

Walla Walla Basin Advisory Committee (BAC)

Meeting Summary Wednesday, April 27, 2022 1:00 p.m. – 4:00 p.m.

Please sign into the meeting early to allow time to address any technical difficulties. *The meeting will start promptly at 1:00 p.m.*

Time*	Agenda Item (Action items are marked with “!”)	Reference Materials	Presenter(s)
1:00 (15 mins)	Welcome, Introductions, Review Agenda <ul style="list-style-type: none"> Welcome and opening remarks Introductions Review agenda 	<ul style="list-style-type: none"> Agenda 	<ul style="list-style-type: none"> Chris Kowitz, on behalf of Tri-Sovereigns Susan Gulick, Facilitator
1:15* (60 mins)	Drought Implications in the Basin (Continued) <ul style="list-style-type: none"> Overview: Implications of drought in OR and WA BAC Member Questions/Discussion <ul style="list-style-type: none"> What would be helpful for streams, water users and/or water managers during droughts? 	<ul style="list-style-type: none"> Emergency Declaration Fact Sheet Oregon Drought Webpage 	<ul style="list-style-type: none"> Chris Kowitz, OWRD Jaime Short, Ecology BAC Members Susan Gulick, Facilitator
2:15* (20 mins)	Update on OR Funding Opportunities <ul style="list-style-type: none"> Potential new and existing funding opportunities BAC Member Questions/Discussion 		<ul style="list-style-type: none"> Susan Gulick, Facilitator Amanda Cronin, Project Manager Chris Kowitz, OWRD
There will be a 10-minute BREAK around 2:30			
2:45* (30 mins)	Updates, Agenda Requests <ul style="list-style-type: none"> Project and funding updates from BAC members Upcoming Working Group Meetings <ul style="list-style-type: none"> Implementation Policy, Funding, and Outreach (PFO) Upcoming BAC Meetings Agenda requests from BAC members (BAC or Working Groups) 		<ul style="list-style-type: none"> Facilitation Team BAC Members
3:15* (10 mins)	Public Comment		<ul style="list-style-type: none"> Susan Gulick, Facilitator
3:25* (5 mins)	Closing <ul style="list-style-type: none"> Next Steps Closing comments 		<ul style="list-style-type: none"> Amanda Cronin, Project Manager Chris Marks CTUIR, on behalf of Tri-Sovereigns
3:30-4:00*	Adjourn		<ul style="list-style-type: none"> Susan Gulick, Facilitator

Welcome, Introductions, Review Agenda

Chris Kowitz, OWRD, welcomed attendees to the April Walla Walla Basin Advisory Committee (BAC) meeting and thanked everyone for their continued engagement and involvement as we shift into the implementation of the strategic plan. He reminded attendees that his door is always open to discuss the process and projects.

Susan reviewed the agenda and led roll call. Attendees are listed in **Appendix A**.

Drought Implications in the Basin (Continued)

Oregon:

The drought declaration process in Oregon starts with the local County. For example, Umatilla County would request drought declaration from the Governor. There are 2 bodies under the Governor’s Office: 1) Drought Readiness Council; 2) Water Supply Council. They evaluate conditions on the ground and if they agree that a drought is imminent, they will forward their findings to the Governor. That then enables OWRD to use tools such as the temporary movement of water or temporary permits for a new well.

Drought does not change OWRD’s active management on the ground. For example, if you are a senior water right holder and you are not getting the amount of water that you are allowed, then you can notify the water master who will verify that is the case and can turn off junior uses if needed. Water masters start at the most junior and turn that water off first until the senior water right is satisfied. They start allowing people to turn water back on in the reverse order as more water becomes available. This process is the same in times of drought.

Washington

Ecology did not receive additional funding for drought this last legislative session. Washington needs assistance from water users to better utilize existing resources such as:

- Consistent complaint management – Water users should utilize the Environmental Report Tracking System (ERTS).
- Balance management between users and compliance work – Ecology needs to regulate water between senior and junior water right users while having capacity to follow up on compliance issues.
- Planning – We are dealing with unusually dry conditions this year so plan accordingly, including the potential for curtailment.
 - Late season snow and cool temperatures have helped extend water supplies. Currently at 96% of average snowpack – so anticipating curtailment in August or September
- Adjudications add complexity – Each adjudication is slightly different so regulation may look different. Contact Ecology with any questions.

