

# **Columbia River Policy Advisory Group**

## **January 6, 2023**

### **Online Meeting Summary**

*Note: Powerpoint presentations from this meeting are available on the OCR website:  
<https://www.ezview.wa.gov/?alias=1962&pageid=37050>*

#### **WELCOME/INTRODUCTIONS**

The meeting began at 9:30am. Facilitator Cynthia Carlstad reviewed a couple of pointers for the hybrid meeting. Members introduced themselves. Cynthia announced that the public comment period will be at 11:15am and asked that anyone online who wants to make a public comment send a chat directly to Ben Floyd who is managing the Zoom portion of the meeting.

#### **YAKIMA RIVER DELTA ENHANCEMENT PROJECT**

Bret Walters provided an update on the Yakima River Delta Project, including the purpose of the project, the planning effort, and expected benefits – improving temperature and habitat conditions in the Yakima delta for juvenile salmon and returning adults. WDFW is a sponsoring agency, working with the U.S. Army Corps of Engineers (USACE) on the project. The planning team has worked with stakeholders and held public meetings.

Several different measures were considered. The preferred option includes a full causeway breach without habitat enhancement. Removal would start at Bateman Island and work back to the mainland shoreline. USACE has heard concerns about recreation impacts, particularly the marina and access to Bateman Island.

The draft feasibility report will be issued on January 30, and an open house will be held February 23 in Richland. A website will be available to view the document and provide comment. Comments will be accepted through March 1. After the comment period the USACE will review the comments, make any needed adjustments based on the information provided and then issue a recommended internal final decision to the USACE Northwest Division in late April or early May. A final report is expected to be available late June or in July.

#### Questions/Comments

- Audie Huber, Confederated Tribes of the Umatilla Indian Reservation (CTUIR) thanked USACE for their work on this important project in ceded CTUIR territory. CTUIR has worked closely with the Corps and others as a cooperating agency under NEPA. The CTUIR support full removal of the causeway.
- Joe Blodgett, Yakama Nation (YN) commented that Yakama Nation fully supports the preferred option. YN fisheries has been involved for a long time in trying to understand the problems and help identify the most effective solution. Preserving cultural resources is important to keep in the forefront as well. There has been looting in the past of burial sites and other cultural resources. The YN is pushing hard to complete the project and will help however they can to get the project done.
- Mark Nielson, Benton/Franklin CDs asked if the Lower Columbia Basin Audubon Society, cities of Kennewick and Richland, counties, law enforcement and fire districts and others get an opportunity to influence the preferred option? *Bret responded that he can't verify all of these organizations have participated but providing comment on the draft report provides the best opportunity for input. The draft report will be made*

*available to all. The USACE role is to be a fair arbitrator on the different perspectives shared, using comments and information provided to inform the USACE decision.*

## **2023 LEGISLATIVE SESSION PREVIEW**

### OCR 2023-2025 Budget

Melissa Downes gave a brief overview of Ecology's proposed budget for the 2023-2025 biennium (beginning July 1, 2023). She gave a detailed presentation at the June PAG meeting; refer to that presentation (available on the CRPAG website) for more detail.

Ecology requested \$49 million each for both Yakima and Columbia Basin budgets. In the Governor's budget request, it included \$43.85 million for the Columbia Basin and \$42 million for Yakima. OCR is reaching out to the Governor's office and Office of Financial Management to obtain more information on the reductions, and why some items (such as conservation) were zeroed out. They also hope to learn if there will be flexibility to move the funding between budget categories. The total package in the budget is \$89 million, including Yakima River Basin Water Enhancement Program (YRBWEP) Phase 2 conservation.

Tom added that OCR is grateful for the Governor's continued budget support. The budget request is consistent with what was included in the 2021-2023 biennium. OCR has also been asked to spend down prior budgets and is reaching out to partners on these projects.

