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Meeting Notes

December 17, 2010

Yakima Arboretum, Yakima WA

Yakima River Basin Water Enhancement Project (YRBWEP) 2010 Workgroup

Opening Comments

Dan Silver, consultant to Ecology, facilitated today's Workgroup meeting. The Workgroup agreed to skip review of the November meeting notes, introductions, and the comment matrix included in the Workgroup packet in order to allow more time to reach agreement on the Integrated Plan Summary document.

Dan gave an overview of today's agenda and reminded the Workgroup that today is a decision point and that this process will continue. Details of the Summary document are important; however, there will be more opportunities to address the finer details in the near future. The copy of the Summary document contained in the handout is slightly different from the version emailed out earlier this week. We will work from the updated copy.

Summary – Economic Effects Workshop by Andrew Graham, HDR Engineering, Inc.

Andrew Graham briefly reviewed and highlighted the key components of the Economic Effects Workshop presented December 9, 2010, by Ernie Niemi of ECONorthwest. The analysis identifies major costs and benefits over a 100-year period from 2010 forward. Not all items were quantified in monetary terms. For example, benefits accrued under climate change scenarios have not been determined yet; nor have benefits to fish other than salmon and steelhead. Therefore, the analysis is informative, but not comprehensive. At the workshop on December 9, Ernie cautioned the group not to construct a cost-benefit ratio from the results, since not all costs and benefits are quantified. Both an electronic and hard copy of Ernie's presentation were provided to Workgroup members (*for additional information on this and other topics discussed at the December meeting, see <http://www.usbr.gov/pn/programs/yrbwep/2010workgroup/meetings/index.html>).*

Next Steps for Integrated Plan by Derek Sandison, Ecology, & Wendy Christensen, Reclamation

Derek Sandison and Wendy Christensen presented information outlining next steps for the Integrated Plan process. These include preparation of a Final Integrated Plan and Basin Study Report; Workgroup review of those documents; preparation of a Final Planning Report and Environmental Impact Statement; formation of the Implementation Subcommittee; and periodic meetings of the YRBWEP Workgroup. Both SEPA and NEPA review will be performed at the programmatic level. The Final Planning Report will address requirements of the Federal Principles and Guidelines for evaluating water



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resource projects. Reclamation and Ecology anticipate a continued partnership and will each contribute funding to this effort. Derek stated that the Governor's proposed budget for the upcoming biennium includes \$2 million to support this activity, which is a significant show of support in regard to the current budget-cutting climate. The following items were discussed:

- The SEPA/NEPA processes will be integrated. Substantial amounts of information and environmental analysis are contained in existing NEPA and SEPA documents related to water resource management in the Yakima Basin. Those documents will be supplemented with additional information and analyses generated through the YRBWEP Workgroup process.
- Will alternatives to the Integrated Plan be evaluated? *Both NEPA and SEPA require evaluation of reasonable alternatives to a proposal as well as a No Action alternative.*
- How flexible is this process in addressing changes and conditions over time? *The programmatic EIS can be supplemented periodically to reflect changing conditions. In addition, project level environmental review will be conducted as individual projects move toward implementation.*
- We've discussed an operating agreement for the Yakima Project in the interim until facilities are sufficient to meet the 70-percent target in drought years. When will that agreement be developed? *Modification to the current operating agreement for the Yakima Project would be proposed as elements undergo project level environmental review, design and permitting. In addition, the programmatic EIS will evaluate operational alternatives associated with implementation of the entire Integrated Plan.*
- When do we draft legislation? *Since we are pursuing the standard Federal process, legislation would normally be drafted at the direction of the administration or Congress after their consideration of the final planning report and EIS, however, the Implementation Subcommittee, since it does not include representation from federal agencies, may choose to initiate development of draft legislation at any time.*
- Is Congressional authorization required for the next steps of the Integrated Plan? *Authorization for conducting feasibility-level planning studies and associated environmental compliance is provided by the 1979 Yakima River Basin Water Enhancement Project Feasibility legislation. Project-level NEPA/SEPA reviews would come after specific projects are authorized by Congress.*
- Federal funding for the feasibility-level planning studies may not exceed 50 percent of the total study costs. Therefore, state and local funding will need to cover 50 percent or more of the total study costs.

