



Walla Walla Basin Advisory Committee

June 26, 2024

1:00 – 4:00 PM

Water & Environment Center



Introductions

- Folks in the room: please share your name and affiliation
- Folks on Zoom, please rename yourself by:
 - Hover over your name on the participant list,
 - Select "...\" and "Rename"
 - Add your full name and affiliation



Agenda

- Welcome & Introductions
- 2025-27 OCR Project Funding Updates
- Community Tour Reflections and Future Outreach
- Tri-Sovereign Executive Updates
- Legislative Report
- Updates
- Public Comment
- Closing



Welcome and Opening Remarks

Brook Beeler



2025-27 OCR Project Funding Updates

Amanda Cronin, Project Manager



Draft Detailed Timeline for Development of OCR Capital Project Lists

Timing	Activity	Who*
February 15, 2024	Discuss approach and process with Implementation WG	Implementation WG
Late Feb 2024	Establish sub-workgroup membership	AMP
March 2024	Email call for initial project interests with short description and funding need	AMP + project sponsors
March/April 2024	Sub-workgroups meet to discuss criteria	Subworkgroups
May 2024	Development of draft project proposal form with criteria in mind	AMP
May/June 2024	WG meets to review and discuss proposal form and proposed criteria suggested by subworkgroups	Implementation WG
July 17 2024	Full proposals due - sponsors fill out more detailed project form	AMP + project sponsors
Late July 2024	Compile lists of proposed projects for consideration	AMP
July/August 2024	Sub-workgroups meet to discuss and rank projects	Subworkgroups
October/September 2024	Sub-workgroups recommend draft project lists by category to BAC	Subworkgroups
October and November 2024	BAC discusses and approves list to recommend to Tri-Sovs	BAC
April – May 2025	WA Legislative budget passed	Legislature
Aug – Sept 2025	Awards made to grantees based on 25-27 capital appropriation	OCR

*Tri- Sov review, feedback and decision-making integrated throughout the process



Strategy	Project Name	Project Sponsor	Funding Request
Floodplains, Habitat & Fish Passage	South Touchet River Large Wood Enhancement	CTUIR	\$150,000
	Túuši Wana Floodplain & Fish Habitat Restoration	CTUIR	\$5,000,000
	South Fork Cabin Access	Southfork Timber & Cattle Company	\$225,000
	Bridge to Bridge Phase 3	Tri-State Steelheaders	\$90,000
	Mill Creek Passage - 6th Ave Bridge	Tri-State Steelheaders	\$400,000
	Mill Creek Passage - 3rd to Colville	Tri-State Steelheaders	\$3,000,000
	Mill Creek Passage - Gose Street	Tri-State Steelheaders	\$4,000,000
	Mill Creek Passage - Roosevelt to Tausick	Tri-State Steelheaders	\$5,100,000
	Couse Creek RM 8 Low Tech Restoration	WWBWC	\$175,000
	North Fork Walla Walla RM 5.2-6.5 Floodplain Restoration	WWBWC	\$407,000
	Hofer Dam Assessment & Design Study	Washington Water Trust	\$151,000
	Mill Creek Geomorphic Assessment & Action Plan	WDFW and CTUIR	\$300,000
	Riparian Maintenance	WWCCD	\$90,000
	Touchet RM 42 Restoration	WWCCD	\$400,000
	Lower Mill Creek RM 4	WWCCD	\$700,000
Monitoring & Metering	WW Subbasin Salmonid Monitoring & Evaluation	CTUIR	\$146,250
	Monitoring & Adaptive Management Strategy Development	WDFW	\$150,000
Water	College Place Garrison & Stone Creek Stream Gauge	City of College Place	\$125,520
	Aquifer Recharge Water Quality Monitoring	WWBWC	\$28,000
	LWW Irrigation Canals Water Efficiency Improvements	Walla Walla River ID	\$350,000
	Water Right Transactions - Water Payments	Washington Water Trust	\$100,000
	Water Right Transactions - Project Development	Washington Water Trust	\$120,000
	Heritage Garden Program	WWCCD	\$30,000
	GFD Siphon Replacement	WWCCD	\$1,200,000
Water Quality	College Place Decant Facility Construction	City of College Place	\$1,000,000
	College Place WWT Plant Upgrade - Pipe to Gardena ID	City of College Place	\$2,000,000
	Dayton Wastewater Treatment Facility	City of Dayton	\$20,000,000
	Nichols Canyon/Hwy11 Stormwater Design & Monitoring	WWBWC	\$71,500
TOTAL			\$45,509,270