Like Oregon, when water supplies run low, users with senior water rights are satisfied before junior rights.

- In this process senior water right holders notify Eric Hartwig that their rights are not being satisfied and define how much water they need.
- Eric works with the junior right holders to curtail, starting with the most junior until he is able to satisfy the need for seniors.
- Eric stays in close contact with seniors so that if there are times when they do not need water, he will contact the juniors to know they can turn back on.

Discussion:

- James Kraft asked how the states are enforcing Trust water rights that have seniority dates on them?
 - In Oregon, part of the conserved water right goes to water right holder – other goes instream. You will see OWRD regulating for instream water rights when they can be 'on.'
 - Washington has a similar process to Oregon – they look at the priority date and if there is a call for the water, they monitor the priority date and look for the ability to call.
 - James Kraft added that many strategies involve trust water originate in Oregon and then flow into Washington. He asked whether Oregon and Washington agencies support legislation that would have both states recognize the trust water rights of the other state?
 - Ecology added that more discussion is needed with Washington water right users. There was language proposed several legislative sessions ago that did not get any traction. This is a high priority as it relates to cross border regulatory issues.
 - Oregon added that they are committed to continuing to discuss this with WA. Additionally, will need to consider conjunctive management of groundwater.
- Jonathan Kohr added that pulse or enhancement flows could be a good tool to consider during fish migration periods (Possible option up to mid-June time frame)
 - Ecology asked whether there are locations or reaches that may be more beneficial than others?
 - BAC members discussed looking into specific locations at the May Implementation Working Group (WG) meeting.
 - WDFW added that CTUIR looked at the reaches that are highest mortality. This could be a good lens to see which reaches are most applicable for the enhancement flows.
 - BAC members expressed support for exploring pulse or enhancement flows and added that we should be mindful of short- and long-term tools to achieve flow targets.
 - Additionally, WDFW added that we need to be mindful and strategic with pulse flows at extremely low flow periods because that can strand fish.
- John Foltz suggested that we should explore opportunities to store water when it is not needed (relates to anchor projects) such as through large-scale floodplain projects and aquifer storage (ASR and MAR). He added that people have been meeting with Bluewood to discuss using snowmaking to help preserve snowpack later in the season.
- Frank Nicholson reminded the BAC of the Critical Low Flow Plan which was developed in 2012. Under the Plan, the City of Walla Walla was willing to turn on a well, drain reservoirs, and support enhancement flows. The Plan would need to be upgraded but a lot of thought and effort went into this 10 years ago.
 - Ecology added that this plan was part of the Partnership's authority and went away during its dissolution. There were several times that they got close to implementing but the Plan was never deployed. The document is a good starting place.
- WDFW asked in the situation of a sale of water from an Oregon user to a downstream user, is that "protectable"?
 - Ecology shared that pursuant to the US Supreme Court ruling from 1936, any water that comes into WA is WA's. There is not the legal mechanism to protect a trust water right from OR.
 - Brook added that this is why we're exploring at the highest levels in both states a way to manage across the border.
- Renee Hadley added that timely drought declarations from the state level would be helpful. Locals often know 3 months in advance of declarations which is not enough time to prepare.

Update on OR Funding Opportunities and Legislative Request

Chris Kowitz shared that the Implementation WG outlined potential projects for inclusion in OWRD's legislative funding request for 2023. OWRD identified priority projects for the Walla Walla Basin and other basins in the state.

- OWRD has two existing funding opportunities: 1) feasibility studies; 2) water projects, grants, and loans. These are both competitive opportunities.
- OWRD is developing a plan to set up a fund for Basins with a state recognized Integrated Water Resources Plan.
 - OR Water Resource Commission to adopt the WWW2050 Strategic Plan.
 - OWRD thinks that this will make us more competitive and provide a better source of funds as we continue to identify and prioritize funds.
- Will go deeper into the weeds of funding projects at tomorrow's Policy, Funding, and Outreach WG meeting.