Workgroup Discussion of Integrated Plan Summary Document by Dan Silver, Ecology Consultant
Dan Silver identified several comments received from Workgroup members after the latest version of the Summary document was issued earlier this week. Sierra Club comments previously distributed via email were also included in the Workgroup meeting packet for discussion. The purpose of this discussion is to finalize the language in the Summary document so Workgroup members may come to a decision on whether or not to support moving forward with the Final Integrated Plan.

After each comment was presented, there was open discussion among the Workgroup to reach consensus on a suitable revision to address the comment. Four revisions were approved by the Workgroup in this session. *The final revisions accepted by the Workgroup are listed below, followed by key points discussed pertinent to each revision:*

Section: 3.6.2 Municipal and Domestic Conservation program

Revision:

Remove “as a condition” from the third bullet point. (“Establish best practice standards ~~as a condition~~ for accessing the new supply developed through the integrated Plan and dedicated to municipal use and municipal/domestic mitigation.”)

- Mike Leita –Yakima County wants to be a partner with the others in the room, but certain language included in the Integrated Plan Summary document represents premature barriers that Yakima County can’t accept. In the third bullet, Yakima County requests that “as a condition” be removed. The county will employ best management standards; however, this language does not appear in any other part of this agreement because it’s assumed that best management standards will be followed for all elements of the plan. Therefore, to remain consistent, the language does not need to be in this part of the agreement.
- Paul Jewell – “As a condition” is a bit beyond the scope, and Kittitas County is hesitant to agree to this language when we don’t know what it actually means. It’s not consistent with the rest of the document.
- Michael Garrity – I think it’s important to establish this type of criteria to Congress and American Rivers. This is the same language asked of other basins, and it should remain consistent. Having this sort of condition (language) will be sought, and will determine if we’re on the inside or outside. We would also like to propose “best national practices,” but this will be refined in February. As we move forward, we will flesh this out, but for now, I’m okay with removing the three words. It seems to mean the same thing even without those words.
- Reclamation, Ecology, and the City of Yakima each said that conservation plans are required of their respective agencies prior to any type of municipal or irrigation commitment.
- Dan Silver asked the Workgroup to confirm it is acceptable to make this change to the document, and it was affirmed.

Section: 4.2 Adjustments to the Integrated Plan Over Time

Revisions:

Remove third bullet point (“~~Projects that can be implemented should not be delayed simply because other projects are delayed or encounter challenges.~~”); and

Revise first sentence of fourth bullet point to include language “as soon as possible” (“The agencies and organizations represented on the YRBWEP Workgroup will continue to work in good faith throughout

the implementation period to secure resources as soon as possible to implement all of the Integrated Plan projects and programs, or to identify reasonable substitutes if one or more of the recommended projects or programs cannot be implemented.”)

- Mike Leita – Yakima County is asking for the sentence to be removed. Yakima County will be there to help get the fish passage projects built. We will engage on these fronts, and welcome the partnership to further our insights into better restoration projects. However, we view this as a premature barrier and it seems to reflect a lack of trust.
- Paul Jewell – Our objection is that the language is not necessarily in the spirit of the plan. These projects will move forward as planned. I think the third bullet should be struck. Perhaps it would be OK if it said projects would not be delayed “after authorization.”
- Derek Sandison – We are trying to move forward as a package; that’s the spirit. We’re trying to move it all together or nothing’s going to move. With that said, all projects have their own process and some take longer than others. But the whole idea is a concerted effort.
- David Fast – My concern is with fish passage at Cle Elum and Bumping. Cle Elum is already far advanced and should not be stopped for other projects to catch up. I would like to see the bullet point kept in the document so there’s no confusion.
- Dale Bambrick – The Cle Elum project is underway and there should be no misunderstanding down the road.
- Phil Rigdon – There is an uneasiness, and it raises a concern. As we are fully committed, I do understand why this language raises concerns because the leverage game has been played in the past.
- Alex Conley – Once we have authorizations, do we actually still have triggers where one project is dependent on the other? Or is it a situation where you can then “let the horses run?” We can trust this group. Once there’s authorization, let’s just get it done.
- Michael Garrity – We haven’t really had this discussion about implementation and process, and I’m wondering if we should just delete 4.1, 4.2, and the schedule in Attachment 5, for now.
- Paul Jewell – If it’s important then it should be outlined in the plan.
- Jeff Tayer – All three counties are committed. I’m proposing positive language and turning the negative (trust issue) into a commitment to get the Integrated Plan done as fast as we can.
- Dale Bambrick – I propose to address the third bullet in Section 3.1 rather than Section 4.2. Cle Elum fish passage should not be delayed.
- Barb Lisk (Congressman Hastings office) – Fish passage at the reservoirs has not been authorized by Congress.
- Dawn Wiedmeier – Propose to continue on our path. The reality is that Congressional support is needed to implement these projects. Let’s not get hung up on this language.
- Wendy – Reclamation is currently working on the Final Planning Report and EIS for the Cle Elum fish passage project. So progress is being made.
- Phil Rigdon – Fish passage at Cle Elum is part of a long-running settlement agreement with Reclamation, and I want to fully make sure that we will be supporting these elements as soon as possible. I want to add language “as soon as possible.”