Draft Criteria for Discussion

	CRITERIA	DEFINITION	SCORING
ELIGIBILITY	State	State in which action would occur.	OR, WA or OR and WA
	Ripeness	Sufficient design, permitting. etc. has been completed so funds can immediately be applied to advance project & project is already proceeding in sequential steps.	Yes/No
	Funding for Implementation	Is the funding needed for direct project <u>implementation</u> (staff time to implement can be included).	Yes/No
PRIORITIZATION	State Funding Need	Action has a funding need from the state (e.g., including high reliance on state funding or the need for match funding from the state).	Yes/No
	Funding Need (\$)	Dollar value of funding needed from source in question	\$
	Benefits	Contribution to desired future conditions (DFCs)	# of DFCs supported
	Benefits	Scale of contribution to DFCs	Low, Medium, High
	Benefits	Report on metrics measuring progress to DFCs and how they contribute to identified DFC(s)	Varies by project
	Project Longevity	Expected project length of life	Years/Permanent



Desired Future Conditions

Floodplains, Critical Species, Habitat, & Water Quality

- Achieve healthy, natural floodplain function
- Increase access to quality habitat
- Increase riparian cover
- Increase river channel complexity and naturalize channelized streams
- Restore a natural sediment transport regime
- Meet TMDL targets
- Increase critical fish species population and abundance levels necessary to meet delisting criteria, support sustainable natural production, and provide a fishery for Tribes and the community

Water Supply, Streamflows, & Groundwater

- Build resiliency and redundancy in the agricultural water supply to meet current and future water demand
- Stabilize aquifer levels to support water resources and water for people and farms
- Enhance instream flows to meet instream flow targets for critical species
- Increased natural infiltration, acreage, and duration of inundation

Land Use & Flood Control

- Reduce flood risk for people and cities
- Create climate resilience for basin water resources

Quality of Life

- Sustain and improve quality of life in the Walla Walla Valley by supporting community health with clean and reliable domestic water supply as well as opportunities for outdoor recreation and sustainable tourism

Monitoring & Metering

- Increase streamflow, habitat, and water use monitoring to support better water resource management and adaptive management



Project Metrics

Floodplains, Habitat & Fish Passage	Monitoring & Metering	Streamflows, Groundwater & Water Supply	Water Quality
# miles stream restored or riparian buffers installed	# sites monitored	Water savings (AF (preferred), CFS)	% reduction in contaminants (by type)
# acres floodplain reconnected/restored	# gages installed	% of target flow met	
# fish passage barriers removed	Frequency of monitoring	# miles piped	
# stream miles made accessible		Water right priority date	
# trees/plants planted		# participants	
# of log/log structures installed			



Community Tour Reflections and Future Outreach

Alle Brown-Law, Cascadia

Chris Marks, CTUIR

Troy Baker, WWBWC



6/15 Community Tour Reflections

- 32 people on the tour – 26 community attendees
 - 34 community members registered
- Attendees represented a variety of community organizations:

Organizations	
Blue Mountain Land Trust	Walla Walla County Community Development
Whitman College	Walla Walla Public Schools
Port of Walla Walla	Walla Walla County Rural Library District
The Sustainable Living Center	Candidate for 16th LD State Senate
Tri-State Steelheaders	WWCWCB & Hydro Irrigation District No.9
Walla Walla Sunrise Rotary	Walla Walla 2020
Walla Walla Flyfishers	Walla Walla Public Library
WSU Master Gardeners	Whitman College Environmental Studies/Geology
Water & Environment Center, WWCC	Whitman College Climate Justice Coalition

6/15 Community Tour Reflections

- Attendees were engaged and active participants!
- **Themes from Attendee Questions:**
 - How do water rights work in the Basin? What is the difference between senior and junior water rights?
 - What is the intent of the legislation?
 - Status of the Bi-State Flow Study and anchor project alternatives?
 - Coordination between different users (such as irrigation districts)?