A question was asked about why funding was cut for the Potholes supplemental feed route project? *Melissa said Ecology is working with Reclamation and 3 irrigation districts to run water by 2024. Water hasn't been sent down the feed route since 2015, when flooding issues were encountered. More observation wells can help determine what is happening when water is again sent down the feed route. Tom noted the project helps with additional capacity. Craig Simpson added that the feeder route is important for groundwater replacement projects.*

### Walla Walla Legislation

Tom described legislation being introduced to modify OCR's enabling legislation (RCW 90.90) for the Walla Walla basin. The aim of the legislation is to help with decades of over-appropriation of water and help with bi-state water management challenges. Since 2006 the State has invested in water planning, including evaluating a Columbia River pump exchange, storage, conservation and water rights acquisition.

The Walla Walla Partnership is being replaced with a new effort based on the 2050 Strategic Plan, an integrated water management strategy that identifies how to manage new water and water across state lines. The legislation would allow Washington State funding to be spent in Oregon for Washington benefit. Ecology is working to secure Governor's office support for submitting the legislative package. Ecology is working closely with a stakeholder group on the legislative strategy and request. The legislative request has support from local state legislators and the CTUIR. The team will work to get it passed this upcoming session. Cynthia noted that the draft legislation was shared previously with the CRPAG. Tom noted there have only been minor changes made since it was shared.

A question was asked whether the plan includes for instream flow strategies? *Tom answered that the plan includes the following for instream flow strategies:*

- *Irrigation efficiencies*
- *Columbia River pump exchange*

- *Water storage/aquifer storage and recovery – using timing to enhance flows*
- *Water acquisition*

*He added that these are multi-use projects to help the entire basin, building off USGS groundwater study and bi-state flow study. Participants also received a WaterSMART grant from US Bureau of Reclamation for a value planning review of the projects.*

#### Other Water Resources Legislative Items

Noah Wentzel, Ecology provided an information on other water resources-related legislative items

- Ecology Water Resources is sponsoring a drought resiliency bill - \$25 million for planning and preparedness grants. Drought declarations do not typically include funding for planning and preparing for droughts; this proposed bill would provide funding for helping with drought preparedness including staff up response/planning team and providing grant funding on a rolling basis to help rural communities plan for drought needs.  
This bill is nearly identical to bill Senator Warnick introduced in the last session  
Question: Does it address both consumptive use and instream flows? *Yes, it would cover both (all major drought impacts)*
- SB5093 (Sen Rolfes sponsored). This bill looks to update the existing climate resiliency framework. The last update was 2012. This bill would complete the past process again and provide for periodic updates in the future. It would also include an interagency response approach and officially establish the UW Climate Impacts Group as technical partner. It should be fairly simple to update climate resiliency plan.
- Ecology also received another bill from Sen Rolfes. This one focuses on addressing climate resiliency in water system planning (WSP). This is a Washington State Department of Health area of oversight and is similar to a prior bill sponsored. It would require water system managers to conduct climate resiliency planning as part of WSP updates.
- The Foster Task Force on water rights mitigation sunsetted this past year and its legislative report was published in May 2022. There may be one or more bills to address findings from report.
- There may be bills introduced to update the family farm water act statute or stock water statute, but Noah has not seen more on that yet.
- Tracking bills spreadsheet is available at:  
<https://www.ezview.wa.gov/?alias=1962&pageid=37063>  
Cynthia will send out link to the full group.

#### **PUBLIC COMMENT**

David Ortman provided the following comments:

- (1) The Department of Ecology has embarked on an aggressive program on uneconomical and environmentally damaging water projects in the Yakima River Basin, the Alpine Lakes Wilderness, and the Chehalis River Basin. In addition to the OCR CRPAG, Ecology has selected small "advisory" groups to help rubber stamp its water project agenda.
- (2) The Chehalis River Basin Board is also meeting this morning. It is not helpful for the public to have to try and cover both the OCRPAG and the Chehalis River Basin meetings at the same time. Can someone please direct Ecology to not double up meetings such as these?