- Dan Silver asked the Workgroup to confirm it is acceptable to make this change to Section 4.2 of the document. Andrew Graham read the specific language to the Workgroup, and it was affirmed.

Section: 3.2.4 Power Subordination

Revisions:

Revise last sentence as follows: “~~Further~~ subordination will ~~only~~ be pursued ~~on~~ subject to the condition that acceptable mitigation is agreed upon and approved by Reclamation, Bonneville Power Administration, and either Roza or Kennewick Irrigation District, as applicable.”

Revise first sentence as follows: “Further subordinate water diversions for power generation at Roza Dam and Chandler power plant to support outmigration of steelhead, ~~spring~~ Chinook, sockeye and coho juveniles....”

- Michael Garrity – Subordination is characterized a bit negatively. Make more positive.
- Scott Revell – That sentence [with the original wording] is a backbreaker for KID.
- Ron Van Gundy – proposed the revised language shown above.
- Dan Silver asked the Workgroup to confirm it is acceptable to make this change to the document, and it was affirmed.

Section: 3.1 Fish Passage

Revisions:

Remove second bullet point (“~~There would be no impacts to ‘total water supply available’ (TWSA)~~”); and

Revise fourth bullet point to read: “Potential operational changes that might enhance passage without causing adverse impacts impacting service to existing contracts or TWSA irrigation water supply would be considered.”

- Dale Bambrick – Delete second and fourth bullets or amend them to reflect 70-percent prorationing (i.e., there will be no impacts below 70 percent, but may have impacts when above 70 percent).
- Rick Dieker – In the last paragraph of 3.1, does the language on “unimpeded fish migration” include trap and haul? Dave Fast answered yes it does.
- Alex Conley – the language on “feasibility” in Section 3.1 is not defined and should be clarified.
- Dan Silver asked the Workgroup to confirm it is acceptable to make these changes to the document, and it was affirmed.

Additional Comments:

- Dan Silver read from a comment received by Max Benitz – Regarding Section 3.3.4 Columbia River Pump Exchange, add language to say that Step 1 of the feasibility study for the Columbia River transfer would be included as part of the feasibility-level planning report and EIS process. Dan asked whether this is intended to mean that the Columbia River feasibility study would be accelerated to come ahead of all other projects. Andrew Graham said that the schedule in Attachment 5 shows the feasibility study beginning at the same time as other projects, which is right after congressional authorization of the overall package. Max indicated that this is acceptable in the Support document and no change is necessary.
- Alex Conley – The description of the habitat program does not include everything the Subcommittee discussed and will need to be included. He will send some changes to the consulting team. Additionally, economic feasibility outlined in the Summary document gives a vague allusion to feasibility, but without definition. Needs clarification.