6/15 Community Tour Reflections

- For those who attended or participated in the tour, do you have any reflections to share?
- Any feedback?



Fall 2024 Open House – Preliminary Discussion

- The 2023 open house had a broad focus, with general opening remarks and stations hosted by Basin organizations and agencies. Do you have any ideas for the **content** of this year's open house?
- What **structure** would you like to see for this year's open house?
 - More structured time, less structured time, stations, speakers, demonstrations, facilitated discussion, etc.?
- Is there a particular **audience** you'd like to see attend this year's open house?
- Any feedback or lessons learned from last year that we should consider while planning?



10 Minute Break
Return at 2:20



Tri-Sovereign Executive Updates

Chris Kowitz, OWRD, on behalf of the Tri-Sovereigns



Tri-Sovereign Quarterly Executive Meeting

- Overview and status of WW2050 process and studies
- Outreach and Engagement Needs
- WA and OR Conjunctive Management Program
- Developed Water and the WA Trust
- Tri-Sovereign Reflections and Continuing Capacity

Meeting will occur
June 27 in Pendleton



Memorandum of Understanding

Memorandum of Understanding
between the
Confederated Tribes of the Umatilla Indian Reservation
and
Oregon Water Resources Department
and
Washington State Department of Ecology
related to
The Management of Walla Walla Water 2050 Strategic Plan

- Finalized and signed!



Legislative Report

**Noah Wentzel, Liddy Grossman, and Dave
Christensen, Ecology**



Walla Walla Legislative Report

June 26, 2024

Liddy Grossman & Noah Wentzel
Water Resources Program



Overview

1. Review of legislative report process and timeline
2. Legislative report overview
 - Introduction and background
 - Need for coordinated management
 - Identified coordinated management approaches

RCW 90.90.120(6)

Required Legislative Report

Enacted by 2SHB 1322 in May 2023

- Requires Ecology to submit a report including:
 - “... a recommendation for the bistate legal regulatory framework necessary **for equitable allocation and management of developed water resources** from the build out of water supply projects envisioned in the Walla Walla water 2050 plan.”
- Due June 30, 2025
- To be developed in collaboration with state of Oregon and in consultation with Confederated Tribes of the Umatilla Indian Reservation (CTUIR)

Process for Developing this Report

- Writing group comprised of Ecology, Oregon Department of Water Resources, and Confederated Tribes of the Umatilla Indian Reservation
- Review with BAC on a quarterly basis