Discussion:

- Chris Marks added that this is a much-needed conversation in OR – he thanked Chris Kowitz for his work to move this forward.

Updates

Project and Funding Updates

- John Foltz shared a list of updates on projects that address salmon recovery and linkages to flow enhancement. Several of the projects were completed this last field season, some are in progress, and others are seeking funding matches.
 - Several of the projects would benefit from a letter of support from the BAC.
 - **Action Items:**
 - John to send list of projects and indicate which need a letter of support.
 - Consulting team to draft the letter, ask the group to review/approve, and send as a group (unless objections.)
- Tom Tebb shared that the Bureau of Reclamation will notify Ecology regarding the Basin Study application by the end of May.
 - If we are selected for the next step, will develop a more detailed scope of work for the Basin study.
- Troy Baker shared that Oregon approved 3 Walla Walla Basin Watershed Council (WWBWC) projects including two floodplain and habitat restoration projects on the North Fork Walla Walla River and one habitat restoration project on Couze Creek.
 - WWBWC submitted additional proposals including a baseflow assessment in Mill Creek, additional floodplain restoration work on the North Fork Walla Walla River, and a project in Nickels Canyon (just South of Milton Freewater).
- Renee Hadley shared that the Walla Walla Conservation District (WWCD) is involved in 10 stream restoration projects.
 - Additionally, WWCD has an upcoming pollinator workshop on June 3 which is open to the public.
 - WWCD is helping Washington State Department of Agriculture (WSDA) with a [tree-of-heaven survey](#) to be proactive regarding spotted lantern fly which could severely impact vineyards and orchards.

Upcoming meetings & potential agenda topics

- Implementation WG: May 12 at 2 pm
 - Discuss pulse or enhancement flows
- BAC: May 25 at 1 pm
 - May be in person

Public Comment

No comments

Closing Comments

Brook Beeler closed the meeting by reminding attendees of our shared community and humanity. She expressed gratitude that we continue to press on and shared that she looks forward to reconnecting with everyone in person soon!

Appendix A. Attendees

WWBAC Members & Alternates

First Name	Last Name	Affiliation
Bill	Goss	OHA
Brook	Beeler	Ecology
Chris	Kowitz	OWRD
Cindy	Boen	USACE
Colleen	Fagan	NMFS, NOAA
David	Haire	CTUIR
John	Foltz	Snake River Salmon Recovery Board
Mark	Wachtel	WDFW
Nicholas	Velluzzi	Walla Walla Community College
Ralph	Perkins	WWBWC
Randy	Jones	ODEQ
Renee	Hadley	Walla Walla County Conservation District
Sarah	Dymecki	WWT
Steven	Patten	City of Milton-Freewater
Taylor	McCroskey	ODEQ
Tom	Tebb	Ecology
Travis	Trumbull	WWRID
Steve	Martin	WDFW

WWBAC Members Not in Attendance

First Name	Last Name	Affiliation
Allie	Newhouse	OR Irrigation at-large
Dan	Dorran	Umatilla County
Gary	James	CTUIR
Judith	Johnson	WWWMP
Justin	Yeager	NOAA NMFS
Linda	Herbert	Blue Mountain Land Trust
Mark	Wagoner	Gardena Farms Irrigation District
Todd	Kimball	Walla Walla County

Other Attendees

First Name	Last Name	Affiliation
Adriane	Borgias	Ecology
Amanda	Cronin	Amp Insights
Caroline	Burney	Cascadia Consulting
Chris	Marks	CTUIR
Eric	Hartwig	Ecology
Frank	Nicholson	City of Walla Walla
Jaime	Short	Ecology
James	Kraft	WWT
Jeff	Dengel	WDFW
John	Fazio	
John	Warinner	Watersolving
Jon	Campbell	DWWF
Jonathan	Kohr	WDFW
Mary	Verner	Ecology

Melissa	Downes	Ecology
Scott	Tarbutton	Ecology
Susan	Gulick	Sound Resolutions
Tim	Poppleton	Ecology
Tom	Schirm	WDFW
Troy	Baker	WWBWC