Public Comment

- Steve Malloch, National Wildlife Federation, said there are elements missing in this plan in order to sell this project outside the basin:
 - The economic analysis shows that this is an ecosystem restoration project, since that's where most of the benefits come from.
 - To achieve support outside the Basin, it needs a land conservation element as an eighth element.
 - Additional supply has been identified, but it's not really clear where that water goes. Is there a dedicated amount of water for fish? This needs to be clearly identified.
 - Reservoir operations need to protect the newly introduced fish. This will have an effect on system operation and needs to be captured.
 - Reconsider American Rivers' proposed language in Section 3.1 [*ed. note: actually Section 3.6.2*] that was not included in the summary document. When we go to Congress and there are questions about what we're doing on the municipal, irrigation and agricultural side, we need a better answer. We need commitments on improving agricultural and M&I efficiencies.
 - We're not adequately addressing groundwater.
 - There are financing issues and repayment issues. We need to know how we're going to pay and who will pay.

Decision: Support and Move Forward with Integrated Plan, or Not in Support

Dan Silver polled the Workgroup members to determine who supports moving forward with the Integrated Plan based on the Support document, and who does not support moving forward as indicated. Workgroup members responded as follows:

- Jeff Tayer – Support.
- Rick Dieker – Support.

- Mike Leita – Yes, support as amended today.
- Sid Morrison – YBSA membership have a wide range of opinions about the Integrated Plan. Questions still remain about the process (i.e., flexibility of the process). It's important to keep the process alive. Yes, support and move ahead.
- Ron Van Gundy – Not everything is worded as we would like, but in the spirit of compromise, support and let's move forward.
- Dale Bambrick – The agricultural community in the basin generally wants to see that actions to improve fish habitat will not harm agriculture in the basin. This plan will expand the range of actions that can be considered for fish. Enthusiastically support.
- Jeff Thomas – Interested in seeing the actual document instead of just a summary. There are still too many uncertainties to be totally comfortable. Looseness of fish passage language is an issue. No assurance on the later three dams [Tieton, Kachess, and Keechelus]. Without any assurance on passage at those three dams, it is hard to accept the potential negative habitat impacts of the reservoirs on Bull Trout and Spotted Owls at Bumping and Sage Grouse at Wymer. We haven't adequately explored or secured flow benefits. Concerns with undefined habitat mitigation. Neglected the groundwater element in the plan. I think we have more work to do. Does not support.
- Urban Eberhart – Supports moving forward and looks forward to working together.
- Dawn Wiedmeier – Yes, supports moving forward.
- Phil Rigdon – Yakama Nation supports moving forward. We do not support pumping from the Columbia River. The Yakama Nation won't object to Ecology and Reclamation studying pumping from the Columbia River but will not support any authorization for pumping from the Columbia River.
- Dave Brown – He is not aware of any objections from the City Council, but won't know for sure until their meeting on January 5, 2011.
- Max Benitz – Will support the plan, with some inclusions in 3.3 as outlined in letter submitted by Benton County dated December 16, 2010.
- Scott Revell – KID supports and is ready to move forward.
- David Fast – Concerned that the Columbia River supply option was inserted late in the process. He does not support pumping from the Columbia River, but as long as pumping is just studied then the study could be considered. We support the Integrated Plan and would like to see the process move forward.
- Michael Garrity – The land conservation element is critical. We need to think of this as an element; it would be good optics to selling it to the larger public. He understands it may not fit into the plan based on study authorities, but functionally it is part of the plan for the basin and is central to furthering the purposes of the plan especially given global warming. You have these conservation groups seriously considering, not being endeared about a reservoir, but letting it go as part of the package of water supply, fish passage, and aquatic and land habitat conservation elements, which is really significant because it hasn't happened before. Subordination and water marketing with dry-year options need to be included before we move on to the EIS. Where the funding comes from needs to be identified. Need to raise the fish and water supply "boats"

together. We have a ways to go in terms of process. He is not taking action today, pending work on the land piece in January, but he does want the discussion to continue.

- Alex Conley – Passed out a letter from the Yakima Basin Fish and Wildlife Recovery Board which is made up of several members at the table – counties, cities, etc. In general, the right discussion is on the table and the plan provides a lot of support for fish recovery. Therefore I have strong support. On a detailed level, there is a lot to be worked out.
- Paul Jewell – Kittitas County fully supports the Integrated Plan.
- Derek Sandison – Ecology supports the Integrated Plan.
- Dan Silver noted that Tom Davis who is absent today sent an e-mail to the facilitation team in support of the plan and Jim Trull who is out sick has made it known in previous conversations that Sunnyside Valley Irrigation District also supports the plan to move forward.