- (3) As noted in Ecology's response, the Legislature appropriated over \$6 million (in two batches) for purchase of the Eaton Ranch in the Yakima Basin to construct the uneconomical Wymer project. *Tom Tebb confirmed this money has been returned to the Washington treasury.*

## **COLUMBIA RIVER COUNTY CAUCUS UPDATE**

Paul Jewell gave a short update from the Columbia River County Caucus:

- 2022 series on water issues training was well attended. Thanks to Ecology for providing funding, helping to secure the 60-plus speakers that attended, and for the support.
- Next caucus meeting is in March 2023
- Commissioner Mark Stedman, Lincoln County, has retired, and they are looking for a replacement for him on the Caucus. Note: Commissioner Stedman retirement also leaves a hole in the Executive Committee.
- At the November 2022 meeting, Zane Kissler joined from the Colorado River basin. He shared challenges being faced and lessons learned and helped identify things to consider for Columbia River
- Upcoming legislative session – they are watching budget proposals. Also tracking water banking proviso in Governor’s budget – support it again in this session
- Melissa Downes asked - Are you planning any other outreach/education plans in 2023? *Potential for Western WA but nothing specific planned right now. Combine with Columbia River Caucus and always looking for relevant topics*
- Melissa also asked if there is a field tour this summer? She enjoyed the 2022 field tours. *Cynthia – Leavenworth hatchery tour and Columbia Basin projects tour ideas identified as ideas. Thanks for Paul and the Caucus and partnership.*

## **LAKE ROOSEVELT ADJUDICATION**

Robin McPherson, Ecology, provided an update on the Lake Roosevelt / Middle Tributaries proposed adjudication. In 2019, the State legislature asked Ecology to identify where highest priority adjudication areas would be. The Nooksack basin and Lake Roosevelt / Middle Tributaries were determined to be the highest priorities and for the last two years, Ecology has been doing preparatory work in those two basins. Lake Roosevelt was prioritized in part because Ecology received a petition from Colville Tribe in 2019.

Work has been conducted to prepare for the adjudication. Ecology is working to delineate the physical area to be included. Ongoing concerns expressed by federal partners that the proposed area is not inclusive/comprehensive enough are being considered. Ecology is looking at where surface boundary might be adjusted to address the concern. A more extensive boundary that would include the Spokane River basin presents challenges. Ecology plans to include groundwater where it impairs surface water.

### Questions/Comments

- Any cities or towns being included? *Yes but not really any cities or towns taking water out of the lake (therefore not a driving concern)*
- Do instream flows have a pathway in this process? *If WAC set flows then the adoption date would be included. Instream flows conditions of a right, then covered as part of that right. Surface Water Source Limitations (SWSL’s) – those could also be requested for applying to certain water.*

- The Columbia Basin Hydropower agency has authorization for power generation, as part of Columbia Basin water right.
- Could the adjudication be filed before 2025? Ecology is *preparing the adjudication support information by 2024. The Court decides filing date based on their deadlines.*

#### **COLUMBIA BASIN UPDATES:**

- Pasco Basin Rulemaking – Melissa gave a brief update; the PAG has been briefed on this at the last several meetings. Ecology is working on boundary designations for the groundwater area, which is likely to be similar to the interim designation described in Chapter 508-14 WAC. They are using the 2016 groundwater model and re-calibrating it. The amount to allocate is still being determined by Reclamation, USGS and Ecology. They will soon be starting SEPA, with Ecology as lead, but work being done in coordination with USBR. Public comment process will be conducted for both allocation and rulemaking processes. Ecology plans to finish the work in 2025. Website: <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-135>
- Eightmile Lake Dam Rebuild EIS (Icicle Creek watershed in the Wenatchee River Basin) – This EIS is in final stages of development and will be released soon.
- Columbia Basin Collaborative – Guy Norman updated the PAG on progress in this initiative. Project team and charter adoption occurred last year, and now they are starting implementation. Topic-specific working groups (5) are looking at sources of impacts 1) Habitat (tribes/estuary), 2) Hydro, 3) Harvest and 4) hatchery and 5) predation and science. They are currently working on integration (looking at all H's together). These groups meet monthly and are having good dialogue. They are working on data gaps, goals, and priority actions. Recommendations from the working groups go to the Integration / Recommendation Group (IRG) for evaluation and possible action.
- Question: Are there any work groups for sustainable groundwater for communities (Odessa sub area)? Water purveyors and other stakeholders have formed the Columbia Basin Sustainable Water Coalition in and around Odessa sub area to work on sustainable water supplies. They just received a WaterSMART grant. *The IRG has Columbia River user representative. Guy encourages reaching out to them to get info on the process. Group memberships already established – representing various interests and these are who those with concerns should reach out to. Connect with Guy for questions and he can help point you to the right person to contact.*
- Goldendale Energy Storage Project – Tom updated that Ecology finished the final EIS last month. A major issue is tribal uses of lands – Ecology, Yakama Nation, and the applicant are discussing these. Next steps would be permitting if this effort were to move forward.

