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Meeting Notes

Yakima River Basin Water Enhancement Project Workgroup

September 20, 2017

Benton Public Utility District, Prosser, WA

Welcome, Introductions and Agenda Overview

Ben Floyd, White Bluffs Consulting, welcomed the Yakima River Basin Water Enhancement Project (YRBWEP) Workgroup members and other attendees to the meeting. Ben recognized new member Bret Walters, U.S. Army Corps of Engineers, and departing YRBWEP Outreach Coordinator, Nicky Pasi, American Rivers. He also recognized Scott Revell who is replacing the late Ron Van Gundy as Roza Irrigation District's representative.

The following notes summarize the YRBWEP Workgroup presentations and public comments. For details, please see the full presentations available on the project website:

<http://www.usbr.gov/pn/programs/yrbwep/2011integratedplan/index.html>.

Ron Van Gundy Remembrance

Scott Revell, Roza Irrigation District, led a remembrance for Ron Van Gundy who passed away in July. Scott showed slides from Ron's life and career and remarked on his critical role in bringing the diverse parties involved in Yakima Basin Integrated Plan (Integrated Plan) together around a common goal. Many other Workgroup members also shared their memories of Ron.

Yakima River Basin Surface Water Adjudication Update and Path Forward

Trevor Hutton, Washington State Department of Ecology (Ecology), gave an update on the adjudication of surface waters in the Yakima River basin. Adjudication is a court process with the purpose of confirming existing water rights; no new rights are established in the adjudication process. Numerous issues led to the decision in the 1970s to adjudicate the basin including droughts, unresolved treaty rights with the Yakama Nation, layers of confusing and conflicting legal history, and a need for certainty. The process began in 1977, and is now resulting in Conditional Final Orders (CFOs) for each claimant. These CFOs will be folded into a final decree, which will become the master document describing surface water rights in the basin. The process is nearing completion; the proposed final decree process is expected to be complete in spring 2018.

Ground water rights have not been adjudicated in the Yakima River basin.

Workgroup Discussion:

Chad Stuart, Bureau of Reclamation: Reclamation is happy to see the process coming to an end. This will greatly help with Reclamation's operations as they relate to managing water in the Yakima basin. The operations will be streamlined but will not change much.

Tom Ring, Yakama Nation: Water right validity during transfers will be much clearer. Tom reminded the Workgroup that adjudication does not fix water supply issues, but when issues arise, there will be written documentation of water rights, which rights are unmet, and how to manage from that standpoint.

Tom Tebb, Ecology, Office of Columbia River (OCR): The adjudication clearly establishes priority and total water supply available.

Scott Revell: Scott asked about permit-exempt wells and how they fit into adjudication and water rights management.

- Trevor Hutton: Permit exempt wells have an effect on water supply in the basin, and if we run up against supply issues, Ecology will refer to priority dates to properly administer these water allocations.
- Tom Tebb: The Integrated Plan is intended to help avoid conflicts between surface water- and groundwater users and between instream and out-of-stream uses. This will hopefully avoid the need to undertake an adjudication of groundwater rights in the future.

Public input on this agenda item:

None.

Implementation Committee Update

Tom Tebb: The Implementation Committee was very active during the last legislative session. The State Senate and House capital budgets for Integrated Plan projects were aligned to include the full request of \$31.1 million. The Legislature did not pass the capital budget, so there are ongoing discussions about what to do next. There is talk about how to continue making progress on the Integrated Plan until the funding uncertainties are resolved. Tom is confident that a capital budget will pass, aided by conversations with senators; however, it will likely have to wait until the next legislative session.

The legislative tours planned this summer did not occur because of the wildfires in the basin. Regarding Federal legislation, the committee is hoping for a House companion bill alongside Senator Cantwell's Senate bill. The committee will try to visit DC this fall. Congressmen Newhouse and Reichert have indicated they would like to move this legislation forward in the House.

Workgroup Discussion:

Charlie de la Chapelle, Yakima Basin Storage Alliance: How much money is in the Federal legislation?