Dan Silver summarized: there is substantial commitment from the Workgroup to this plan as amended. Jeff Thomas is not in support, Dave Brown is awaiting response from his City Council, and Michael Garrity's vote is deferred pending resolution of the land proposal being worked out in a separate venue.

Wrap-up and Next Steps

Dan concluded the meeting and expressed that we still have a long way to go and a lot of detail to work out; although the heart of it was here today.

Outgoing Benton County Commissioner Max Benitz was commended for his long-standing commitment to the watershed.

The HDR team will update the Summary document early next week and will provide it to the City of Yakima for consideration at their Council meeting on January 5.

Earlier in the meeting Alex Conley indicated he has comments on the Support document that are strictly editorial in nature. Andrew Graham said we can review comments of that nature and edit if needed. Editorial comments should be provided by December 23. However, apart from the comments discussed and approved today by the Workgroup, the consultant team will not make any further edits that would change the substance of the plan as approved. The revised Support document will be issued in early January.

Workgroup Members in Attendance

Dale Bambrick, NOAA Fisheries Service

Max Benitz, Benton County Commissioner

Dave Brown, City of Yakima

Alex Conley, Yakima Basin Fish and Wildlife Recovery Board

Urban Eberhart, Kittitas Reclamation District

Rick Dieker, Yakima-Tieton Irrigation District

David Fast, Yakama Nation – Yakima/Klickitat Fisheries Project

Michael Garrity, American Rivers

Paul Jewell, Kittitas County Commissioner

Mike Leita, Yakima County Commissioner

Sid Morrison, Yakima Basin Storage Alliance
Scott Revell, Kennewick Irrigation District
Phil Rigdon, Yakama Nation – Natural Resources
Derek Sandison, Washington Department of Ecology
Jeff Tayer, Washington Department of Fish and Wildlife
Jeff Thomas, US Fish and Wildlife Service
Ron Van Gundy, Roza Irrigation District
Dawn Wiedmeier, Bureau of Reclamation

Other Attendees

Melissa Bates, Aqua Permanente
Dave Berthon
David Bowen, American Forest Land Co.
Tom Carpenter, Yakima Basin Storage Alliance
David Child, Yakima Basin Joint Board
Wendy Christensen, Bureau of Reclamation
Stuart Crane, Yakama Nation
James Fitch
Adam Fyall, Benton County
Maurice Block
Chuck Garner, Reclamation
Don Gatchalian, Yakima County
Andrew Graham, HDR
Sean Gross, NMFS
Jerry Haak
Bob Hall, Yakima Basin Storage Alliance/Yakima Auto Dealers
Justin Harter, Naches-Selah Irrigation District
Ken Hasbrouck, Kittitas Reclamation District
Lynn Holt, Bureau of Reclamation
Joel Hubble, Bureau of Reclamation
Eleanor Hungate
Terry Keenhan
Jerry Kelso, Consultant to Bureau of Reclamation
Chuck Klarich
Edwin Lewis, Wapato Irrigation Project
Barb Lisk, Office of Representative Richard Hastings
Chris Lynch, Reclamation
Steven Malloch, National Wildlife Federation
Jason McCormick
Jim Milton
Tom Monroe, Roza Irrigation District
Bob Montgomery, Anchor QEA

Brian Myre, Yakama Reservation Irrigation District,
Tom Myrum, Washington State Water Resources Association
David Reeploeg
Tom Ring, Yakama Nation
Ann Root, ESA Adolfson
Landon Schilperoort
Mike Schwisow
Tom Silva
Elaine Smith
Tom Tebb
Bob Tuck, Yakima Basin Storage Alliance
Keith Underwood, HDR
Duane Unland
Ric Valicoff
Jim Willard
William Woods

Where to Find Workgroup Information

Meeting materials, notes, and presentations from the Workgroup meetings will be posted on the project website (<http://www.usbr.gov/pn/programs/yrbwep/index.html>). A bibliography of information sources, many of which are available online, is also posted on the website. If anyone needs help finding an information source, contact those listed at the top of page 1 or Ben Floyd at Anchor QEA, Richland office, (509) 392-4548, or bfloyd@anchorqea.com.