Timeline

Progress

Next steps

May 2023

- 2SHB 1322 signed into law

Fall – Winter
2024

- Conduct initial research into interstate management tools

Winter –
Spring 2024

- Develop legislative report draft with research findings

June 2024

- **Present draft findings to the BAC**

WE ARE HERE

Fall 2024

- Ecology develops recommendations

April 2025

- Final draft report due for review

June 2025

- Submit final report to Legislature



Legislative Report Overview and BAC Discussion

Introduction and Background

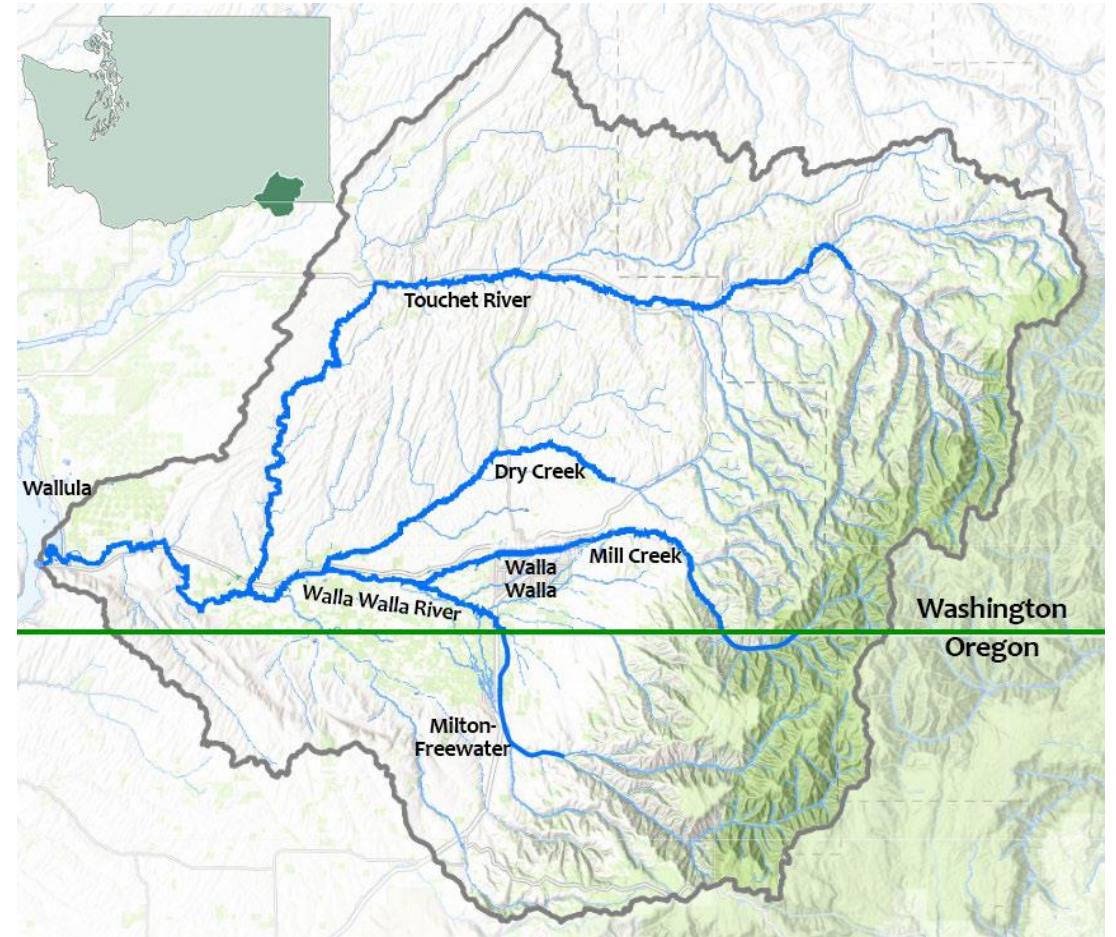
- Historical, cultural, and ecological context of the Walla Walla Basin
- Brief history of water and stream flows in the basin
- Background on WA 2SHB 1322 and OR SB 1567
- Process overview for developing the report

Introduction and Background

- Any clarifying questions?
- What's missing from the introduction?
- Is there critical additional context that you think is necessary for the legislative report?

Need for Coordinated Management

- Washington does not have authority to manage developed water from projects in Oregon until they reach the border.
- Oregon wants to ensure that management of water remains consistent to the Columbia River.
- We need agreement on how to manage developed water holistically throughout the basin.



Need for Coordinated Management

- Any clarifying questions?
- Is there anything we need to explain why coordinated management is needed in the Walla Walla basin?

Approaches for Coordinated Water Resource Management

Legal instrument	Description
Memorandum of agreement/understanding	Development of a formal agreement to memorialize shared goals and purpose and to document responsibilities for each state.
Mutual legislation	Mutual passage of identical or coordinated legislation by both the Oregon and Washington legislatures to define individual states' roles and responsibilities in statute.
Interstate compact	Ratification of a formal interstate compact agreement by the legislatures of Oregon and Washington legislatures <i>and</i> U.S. Congress.
Interstate compact (states only)	Ratification of a formal interstate compact agreement by the legislatures of both Oregon and Washington.

Approaches for Coordinated Water Resource Management

- Do you have questions about the management framework options? Do we need to clarify anything?
- Are there any other management framework approaches that we should consider?
- Do the pros and cons of these approaches in the draft make sense to you?