- Tom Tebb: This remains to be seen, as the earmark issues with the previous legislation is being sorted out. Peter Dykstra, Plauche and Carr LLC, echoed those remarks and suggested we may know how much funding will be available sometime next month, and it may be similar to what was introduced in the last Congress. The previous bill was estimated around \$92 million. Large shares were identified for Wapato and water conservation projects.

Public input on this agenda item:

None.

Technical Work Updates

1 – Cle Elum Pool Raise

Teresa Merriman, Bureau of Reclamation, gave an update on the Cle Elum Pool Raise project. She reviewed the project background and purpose. Construction of the radial gates was completed in April 2017. Reclamation is now working with the Forest Service and landowners to install shoreline protection over approximately the next 5 years. No additional water can be stored until the shoreline protection component is completed, and all additional storage will be dedicated for instream flow purposes for fish. The first shoreline protection contract was awarded for the USFS Cle Elum River Campground in August 2017 and construction is set to begin fall 2017.

NEPA Process for KDRPP and KKC

The Kachess Drought Relief Pumping Plant (KRRPP) and Keechelus-to-Kachess Conveyance (KKC) Supplemental Draft Environmental Impact Statement (EIS) will be released for public review in December or January. After public comments are received, preparation of the Final EIS is expected to take about 1 year.

Workgroup Discussion:

Steve Malloch, Western Water Futures, LLC: Regarding the Cle Elum Pool Raise project, how many of the shoreline protection pieces must be complete before the radial gates are operational?

- The entire shoreline protection must be complete, which may take up to 5 years. It will depend on completion of contracts related to the project and coordination with landowners.

Public input on this agenda item:

None.

2 – Cle Elum Fish Passage Project

Richard Visser, Reclamation, reviewed the fish passage project at Cle Elum Dam. The helix downstream passage system will be effective in a 63-foot range of pool elevations, and trap-and-haul is the method for upstream passage. Secant pile construction is in progress and is about 50 percent done. Progress has slowed because of wildfire in the area, but Reclamation expects the vault excavation will begin in spring 2018. Construction of the lower two intakes will provide some challenges: the pool level will need to remain at or below 2170 for 75 consecutive days. This may impact carryover storage if a drought occurs in the following year. Reclamation will discuss this further with its water users, Yakama Nation, System Operations Advisory Committee and others.

Workgroup Discussion:

None.

Public input on this agenda item:

Chuck Klarich, Yakima Basin Storage Alliance: Are funds for the helix system authorized? And is it on track to be installed within the next 5 or 10 years?

- The helix is designed and tested; it would be installed in approximately 2021 and 2022. The project is authorized but funds have not been allocated.

3 – Whooshh™ System at Cle Elum

Dave Fast, Yakama Nation, gave an update on the Whooshh™ system for upstream fish passage at Cle Elum Dam. They are studying the effectiveness of the system using an onsite prototype. The Workgroup viewed a video showing the prototype at Cle Elum Dam.

Workgroup Discussion:

Dale Bambrick, National Marine Fisheries Service: How well will the system have to perform to be considered satisfactory?

- This has yet to be determined. They want make decisions based on the results of initial system testing. The full-scale test will occur next year.

Sean Gross, National Marine Fisheries Service: When will a decision be made about full implementation and operation of the system?

- There will be a meeting with stakeholders in November or December. Reclamation is planning to construct the traditional trap-and-haul system but configure it so that the Whooshh™ technology could easily be installed.

Public input on this agenda item:

None.

General Public Comments:

Chris Maykut, Friends of Bumping Lake: Chris submitted an article about a California water project where Reclamation contributed \$85 million in planning funding, covering approximately \$50 million of what were allegedly supposed to be irrigation district costs. Chris shared his understanding that the irrigation districts had promised to fully pay for the project and no Federal tax money would be used.

Ann Lewis, Yakima Basin Coalition: Ann described the presentation given by Jay Schwartz in June as part of a Public Perspectives Session. She stated his presentation used Reclamation's numbers to show the KDRPP project does not make sense. She asked "Why do they plan to build it when it doesn't make sense?"

