the website was accessed. Sources are apparently listed in alphabetical order, but even this needs to be checked, as I found errors even in this task. I strongly urge the agency to upgrade the quality of the document by providing its source material via proper notes and a standard bibliography, in order that the reader can verify the statements made and ascertain the documents that were consulted. It is expecting a lot of the public to comment on a document where the provenance of the information used in it is so difficult to ascertain.

I note, for example, several works regarding tribal fisheries that should have been consulted for the DEIS, but cannot determine whether they were examined or not. These include: Meyer Resources, Inc., Tribal Circumstances and Impacts of the Lower Snake River Project on the Nez Perce, Yakama, Umatilla, Warm Springs and Shoshone Bannock Tribes (Portland, Ore., Columbia River Intertribal Fish Commission, April 1999), 2 vol., and Allan Scholz, et al., Compilation of Information on Salmon and Steelhead Total Run Size, Catch and Hydropower Related Losses in the Upper Columbia River Basin, above Grand Coulee Dam (Cheney, Wa.: Upper Columbia United Tribes Fisheries Center, Eastern Washington University, 1985). Both of these works express the magnitude of cultural dislocation and social issues regarding tribal entities included in the DEIS, as well as human health issues noted on p. 3-97 of the DEIS as being a subject of mandatory concern under the EPA. I note also the absence of material from the Pacific States Marine Fisheries Commission, particularly their EFIN program. Their West Coast Charter Boat Survey Summary, as well as other documents, might have proven useful. In particular, the coastal community document produced by Jennifer Langdon-Pollock, West Coast Marine Fishing Community Descriptions (Portland, Ore., Pacific States Marine Fisheries Commission, 2004) contains baseline data and descriptions of fishing communities along the entire west coast and should have been consulted.

I note on p. 3-98 that the DEIS states, “data are not available to determine the specific user groups and communities of concern that would be affected by EIS alternatives.” In fact, such data may exist in PACFIN and/or RECFIN, and could also have been elicited by discussions with tribal and state fisheries agencies and the Pacific Fishery Management Council and North Pacific Fisheries Management Council, as well as various stakeholder groups. I also point out the numerous economic studies conducted in communities along the west coast by The Research Group’s Dr. Hans Radtke, none of which are cited in the list of references for this section. However, a preliminary document by The Research Group, Economic and Social Analysis Sections prepared for the Mitchell Act EIS, dated 2009 (p. 6-11), is apparently the basis for the current document, although I have been unable to locate a copy of it on the NMFS website. There are undoubtedly other documents that should have been included, but without proper notes or bibliography, trying to discern the formative documents for this section of the DEIS and verify the statements made in it is virtually impossible.

I have been unable to determine where the data came from to construct Tables 3-26, 3-27 and 3-28. Page 3-102 states that the thresholds were based on 2000 census data, but the U.S. Census is not listed in the References, Chapter Six. Further, upon checking the data with the U.S. Census of 2000, I must point out that the poverty levels given in Table 3-26, p. 3-103, differ considerably from those given in the 2000 Census. The following numbers are the actual numbers from the U.S. Census of 2000: Poverty rate for California 14.2%, not the 19.5% stated; poverty rate for Idaho 11.8%, not the 15.59% stated; poverty rate for Oregon, 11.6%, not the 14.69% stated, and poverty level for Washington, 10.6%, not the 17.69% stated. I also checked the 2006-2008 U.S. Census Bureau American Community Survey 3-Year Estimates, and found similar discrepancies. I also note that the per capita incomes for the respective states as evidenced by the actual U.S. Census data do not match with what is in Table 3-26. The comparison follows: California, actual Census, 22,711, DEIS 15,815; Idaho, actual Census 17,841, DEIS 13,990; Oregon, actual Census 20,940, DEIS 16,410; Washington actual Census 22,973, DEIS 15,829 Without some explanation of the source of the numbers used in the DEIS, or how they were calculated, I am unable to provide much in the way of useful comment on this part of environmental justice issues section.

This is a serious matter, as some communities and entire counties were omitted from table 3-28, p. 3-113, entitled “Summary of Environmental Justice Communities of Concern.” These include Clatsop and Columbia Counties in Oregon, and Cowlitz, Wahkiakum and Pacific Counties in Washington. Of these counties, Clatsop, Wahkiakum, and Pacific Counties were analyzed regarding poverty issues in my study, A Social Snapshot of the Columbia River Gillnet Fishery, Astoria, Salmon For All, 2005, and also in “Resilience in Lower Columbia River Salmon Communities,” in Ecology and Society, vol. 13, no. 2, 2008, Article 23. [www.ecologyandsociety.org/vol13/iss2/art23/](http://www.ecologyandsociety.org/vol13/iss2/art23/). The first-named also addressed human health issues, a requirement of the EPA as noted on p. 3-97. Further, a recent study on Astoria, Oregon, which the DEIS indicates on p. 3-111 has a poverty rate of 15.9%, was omitted. This publication, by Jennifer Langdon-Pollock, A Pilot Study in Two West Coast Marine Fishing Communities, Astoria and Newport, Oregon: Perspectives from Fishing Community Members. Portland, Ore.,

Pacific States Marine Fisheries Commission, contains useful information on two communities within the purview of the Mitchell Act DEIS and should have been examined.