Recommendations

- Section is currently blank! Do you have any thoughts to share today as we prepare to draft this section?
- Next steps:
 - Ecology will select the recommended coordinated management option(s) to include in the final report
 - Quarterly updates to the BAC will continue (next in Sept.)



Thank you

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Management Framework Option Reference Slides

Memorandum of Agreement/ Understanding (MOA/MOU)

Development of a formal document of agreement.

- **MOA:** Preliminary document of agreements and conditions prior to a contract
- **MOU:** Non-binding statement of intent

Disputes between parties resolved by U.S. Supreme Court



Pros

- Agreement is useful as an initial strategy if parties eventually intend to enter into a compact.
- Flexible nature of the agreement enables adaptation to future changes of conditions in the watershed.

Cons

- Compliance is voluntary.
- U.S. Supreme Court is under no obligation to exercise jurisdiction if the states come into conflict.



Mutual Legislation

Passage of identical or coordinated legislation by Oregon and Washington.

1. Each state enacts statutory authority to manage water resources on agreed terms within their own jurisdiction, *or*
2. Each state enacts statutory authority to negotiate agreements to do so.
 - See Nevada NRS 532.175

Pros

- Legislation enshrines the management structure in statute rather than a voluntary agreement between states.
- Legislation provides state-level implementation authority without the need for congressional action

Cons

- It may be challenging to pass identical or nearly identical legislation in both states.
- If conflicts arise, states could unilaterally repeal or modify their laws.



Interstate Compact

Ratification of a compact agreement by Oregon, Washington, and U.S. Congress.

- Typical structure for many historical interstate water management agreements
- Process:
 1. States negotiate development of terms.
 2. State legislatures ratify the compact.
 3. Congressional provides consent.



Pros

- Establishes a legal relationship between the states and enshrines management authority in state law.
- Congressional consent authorizes the broadest suite of management strategies and tools.

Cons

- Congressional consent may take years or decades to achieve.



Interstate Compact (states only)

Ratification of a compact by Oregon and Washington.

- Most interstate compacts require federal ratification.
- Congressional consent required only if the compact risks undermining the power of the federal government
 - *Virginia v. Tennessee*
 - *U.S. Steel Corp. v. Multistate Tax Commission*
- No current interstate water resource management compacts exist of this kind.



Pros

- Establishes a legal relationship between the states and enshrines management authority in state law.
- Creates uniform and formal guidelines, procedures, and practices to address a common problem.

Cons

- This is a new and untested approach to enacting an interstate compact for water apportionment compact.
- Does not provide additional management authority than can be achieved through state legislation.
- May be difficult to enforce if conflicts arise.