Executive Committee, Subcommittees, and Subgroups Updates

Executive Committee (Tom Tebb): The committee is working on keeping Integrated Plan activities moving while waiting for resolution of the stalled State capital budget. Tom thanked the Workgroup members who have helped with that effort.

Water Use Subcommittee:

Scott Revell: Roza Irrigation District has nearly completed installing and activating its 1,600 acre-foot reregulation reservoir. This reservoir will operate like a "shock absorber" in the middle of the system. It can take water 4 to 5 days to reach the lower system from the upper basin reservoirs, so a mid-system

reservoir is very helpful, particularly in drought years. Use of the reregulation reservoir will also add about 5,500 acre-feet to streamflow in the Yakima River, in non-drought years.

Rick Dieker, Yakima-Tieton Irrigation District: YTID is studying alternatives to replacing its main canal from the Tieton River. They hope to complete the initial study by the end of the year, and would then move to environmental assessment of the project.

Urban Eberhart, Kittitas Reclamation District: KRD was awarded a Federal WaterSmart grant for a water marketing analysis focused on market opportunities, barriers, and how to transfer water efficiently in drought years. KRD is also examining small gravity-fed storage sites for conserved and seasonal waters not yet used for storage purposes. The Workgroup viewed a film about the KRD tributary flow supplementation projects.

Melissa Downes, Ecology: Ecology issued a Request for Proposals for a market reallocation study, related to the KRD work. They plan on evaluating proposals in October and will award a contract in October or November.

Scott closed Water Use Subcommittee discussion by mentioning the critical near-term issue is a good quantification of feasible water transfers, particularly in the upper basin. This needs to recognize that only the consumptive portion of a water right can be transferred. Numbers released by others a couple of years ago did not properly account for this and overstated the quantity of water that could potentially be available for transfer.

Workgroup Discussion:

Mike Leita, Yakima County: Are the KRD water storage projects considered an addition to the Integrated Plan?

- They are part of the Integrated Plan and are quick, achievable, water supply projects. The small projects are more efficient at getting storage in place.

Groundwater Subcommittee:

Tom Ring: There is a half-day symposium on October 10 regarding groundwater storage. Two notable projects are an Oregon State University graduate student's study of aquifer headroom and the City of Yakima Aquifer Storage and Recovery project.

Habitat Subcommittee:

Jeff Tayer, Washington Department of Fish and Wildlife (WDFW): The Teanaway Community Forest (TCF) is a flagship project for the Integrated Plan and is the largest acquisition for conservation purposes in State history. Mike Livingston, WDFW, mentioned the Teanaway Valley Family Farm was recently purchased and provides a key cross-valley connection within the TCF. It enhances recreation access and contains wetlands, floodplains, and riparian areas. Peter Dykstra elaborated on the history of the purchase and mentioned that The Trust for Public Land played a big role. They currently hold the

water rights and are working to change ownership to the Washington Water Trust and Kittitas County. This will support the county's mitigation program for exempt well users.

Paul Jewell, Kittitas County: Water was the driving issue getting the county involved in the acquisition. Water right acquisitions were 346 acre-feet, of which Kittitas County retains 81 acre-feet. Nine are allocated for the TCF, while 72 are allocated for a back-mitigation bank. This provides a good step toward a final goal of 800 acre-feet for the bank. Commissioner Jewell also discussed recreational access and the need to have very clear boundaries (particularly signs) between public and private property. Jeff Tayer mentioned that the collaboration between private and public stakeholders to get this done is a new way of doing business, and we should continue this good work.

Rick Roeder, Washington State Department of Natural Resources (WDNR): Rick gave an update on the fencing project that supports compatibility of grazing and habitat conservation in the TCF. The goal is to install approximately 9 miles of fencing, about half of which is completed. Wildfires have slowed progress, but the project is progressing now. Regarding the Jolly Mountain fire, a fire line has been established and people are allowed back into the areas south of the fire. It is primarily an understory burn, and a full survey of impacts has yet to be done.