It is impossible for me to ascertain from Table 3-28 why various counties were included, as the only number which is provided consistently for each of them is per capita income. Poverty rates have been provided for 13 out of the 35 counties listed, fewer than half, although these data are readily available. In 2000, Wahkiakum and Pacific and Clatsop counties all ranked in the lowest per capita income category of the U.S. census but have been omitted from this listing. It is also impossible to know what weight each of the categories in Table 3-28 was given in order to determine a community of concern, since no explanation is given as to how the table was drawn up. I would have assumed that a county or community with a per capita income in the lowest category of the U.S. Census of 2000 and/or a poverty rate above that of its state might be of some concern regarding environmental justice. A more useful table would have included many more counties with the correct rates in each category for each of them, and some idea of how the various categories rank in terms of importance. It would also have been helpful to know whether the categories were left blank because there were no data, or whether there were other reasons for omitting readily available data such as poverty rates. All four states cited have county data derived from the U.S. Census that is easily available via the Internet. I cannot determine whether any of this data was consulted, or, if so, why so much of it was omitted with no reason given.

I would also have assumed that counties where fisheries are a major source of income, and where Mitchell-Act funded hatcheries exist, such as Wahkiakum and Clatsop counties, would have been included and some analysis done as to the effect the Mitchell Act has had on the economies of these areas and what effect the redirection of Mitchell Act funding and policy changes might be expected to have. It seems to me that an Environmental Impact Statement regarding the Mitchell Act should address the community context in which the Mitchell Act has been a factor for over fifty years, particularly in the areas of socioeconomic and environmental justice. Further, the publication "Fishing Communities," available on the Pacific Fishery Management Council website, [www.pcouncil.org](http://www.pcouncil.org), states: "As part of the NEPA process, both economic factors...and social factors (population dynamics, social institutions, environmental justice, cultural values, community identity, history, etc.) need to be addressed in environmental assessments and environmental impact statements." To omit these communities' economic and social factors is simply incomprehensible, given that Mitchell Act-funded hatcheries and fisheries dependent upon them are located there.

I note NMFS own website describes criteria for community impact analysis and lists publications by Karma Norman, the agency's Northwest social scientist, who has developed community profiles for the west coast. These publications include Norman, K. C., J. A. Sepez, H. Lazrus, N. Milne, C. Package, S. Russell, K. Grant, R. Petersen Lewis, J. Primo, E. Springer, M. Styles, B. D. Tilt, I. Vaccaro. 2007. [Community profiles for West Coast and North Pacific fisheries - Washington, Oregon, California, and other U.S. states](#). U.S. Dept. of Commerce, NOAA Tech. Memo., NMFS-NWFSC-85, 602 p. This publication might have been of assistance in identifying communities

potentially affected in Alaska by the DEIS. I also recommend the following publication for your reference: Sepez, J. A., K. C. Norman, R. Felthoven. 2007. A Quantitative Model for Ranking and Selecting Communities Most Involved in Commercial Fisheries. National Association for the Practice of Anthropology Bulletin, (28)43-57. I do not understand why NMFS has not used its own documents or methodologies in developing this portion of the DEIS, but they do not appear in the list of references for this section. I did discover mention of the first-named document in the text of the Socio-Economics Section, p. 3-96, but it was not listed in the list of references for that section either, nor can I determine whether it was actually consulted for either section.

On p. 3-97 the DEIS states that “EPA Guidance recommends that the environmental justice analysis also determine whether such populations or communities have been sufficiently involved in the decision-making process (EPA 1998).” While it is quite clear that many of the communities concerned have not been involved, and have actually been omitted, it is particularly noteworthy that the Columbia River Intertribal Fish Commission does not appear to have been consulted, as their name and those of their individual tribal entities do not appear in the list on p. 8-2.

Since a number of the fishing-oriented counties, tribes and stakeholders with substantial economic, historical and cultural ties to fisheries (and fisheries supported by Mitchell Act hatcheries at that), have been ignored in this section of the DEIS, and given the errors and questions listed above, I suggest a complete rewrite of this section of the DEIS with the opportunity for further comment and public input after additional research has been done. I have put nearly 10 hours of research time into what amounts to a 15 page section, and still find myself unable to comment on Environmental Justice issues in the DEIS due to the numerous problems outlined above. I do not believe that this section is ready for public review at this time.