Updates

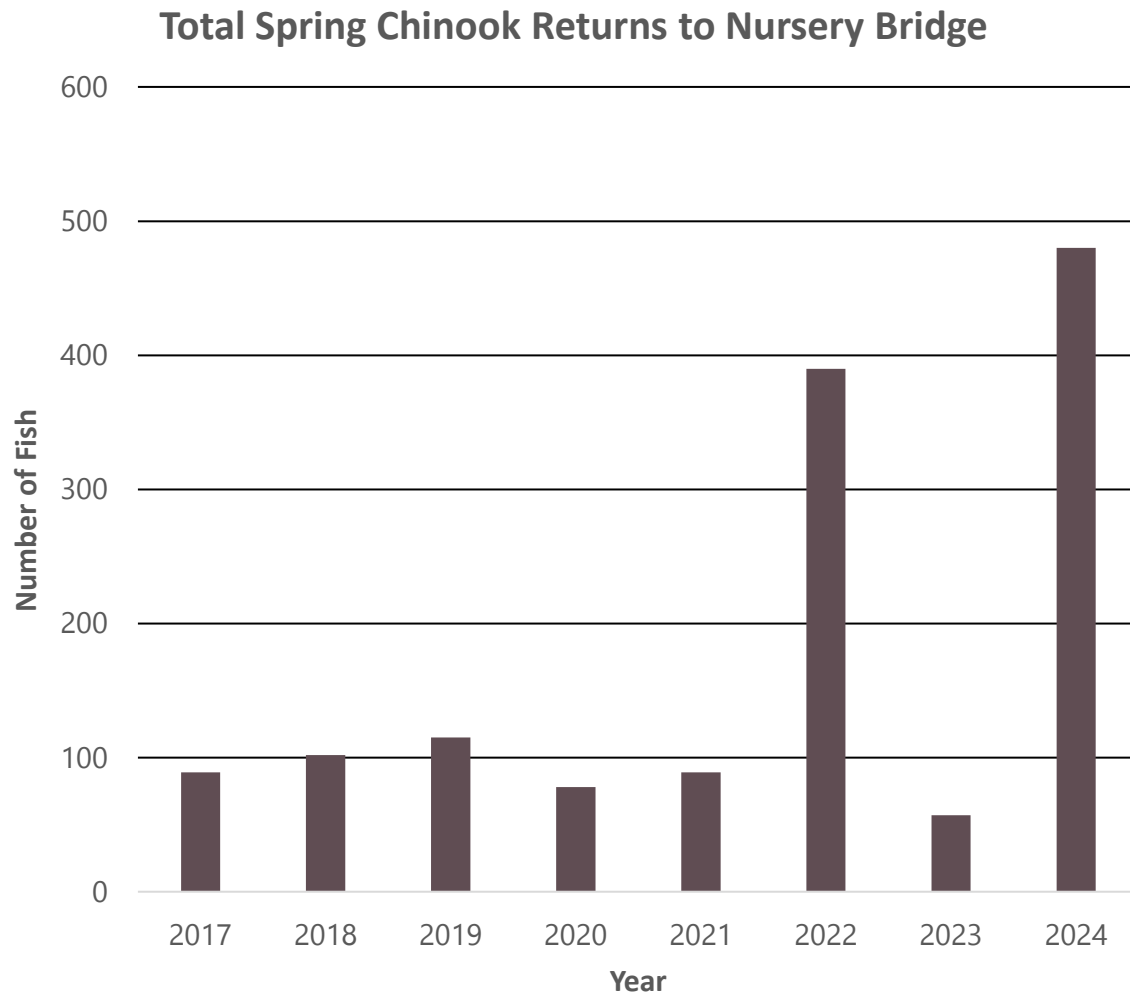


Updates

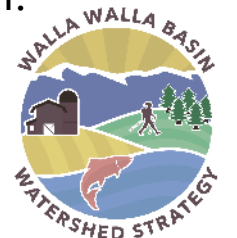
- Fisheries co-manager update
- June 25 Community Meeting reflections
- Updates from each working group
- Project and funding updates from BAC members
- Future agenda items and field trip options



Fisheries Co-Manager Update



- Of **443 adults returned**, **184 were used for the broodstock program**. The rest were used for escapement efforts in the spawning grounds.
- **350 adults (175 pairs)** are needed to reach spring Chinook production goals at the Imtwaha Hatchery. 2024 returns met half of the overall needs for the hatchery production, the rest were from out of basin stock.
- Spring Chinook spawning grounds surveys will start in August and continue until early October. Bull Trout surveys will start in October.



Upcoming Meetings

Basin Advisory Committee

- **September 25**, 1 – 4 p.m.
- In-person at Water & Environment Center, or remote via Zoom

Implementation Working Group

- Recent meeting **June 13, 2024**
- **Sub-workgroups** occurring over the summer

PFO Working Group

- **July 9, 2024**, 9:30 – 11:30am
- Virtual via Zoom



Implementation Working Group Highlights

- Heard an overview of the 2025-2027 OCR capital budget process to date, and reviewed and discussed the draft criteria, draft metrics and questions to be included within the project proposal.
- Learned about a proposal for a Mill Creek Geomorphic Assessment and Strategic Action Plan from CTUIR and WDFW.
- Heard an overview of the Walla Walla Basin Assessment completed to date by the consultant team.
- Discussed a Bureau of Reclamation WaterSmart grant opportunity and discussed possible ideas and interest in developing a collaborative proposal.
- Members shared several updates, including updates on the Project Tracking survey.



Public Comment



Closing

**Chris Kowitz, OWRD on behalf of the
Tri-Sovereigns**

Alexandra Doty, Facilitator

Amanda Cronin, AMP Insights