Merritt Mitchell-Wajeeth, Mid-Columbia Fisheries: Merritt gave updates on the Bateman Island project and Wapato Reach Action Plan. For Bateman Island, there is good forward progress toward restoration of flow at the dike location. There was a stakeholder meeting in June and a technical team developed a draft guiding project statement. They are awaiting a decision from the U.S. Army Corps of Engineers on funding. Relationships with multiple stakeholders are in good condition. A subgroup of the Habitat Subcommittee is nearing completion of the Wapato Reach action Plan for habitat improvements. It includes acquisitions of floodplain land, modification or removal of floodplain levees, and other actions.

Workgroup Discussion:

Tom Tebb: Have there been any outreach to engage Wapato area communities in the project?

- Not yet.

Lower River Subgroup:

Seth Defoe, Kennewick Irrigation District: The subgroup is working on an action plan for lower river project, and determining which projects are really actionable. The lower river is not itself an element of the Integrated Plan, so the subgroup needs to restructure and place projects within the seven elements. Ben Floyd and Scott Revell mentioned the smolt survival study, and Scott brought up smolt survival issues in the lower river. Efforts for smolt survival in the upper river must be complemented in the lower river.

Economic Subcommittee:

Mike Leita: Economic report is done.

Public input on this agenda item:

David Ortman, Sierra Club: Tom Tebb had mentioned groundwater storage at a Columbia River Policy Advisory Group (CRPAG) meeting, when will this be addressed?

- That is a Douglas County study and not related to the Integrated Plan.

Workgroup Roundtable

Dale Bambrick, National Marine Fisheries Service: Dale commended KID's work on the lower river.

Paul Jewell, Kittitas County: The County is dramatically impacted by the Jolly Mountain fire, which is the first big fire since the Workgroup started focusing on the upper county. They will have a good view in the Teanaway of what heavy fire impacts may look like as it relates to the Integrated Plan

Jeff Tayer, WDFW: Jeff commended the Workgroup for making progress on big, meaningful projects and expressed appreciation for what a "big deal" purchasing the Teanaway and fish passage projects are. He believes the group is succeeding in their mission.

Scott Revell, Roza Irrigation District: Scott and Walk Larrick will meet with Kachess Homeowners on September 21.

Steve Malloch, Western Water Futures LLC: Steve is happy to hear the good news on the TCF. He recommends retaining focus on smaller projects because they can rapidly produce results.

Charlie de la Chapelle, YBSA: More progress needs to be made on storage projects and funding.

Alex Conley, YBFWRB: Alex is happy to see progress on Bull Trout issues, and commends the Workgroup for helping in that effort.

Jeff Thomas, USFWS: Jeff mentioned transporting Bull Trout around Clear Creek Dam. They have transported 19 this year, as opposed to 17 last year, and the population above the dam is showing success.

Lisa Pelly, Trout Unlimited: Lisa thanked Trevor Hutton, Ecology, and WDFW for their project work. KRD is helping to get water to places it hasn't been and helps mitigate dry year issues.

Dave Brown, City of Yakima: Dave introduced City of Yakima Deputy Mayor, Carmen Mendez. Dave reported that the Norse Creek fire in the American River headwaters is expected to cause turbidity issues for the city's water supply. Once it becomes operational, the city's Aquifer Storage and Recovery project will enable the city to more easily utilize groundwater, helping to offset this kind of surface water quality problem.

Mike Leita, Yakima County: Mike echoed Jeff Tayer's remarks that this truly is a new way of doing business. Leaving behind singular, self-interested projects and working as a collective is resonating, and everyone needs to get into that mindset.

Rick Dieker, Yakima-Tieton Irrigation District: The adjudication piece was a good reminder that the basin is over-allocated, and economic impacts will occur. The return on Federal investment in preparing for impacts is great, and continued investments need to be made.

Upcoming Meetings

The next Workgroup meeting will be on December 13, 2017, at the Yakima Arboretum (9:30 a.m.).