#### **ANNOUNCEMENTS AND ADJOURNMENT**

Cynthia asked for announcements:

- Craig – NRCS awarded funds to prepare a watershed plan for the Odessa area. They are getting the planning effort underway. Once the watershed plan is approved, they could potentially access funding for 75% cost share to support groundwater replacement projects.

- Cynthia – Would this be a good future PAG meeting topic? *Tom – maybe in summer?*
- Cynthia - What is the focus? *Ways to address declining aquifer and find solutions. It's a good topic for summer; could have Harold and Kristina with the Columbia Basin CD present?*
- Tom thanked everyone for participating. This is the 17<sup>th</sup> year of PAG, and he is glad to see continued engagement. There is a lot of work still ahead. He said the group's participation is meaningful to Ecology and thanked those who have been here for the 17 years.
- Cynthia announced that April 6 is the next CRPAG meeting. Meeting dates listed on Ecology's website.
- Cynthia announced that with member turnover, she is evaluating a refresh for the Executive Committee. The Executive Committee works with OCR and the facilitator to guide meeting content.
- Cynthia also belatedly welcomed Justin Yeager, new member on CRPAG from NOAA who attended today's meeting.

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**Attendees:**

*CRPAG members and alternates:*

BJ Kieffer, Spokane Tribe	Melissa Downes, OCR/Ecology
Bret Walters, USACE	Justin Yeager, NMFS
Chad McCrea, Spokane Tribe	Milli Chenell, BPA
Clint Didier, Franklin Co. Commission	Megan Kernan, WDFW
Cory Wright, Kittitas Co. Commission	Mike Schwisow, Columbia Basin Development League
Danielle Squeochs, Yakama Nation	Sarah Drydahl, American Rivers
Darryll Olsen, Columbia-Snake River Irrigators Association	Scott Hutsell, Lincoln Co. Commission
Jacob Anderson, Klickitat Co. Commission	Stuart Crane, Yakama Nation
Jeremy Weber, ACOE	Jeanne Demorest, USBR
Jerome Delvin, Benton Co. Commission	Tom Tebb, OCR/Ecology
	Wes McCart, Stevens Co. Commission

*Guests / Staff:*

Audie Huber, CTUIR	John Reeves
Carl Merkle, CTUIR	Scott Kuhta, WA Dept of Commerce
John Stuhlmiller, WSWRA	Ilene LeVee
Paul Jewell, WSAC	Chris Perra, Yakama Nation
Norm Semanko	Jen Nelson
David McClure, Kittitas Co	David Ortman
Tim Poppleton, Ecology	Andy Dunau, Spokane River Forum
Ted Knight, Spokane Tribe	Paul, Tabayoyon, Asian Pacific Islander Coalition of Yakima County
Joe Blodgett, Yakama Nation	Margie Van Cleve, Sierra Club
Kerrie Mathews	Kyle Smith, American Rivers
Mark Nielson, Benton and Franklin CDs	Kelsey Mach, Aspect Consulting
Marcella Appel, Benton CD	Ben Lee, Landau Associates
Noah Wentzel, Ecology (to present)	Robin McPherson, Ecology (to present)
Paul Dempsey	

*Facilitation*

Cynthia Carlstad, NHC

Ben Floyde, White Bluffs Consulting