Attendance

Workgroup Members:

Dale Bambrick, National Marine Fisheries Service
Dave Brown, City of Yakima
Alex Conley, Yakima Basin Fish & Wildlife Recovery Board
Ron Cowin, P.E., Sunnyside Valley Irrigation District
Seth Defoe, Kennewick Irrigation District
Rick Dieker, Yakima-Tieton Irrigation District
Peter Dykstra, Plauche & Carr, LLP
Urban Eberhart, Kittitas Reclamation District
David Fast, Yakama Nation – Yakima/Klickitat Fisheries Project
Jaclyn Hancock, Washington State Department of Agriculture
Paul Jewell, Kittitas County
Mike Leita, Yakima County
Mike Livingston, Washington State Department of Fish and Wildlife
Lisa Pelly, Washington Water Project, Trout Unlimited
Scott Revell, Roza Irrigation District and Chair, YRBWEP Water Use Subcommittee
Phil Rigdon, Yakama Nation
Rick Roeder, Washington State Department of Natural Resources
Jeff Tayer, Chair, YRBWEP Habitat Subcommittee (Washington Department of Fish and Wildlife)
Tom Tebb, Washington State Department of Ecology - Office of Columbia River
Jeff Thomas, U.S. Fish & Wildlife Service, Mid-Columbia River Fishery Office
Bret Walters, US Army Corps of Engineers

Other Attendees:

Marcella Appel, Benton Conservation District
Charlie de la Chapelle, Yakima Basin Storage Alliance (YBSA)
David Child, Yakima Basin Joint Board
Stuart Crane, Yakama Nation
Jeanne Demorest, Bureau of Reclamation - Columbia-Cascades Area Office

Dean Dennis, Kennewick Irrigation District
Karen Dera, Bureau of Reclamation - Columbia-Cascades Area Office
Melissa Downes, Washington State Department of Ecology
John Easterbrooks, Washington State Department of Fish and Wildlife
Rick Evans, Senator Maria Cantwell's Office
Larry Felton, LEF Engineering
Ben Floyd, Anchor QEA
Chuck Freeman, Yakima County
Joel Freudenthal, Yakima County
Adam Fyall, Benton County
Don Gatchalian, Yakima County
Raelene Gold, Seattle Audubon, LWWA
Andrew Graham, HDR Engineering, Inc.
Dan Graves, HDR Engineering, Inc.
Sean Gross, National Oceanic and Atmospheric Administration (NOAA) Fisheries
Tim Hill, Washington State Department of Ecology
Trevor Hutton, Washington State Department of Ecology – Central Regional Office
Brady Kent, Yakama Nation
Chuck Klarich, Yakima Basin Storage Alliance
Walter Larrick, Citizen
Ann Lewis, Yakima Basin Coalition
Chris Lynch, Bureau of Reclamation
Jerrod MacPherson, Benton County
Steve Malloch, Western Water Futures LLC (alternate for American Rivers)
Chris and Samantha Maykut, Friends of Bumping Lake
Carmen Mendez, City of Yakima
Jean Mendoza, Friends of Toppenish Creek
Teresa Merriman, Bureau of Reclamation - Columbia-Cascades Area Office
Jim Milton, Yakima-Tieton Irrigation District
Merritt Mitchell-Wajeeth, Mid-Columbia Fisheries
David Ortman, Sierra Club
Nicole Pasi, American Rivers and the Yakima Basin Integrated Plan
Joye Redfield-Wilder, Washington Department of Ecology
Kristina Ribellia, Washington Water Trust
Tom Ring, Yakama Nation
Chad Stuart, Bureau of Reclamation – Yakima Field Office
Arden Thomas, Washington Water Trust
Richard Visser, Bureau of Reclamation - Columbia-Cascades Area Office
Laine Young, Washington State Department of Ecology

Where to Find Workgroup Information

Meeting materials, notes, presentations, and materials submitted during public comment for each Workgroup meeting will be posted on Reclamation's project website:

(<http://www.usbr.gov/pn/programs/yrbwep/2011integratedplan/index.html>). A list of information sources, many available online, is also posted on the website.

If you need help finding an information source, contact those listed at the top of page 1 of these notes or Ben Floyd at Anchor QEA, Kennewick office, (509) 491-3151 or bfloyd@anchorqea.com.